



160 Duke of Gloucester Street
Annapolis, MD 21401

Signature Copy
O-30-15 Amended

..Title

Exempt Service - Positions Included – For the purpose of including the positions of Attorney 1 and Attorney 2 to the Exempt Service set forth in Chapter 3.08 of the Code of the City of Annapolis; and all other matters generally relating to positions included in the exempt service.

..Body

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance 30-15

Sponsored by: Mayor Pantelides

Referred to

Finance Committee
Rules and City Government

AN ORDINANCE concerning

Exempt Service – Positions Included

FOR the purpose of including the positions of Attorney 1 and Attorney 2 to the Exempt Service set forth in Chapter 3.08 of the Code of the City of Annapolis; and all other matters generally relating to positions included in the exempt service.

BY repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2013 Edition
Section 3.08.010
Section 3.08.030

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of the City of Annapolis shall be amended to read as follows:

CHAPTER 3.08 – Exempt Service

Section 3.08.010 – Positions included.

The Exempt Service Includes:

1. All the Elected Officials;
2. All Department Directors;
3. City Manager;
4. Communications Officer;
5. City Attorney;
6. Assistant City Attorney;
7. ATTORNEY 1
8. ATTORNEY 2
79. Community Relations Specialist;
810. Human Services Officer and Ombudsman;
911. Administrative Assistant;
1012. Assistant City Manager;
1113. Public Information Officer and Quartermaster
1214. Executive Office Associate;
1315. Recruitment/Employee Relations Administrator;
1416. Deputy Fire Chiefs; and
1517. Police Major and Captains.

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

Position	Grade
Assistant City Attorney	A18
ATTORNEY 1	A14
ATTORNEY 2	A16
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 3.08.030A.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. ATTORNEY 1,
- vii. ATTORNEY 2,
- viii. Executive Office Associate,
- ix. Communications Officer,
- x. Human Services Officer and Ombudsman,
- xi. Community Relations Specialist,



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- 6. Assistant City Attorney;
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- 8. ATTORNEY 2
- 79. Community Relations Specialist;
- 810. Human Services Officer and Ombudsman;
- 911. Administrative Assistant;
- 1012. Assistant City Manager;
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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:

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Position	Grade
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Community Relations Specialist	A12
Administrative Assistant	A8
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Public Information Officer and Quartermaster	A12
Fire Chief	F20
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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.

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B. Salary raises for the list of positions included in the table in Section 3.08.030A.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. ATTORNEY 1,
- vii. ATTORNEY 2,
- viii. Executive Office Associate,
- ix. Communications Officer,
- x. Human Services Officer and Ombudsman,
- xi. Community Relations Specialist,

- xxii. Administrative Assistant,
- xxiii. Assistant City Manager,
- xxiv. 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.

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL THAT THIS ORDINANCE SHALL TAKE EFFECT FROM THE DATE OF ITS PASSAGE.

EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.

~~Strikethrough~~ indicates matter stricken from existing law.

Underlining indicates amendments

ADOPTED this 27th day of July, 2015.

Aye: Mayor Pantelides, Alderman Budge, Alderman Paone, Alderwoman Pindell
Charles, Alderwoman Finlayson, Alderman Littmann, Alderman Kirby,
Alderman Pfeiffer and Alderman Arnett.

THE ANNAPOLIS CITY
COUNCIL Michael Pantelides Date: 8-6-2015
Michael J. Pantelides, Mayor

ATTEST Regina Watkins-Eldridge Date: 8/6/15
Regina Watkins-Eldridge, MMC,
City Clerk

Attorney I

Job Class Code: xxxx

Pay Grade: 14

FLSA: Exempt

Updated: 7/15

GENERAL STATEMENT OF DUTIES: Performs legal work for the City; does related work as required. Incumbents perform routine, less complex legal assignments and work is subject to review by higher level attorneys.

DISTINGUISHING FEATURES OF THE CLASS: Attorney I is the entry level position in the attorney career ladder and it is distinguished from Attorney II on the basis of the skills, need for direction or review of legal work, as well as lower level of experience in the practice of law to include municipal or other governmental experience. Position involves performing legal work on behalf of the City that is less complex or is performed in support of other more senior attorneys. The employees in this series will, under the supervision of the City Attorney or Assistant City Attorney, provide legal advice to the Mayor, City Council, department heads, boards, commissions, committees and citizens of Annapolis. Duties require the exercise of some independent judgment while serving as a legal authority for the City. Work is performed in accordance with the highest standards and practices of the legal profession.

EXAMPLES OF WORK: (Illustrative only)

- Conducts legal research;
- Prepares advice about the daily operation of a municipal corporation consistent with applicable local, state and federal law, regulations and policies, including advice as to alternative legal and administrative solutions to problems which are subject to review by higher level attorney;
- As required, attends meetings of the City Council and various commissions, committees and boards and renders legal advice on issues raised by matters on the agenda;
- Organizes, interprets, and applies legal principles and knowledge to assigned legal problems and writes legal opinions or may assist higher level attorney with more complex legal decisions;
- Works closely with the City Attorney or higher level attorney, prepares draft oral and written legal opinions to the Mayor and Council, City Manager, and Department Directors and other City staff consistent with skill and experience;
- Assists with preparation of depositions, investigations and litigation, and may conduct less complex litigation in court as assigned; may recommend appeals or settlements;
- Assists with or negotiates, drafts and reviews contracts, licenses, leases, deeds, insurance, and other agreements;
- Reviews or drafts routine legislation, resolutions, ordinances and policies or may assist higher level attorney;
- Assists in the enforcement of City and department policies and procedures, and the maintenance of proper records and reference materials;
- Assists in answering communications from the public relative to municipal ordinances and legal matters affecting the City;

- Meets with clients, members of the public, and elected officials;
- Performs other related duties as assigned.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES: Considerable knowledge of common law and of local government, state and federal laws and precedents as gained through completion of a juris doctorate degree; considerable knowledge of the rules of evidence, judicial procedures and methods and practices of legal research; ability to analyze legal issues, facts and evidence including those needed for civil proceedings and court cases; ability to prepare contracts and other legal documents and make court presentations effectively; ability to utilize personal computer and ability to deal tactfully with court officials, city officials and members of the public. Experience as a legal clerk for a judge in the State of Maryland.

PREFERRED KNOWLEDGE, SKILLS AND ABILITIES: Knowledge of the relevant federal, state and local law; knowledge and understanding of general principles of legal ethics; skill in negotiating agreements and crafting solutions which accommodate conflicting interests and viewpoints; skill in oral and written communication sufficient to develop defenses of, and justification for, decisions reached; ability to establish and maintain effective working relationships at all levels, both internal and external.

ACCEPTABLE EXPERIENCE AND TRAINING: The ideal candidate has capabilities in one or two separate fields. The successful candidate will be able to demonstrate experience in drafting memoranda and pleadings; preparing and rendering legal advice on administrative law, land use and permitting, litigation, and ethical matters; advising a local, county or state government consistent with applicable local, state and federal law, regulations and policies, including advice as to alternative legal and administrative solutions to problems.

AMERICANS WITH DISABILITIES ACT:

Physical ability: ability to work at a desk in office and to observe activities in the field and office.

Visual ability: sufficient to operate a vehicle by both day and night, observe City activities taking place, to read and write reports, correspondence, etc.

Hearing ability: sufficient to understand radio transmissions, 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 and/or radio.

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

Attorney II

Job Class Code: xxxx
Pay Grade: 16
FLSA: Exempt
Updated: 7/15

GENERAL STATEMENT OF DUTIES: Performs legal work for the City; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: This is the second level in the attorney career ladder. Position involves performing legal work on behalf of the City. The employees in this series will, under the supervision of the City Attorney or Assistant City Attorney, provide legal advice to the Mayor, City Council, department heads, boards, commissions, committees and citizens of Annapolis. Duties require the exercise of extensive independent judgment as a legal authority for the City. Work is performed in accordance with the highest standards and practices of the legal profession.

EXAMPLES OF WORK: (Illustrative only)

- Prepares advice about the daily operation of a municipal corporation consistent with applicable local, state and federal law, regulations and policies, including advice as to alternative legal and administrative solutions to problems;
- As required, attends meetings of the City Council and various commissions, committees and boards and renders legal advice on issues raised by matters on the agenda;
- Organizes, interprets, and applies legal principles and knowledge to assigned legal problems and writes legal opinions;
- Works with the City Attorney or the Assistant City Attorney, prepares draft oral and written legal opinions to the Mayor and Council, City Manager, and Department Directors and other City staff;
- Assists with preparation of depositions, investigations and litigation, and may conduct litigation in court as assigned; may recommend appeals or settlements;
- Negotiates, drafts and reviews contracts, licenses, leases, deeds, insurance, and other agreements;
- Reviews or drafts legislation, resolutions, ordinances and policies.
- Assists in the enforcement of City and department policies and procedures, and the maintenance of proper records and reference materials;
- Assists in answering communications from the public relative to municipal ordinances and legal matters affecting the City;
- Meets with clients, members of the public, and elected officials;
- Performs other related duties as assigned.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES: Thorough knowledge of common law and of local government, state and federal laws and precedents as gained through completion of a juris doctorate degree and experience in the practice of law; thorough knowledge of the rules of evidence, judicial procedures and methods and practices of legal research; ability to analyze complex legal issues, facts and evidence including those needed for civil proceedings

and court cases; ability to prepare contracts and other legal documents and make court presentations effectively; ability to utilize personal computer and ability to deal tactfully with court officials, city officials and members of the public; ability to organize, interpret and apply legal principles and knowledge in order to solve complex legal problems, prepare any necessary documents, and provide advice, counsel or representation as needed. Excellent academic record and Juris Doctorate from American Bar Association accredited law school and admission to the Bar of the State of Maryland. Two years of experience in relevant specialty, whether in government, in-house or private law firm practice.

PREFERRED KNOWLEDGE, SKILLS AND ABILITIES: Knowledge of the organization and functions and goals of the City government; extensive knowledge of the relevant federal, state and local law; strong knowledge and understanding of general principles of legal ethics with an emphasis on ethics and accountability in the context of municipal administration; skill in negotiating agreements and crafting solutions which accommodate conflicting interests and viewpoints; skill in oral and written communication sufficient to develop defenses of, and justification for, decisions reached; ability to establish and maintain effective working relationships at all levels, both internal and external.

ACCEPTABLE EXPERIENCE AND TRAINING: The ideal candidate is an accomplished practitioner with capabilities in one or two separate fields. The successful candidate will be able to demonstrate substantial, successful, hands-on experience in drafting complex memoranda and pleadings; preparing and rendering legal advice on administrative law, land use and permitting, litigation, and ethical matters; advising a local, county or state government consistent with applicable local, state and federal law, regulations and policies, including advice as to alternative legal and administrative solutions to problems.

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