



MEMORANDUM

DATE: December 10, 2014

TO: Annapolis City Council *mjp*

FROM: Mayor Michael Pantelides
City Manager Thomas Andrews *[Signature]*

RE: Confirmation of Exempt Level Appointments

Pursuant to City of Annapolis Code, Section 3.08.030 and City Charter Article VI, Section 7, we are seeking confirmation by the City Council of my appointment to the following Exempt level position:

Clement (Pete) Gutwald – Planning and Zoning - A20/Step 8 \$128,475.32

A copy of Mr. Gutwald's resume is attached for your review and consideration.

Mr. Gutwald was the top candidate from among the six (6) candidates interviewed by the Mayor, City Manager and Rich Josephson, Director of Planning Services for the State of Maryland. The candidates were interviewed using a structured interview process. Mr. Gutwald was selected by the Mayor and City Manager from among two (2) finalists who completed a formal background investigation and reference checking.

Mr. Gutwald has a bachelor's degree in Urban Studies from the University of Maryland and a Master of Public Administration from the University of Baltimore. He is AICP certified, just completed service on Chesapeake Bay and Coastal Bay Critical Area Commission since his appointment by the Governor in 2006 and previously served as the Chairman of the Baltimore Regional Transportation Board from 2002-2004. Mr. Gutwald has over 25 years of professional planning experience including serving as the Harford County Director of Planning and Zoning since 2005.

Among Mr. Gutwald's career accomplishments to date include his leadership of Harford County's first undertaking in 25 years to rewrite the county's Zoning Code with very little opposition. In addition, he skillfully handled two comprehensive rezoning processes for Harford County and successfully managed the significant responsibility of implementing State ordinances requiring local plans. He has extensive experience with Natural Resource, Historic Preservation, and Transportation plans. Mr. Gutwald also completed the first Master Plan for Bicycle and Pedestrian use for Harford County.

Mr. Gutwald created a web-based technology to stimulate interest and input in the planning processes (especially the implementation of the State mandates) by allowing people to make on line comments. This feedback along with his effective interactions with citizen groups, advisory groups, council members, and staff members contributed to successful planning projects.

Accordingly, we trust that you will find the education, training and experience of Mr. Gutwald to far exceed the minimum qualifications required for the position. Mr. Gutwald will be present for confirmation at the City Council meeting scheduled for Monday, December 22, 2014.

C. Peter Gutwald, AICP

OBJECTIVE: Position that demands seasoned professional with excellent team abilities to develop and implement "smart growth" solutions to complex economic and residential development, redevelopment and resource protection issues.

RELEVANT EXPERIENCE AND ACCOMPLISHMENTS

Administrative Management

Advise County Executive on all planning, zoning and legislative issues related to land development. Utilizing strong communication skills, organize, direct and motivate department staff of 44 full-time professional and clerical employees. Over the past 8 years as Director I have completed a rewrite of the Zoning Code, Subdivision Regulations and Sign Code. I have updated the County's Master Plan and each of the Element plans including, Natural Resource Plan, Historic Preservation Plan, Priority Preservation Plan, Transportation Plan, in addition to the County's first Bicycle and Pedestrian Master Plan.

I am responsible for the review of all development projects, zoning certificates, enforcement and legislative updates for the Department of Planning and Zoning.

Appointed by the Governor of Maryland to the Chesapeake Bay and Coastal Bay Critical Area Commission -- 2006 to present. Currently serving as the Program Sub-committee Chairman.

Currently implementing a new permitting, land development and enforcement program for the County in conjunction with 3 other departments and multiple agencies.

Currently co-chairing a Master Facilities Plan steering committee to develop and implement a process to enhance and improve the Capital Improvement Programming across all county agencies including Board of Education.

Comprehensive and Long Range Planning

Completed Comprehensive Zoning review processes.

Completed community-visioning workshops to determine the communities' preferences for specific planning and design concepts.

Provide technical support to the local municipalities in development of their long range plans as well as annexation issues.

Manage Agriculture and Historic preservation efforts which have resulted in over 45,000 acres preserved for agriculture purposes and several historic landmarks.

Redevelopment

Prepared Community Plans and implemented changes to the zoning code to enhance redevelopment and revitalization efforts.

Transportation

Served as Chairman of the Baltimore Regional Transportation Board 2002-2004.

Secured funding for a regional/multi-agency Jobs Access transit project for the U.S. 40 Corridor.

Secured a Smart Growth Transit Grant for the Edgewood MARC train station renovation.

Created a process for efficient multi-agency review of traffic impact studies.

Prepared the Transportation Improvement Program.

Prepared and administered the Unified Transportation Plan and Program Grant.

Reviewed and completed traffic impact studies as well as corridor studies.

Provide assistance for local transit planning, including creating guidelines for evaluating the local transit system and feasibility studies of new routes.

Environmental

Completed update to the County's Chesapeake Bay Critical Area Program and Floodplain program.

Prepared flood plain regulations that earned a 15% rate reduction for flood plain insurance.

Research & Data Management

- Created a preliminary plan tracking process for the department.
- Created a land use and school enrollment statistical profile.
- Developed methodology for modifying traditional grade/cohort survival succession projection methodology.
- Responsible for management of GIS system for the County Government.

Capital Planning

Responsible for review and advice on the County's Capital Improvement Program. Currently the co-chairman of a study to implement a County-wide Facilities Master Plan.

Public Participation

- Design and conduct public outreach efforts utilizing the internet to educate citizens about modern planning techniques and keep them up to date on planning efforts or local development projects.
- Conduct community-visioning process to develop consensus for redirecting growth to older communities and commercial areas already served by infrastructure.

Employment History

Director, Planning and Zoning Harford County Government	2005 - present
Chief, Comprehensive Planning Division Harford County Government	1999 - 2005
Chief, Land Use and Transportation Planning Section Harford County Government	1994-1999
Transportation and Community Facility Planner Harford County Government	1990-1994
Lead Planning Technician, Department of Planning and Construction Anne Arundel County Board of Education	1988-1990

Education

Bachelor of Arts, Urban Studies, University of Maryland, 1988

Master of Public Administration, University of Baltimore, 2006

Professional Training, Associations, Awards

- Member,** American Institute of Certified Planners
- Diplomate,** FHWA Travel Demand Forecasting, 1991
- Diplomate,** FHWA Congestion Management, 1993
- Diplomate,** Professional Management Training, Harford Community College, 1995
- Diplomate,** Traffic Engineering, University of Maryland, 1996
- Diplomate,** Harford County Leadership Academy, 2001

Sec. 7. - Planning and zoning department.

- (a) The planning and zoning department shall be administered by the planning and zoning director. The planning and zoning director shall be appointed on the basis of his knowledge and experience in the fields of comprehensive planning and of zoning regulations, of which at least three (3) years shall have been in an executive or supervisory position. The director shall have an advanced degree in planning.
- (b) The planning and zoning department shall have the following powers and duties:
- (1) To plan for the physical development, redevelopment, and growth of the city.
 - (2) To supervise the adoption or revision of a plan of general development.
 - (3) To prepare and administer a zoning map and zoning rules and regulations governing the use of land in the city.
 - (4) To regulate the occupancy and use of property.
 - (5) To administer programs of community development, economic development and housing rehabilitation.
 - (6) To exercise all other duties and powers delegable to a municipal planning staff under the laws of Maryland, except those planning powers as may be assigned to other departments by the city council.

(Amended by Res. CA-7-03 § 1 (part))

3.08.030 - Salary.

- A. 1. For purposes of setting annual salaries, the following positions in the exempt service are assigned grades in the City's pay plan as indicated:

Position	Grade
Executive Office Associate	A10
Recruitment/Employee Relations Administrator	A15
Communications Officer	A18
Deputy Fire Chief	F18
Human Resources Director	A20
Director of Transportation	A20
Director of Neighborhood and Environmental Programs	A20
Director of Recreation and Parks	A20
City Attorney	A20
Assistant City Attorney	A18
Director of Finance	A20
Director of Planning and zoning	A20
Human Services Officer and Ombudsman	A18
Community Relations Specialist	A12
Administrative Assistant	A8
Assistant City Manager	A14
Public Information Officer and Quartermaster	A12

Fire Chief	F20
Police Chief	P20
Police Major	P18
Police Captain	P17
Director of Public Works	A20

2. The salary of the Mayor for the term of office commencing on the first Monday in December, 2013, shall be an annual salary of ninety-eight thousand dollars and an entitlement to the benefits afforded to the City's exempt service employees.
3. The salary of each Alderman and Alderwoman for the term of office commencing on the first Monday in December, 2013, shall be an annual salary of thirteen thousand five hundred dollars. Each Alderman and Alderwoman shall be afforded an annual allowance of one thousand five hundred dollars for expenses related to executing the duties associated with their office; such expenses shall include the cost of cell phones, postage, correspondence, office supplies, and education and training. Aldermen and Alderwomen shall participate in the Maryland State Retirement and Pension System.
4. The salary of the City Manager shall be:
 - i. Salary and Performance Reviews. A base salary for the City Manager ranging from one hundred twenty thousand dollars to one hundred eighty thousand dollars per year, with incremental increases based upon annual performance reviews conducted by the Mayor. The initial base salary shall be fixed within the provided range based upon the City Manager's education and employment experience. The annual performance review shall be based upon criteria established in advance by the Mayor in consultation with the Director of Human Resources. The base salary and increments shall be subject to cost of living increases (COLAS) every two years, based upon COLAS awarded to other City exempt service employees during the two-year period. The City Manager's compensation shall be subject to reduction to the same extent as other City exempt service employees, including reductions based upon furloughs or similar actions.
 - ii. Benefits. The City Manager is entitled to receive the same benefits as other City exempt service employees, such as inclusion in the City's health care and retirement plans, in which the City and the employee contribute in the same proportion as other City exempt service employees.
 - iii. Allowances. The City shall provide the City Manager with a City vehicle, or additional compensation to reimburse the use of a personally-owned vehicle.
 - iv. Severance Pay. Three months' severance pay of salary only for a City Manager who has been removed from the position without cause and no severance if the removal is for cause. Grounds for removal that constitute cause shall be 1) conviction of a felony or a crime of moral turpitude; or 2) malfeasance or misfeasance in office.

B. Salary raises for the list of positions included in the table in Section 3.08.030 A.1.:

1. Shall be justified by either satisfactory or above satisfactory performance reviews by the Mayor and shall be entirely at the Mayor's discretion, with the exception of those positions listed in Subsection (B)(2) of this Section;
 2. Shall be at the discretion of the Department Director for the following positions:
 - i. Deputy Fire Chiefs,
 - ii. Police Captains,
 - iii. Police Major,
 - iv. Recruitment/Employee Relations Administrator,
 - v. Assistant City Attorney,
 - vi. Executive Office Associate,
 - vii. Communications Officer,
 - viii. Human Services Officer and Ombudsman,
 - ix. Community Relations Specialist,
 - x. Administrative Assistant,
 - xi. Assistant City Manager,
 - xii. Public Information Officer and Quartermaster.
 3. Shall not be awarded to an individual more frequently than once a year;
 4. Shall not be for an amount exceeding one pay step in the grade range for the position as set in Subsection (A)(1) of this Section;
 5. Shall not cause an individual's salary to exceed the maximum salary of the assigned grade.
- C. Longevity salary increases awarded to civil service employees shall not be a benefit of the exempt service.
- D. A City employee appointed to a position specified in Subsection (A)(1) of this Section shall be assigned to a salary in the new pay grade which is at a minimum five percent higher than the employee's salary prior to promotion or shall be assigned to the minimum of the new grade, whichever is higher. In no case shall the new salary exceed the maximum salary of the new grade.
- E. For positions other than those specified in Subsection (B)(2) of this Section, the Mayor may make an initial appointment at a salary greater than the first step of the assigned grade. The appointment and initial salary is subject to confirmation by the City Council. For those positions specified in Subsection (B)(2) of this Section, appointments made by Department Director do not require City Council approval and initial appointments may be made at a salary greater than the first step of the assigned grade subject to the availability of funding.
- F. The Mayor shall report to the City Council on an annual basis the salaries of all positions listed in Subsection A of this Section, and all increases in salary awarded since the prior report.

(Ord. O-32-08 Revised § 1 (part), 2008; Ord. O-11-07 Revised § 1 (part), 2007; Ord. O-52-06 § 1, 2007; Ord. O-6-05 § 1 (part), 2005; Ord. O-17-01 § 1 (part): amended during supplement #7; Ord. O-46-97 § 1; Ord. O-25-97 § 1 (part); Ord. O-42-96 § 1; Ord. O-6-96 § 1; Ord. O-36-95 § 1; Ord. O-62-94 § 1 (part); Ord. O-24-91 § 1 (part); Ord. O-48-90 § 1 (part); Ord. O-7-90 § 1 (part); Ord. O-56-88 § 1; Ord. O-72-87 § 1 (part); Ord. O-19-87 § 1; prior code § 7-3.1(b), (c), (h), (i))

(Ord. No. O-12-10 Revised Amended, § 1, 7-12-2010; Ord. No. O-12-10 Revised Amended, § 1, 7-12-2010; Ord. No. O-10-12 Amended, § 1, 6-4-2012; Ord. No. O-1-13 Amended, § 1, 3-18-2013; Ord. No. O-10-13, § 1, 6-10-2013)

Planning Director

Job Class Code: 5001

Pay Grade: 20

FLSA: Exempt

Updated: 3/14

GENERAL STATEMENT OF DUTIES: Directs and participates in the work of the City Planning and Zoning Department in the development of a wide variety of comprehensive plans for the orderly growth and historic preservation of the City; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: This is a high level, highly visible professional planning and administrative position requiring a master's degree and having a broad range of policy making responsibility and discretionary authority as defined in the State Land Use Article. The Planning Director administers a full service municipal planning department and provides leadership to a professional staff engaged in a wide range of programmatic responsibilities that support the mission and goals of the department. In accordance with the City Code under Title 21, the Planning Director reports directly to the City Manager. The Planning Director guides the City Council in establishing legislative policy affecting all aspects of municipal government related to development, historic preservation, economic vitality, transportation planning, environmental policy, community development and housing planning. The Department of Planning and Zoning anticipates the City's needs in formulating the City's legislative and policy vision for the future. The Planning Director acts as liaison between state, regional and local officials and manages the legislative approval process on the local, state and regional level. This position works with the Planning Commission, Zoning Board of Appeals, Historic Preservation Commission, Board of Appeals, and Housing and Community Development Committee. This position may have some interaction with the Maritime Advisory Committee and the Annapolis Conservancy Board. These functions require extensive public presentations as well as formal hearings and daily interaction with the public. The Planning Director is required to present land use proposals at public hearings before the Planning Commission, the Zoning Board of Appeals and City Council on a regular basis.

EXAMPLES OF WORK: (Illustrative only)

- < Plans for the physical development, redevelopment and growth of the City;
- < Prepares comprehensive development plan, sector studies and accompanying rezoning for all commercial, residential, industrial and maritime property within the City to include an understanding of historic districts and historic preservation;
- < Prepares, administers and enforces a City-wide zoning map and zoning rules;
- < Prepares, administers and enforces regulations governing the use of all land in the City, including regulation of occupancy and use of property, and issues all zoning certificates;
- < Makes determinations and enforces all land use, zoning and subdivision regulations;
- < Serves as the zoning hearing officer in all matters relating to site design review;
- < Authorizes all subdivision of land within the City;
- < May directly grant administrative variances to residential zoning requirements;
- < Administers a wide variety of specific planning services including: General Development Plan, Central City Business Development, Economic and Maritime Development, Housing and Community Development and City-wide Development and Zoning Program;
- < Works with inspections and permitting functions to ensure integration with development and revitalization plans;
- < Represents the City and maintains liaison with a wide variety of Boards and Commissions, City employees and other government agencies;

- < Plans, organizes and reviews the work of subordinates, establishes objectives, motivates, and provides feedback to assigned staff;
- < Prepares Department work programs and budgets;
- < Performs other duties as assigned.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES: Comprehensive and broad knowledge of the principles and practices of urban planning, historic preservation, transportation planning, environment analysis and resource management, economic and community development and housing development, inspections and permits, and financing; extensive knowledge of the philosophy as well as the legal precedence pertaining to all of these areas; superior ability to exercise judgment and discretion in legal determinations affecting land use and zoning; demonstrated skill in the areas of negotiation, consensus building and conflict resolution; demonstrated presentation skills are essential as well as a superior ability to communicate both orally and in writing; good professional judgment.

Requires extensive professional planning experience of a progressively responsible nature at least three years of which must be at an executive or supervisory level, and possession of a master's degree from an accredited college or university in urban or regional planning; American Institute of Certified Planners certification is required.

AMERICANS WITH DISABILITIES ACT:

Physical ability: ability to work at desk in office and to observe activities in the field and office ;strength and agility sufficient to climb into and operate a passenger motor vehicle; to ambulate over rugged terrain, etc.; to stand for long periods while making planning presentations.

Visual ability: sufficient to read and write reports, correspondence, instructions, etc.

Hearing ability: sufficient to understand conversation with other individuals both in person and over a telephone.

Speaking ability: sufficient to communicate effectively with other individuals in person and over a telephone.

Freedom from mental disorders which would interfere with performance of duties as described.