

1 **..Title**

2 **Human Resources – Exempt Service** – For the purpose of reclassifying certain positions in the
3 Exempt Service; and making stylistic changes.

4 **..Body**

5 **CITY COUNCIL OF THE**
6 **City of Annapolis**

7
8 **Ordinance 16-19**

9
10 **Introduced by: Mayor Buckley and Alderwoman Finlayson**

11
12 **Referred to**

13 Finance Committee
14 Financial Advisory Commission
15 Rules and City Government

16
17 **AN ORDINANCE** concerning

18
19 **Human Resources – Exempt Service**

20
21 **FOR** the purpose of reclassifying certain positions in the Exempt Service; and making stylistic
22 changes.

23
24 **BY** repealing and re-enacting with amendments the following portions of the Code of the City
25 of Annapolis, 2019 Edition
26 3.08.010
27 3.08.030

28
29
30 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
31 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

32
33 **TITLE 3 – HUMAN RESOURCES**
34 **Chapter 3.08 – EXEMPT SERVICE**

35
36 **3.08.010 - Positions included.**

37
38 The exempt service includes:

- 39 1. All the elected officials;
40 2. All department directors;
41 3. City Manager;
42 4. Communications Officer;
43 5. City Attorney;
44 6. Assistant City Attorney;
45 7. Attorney I;
46 8. Attorney II;

- 1 9. Community Engagement Administrator;
- 2 10. COMMUNITY SERVICES SPECIALIST;
- 3 ~~10~~11. Constituent Services Officer;
- 4 ~~11~~12. Administrative Assistant;
- 5 ~~12~~13. Assistant City Manager;
- 6 ~~13. Public Information Officer and Quartermaster;~~
- 7 14. Executive Office Associate;
- 8 15. Recruitment/Employee Relations Administrator;
- 9 16. Deputy Fire Chiefs;
- 10 17. Police Major and Captains;
- 11 18. Human Resources Manager;
- 12 19. ~~Director of Office of~~ Environmental Policy ADVISOR;
- 13 20. Economic Development Manager;
- 14 21. Development/Events Specialist; ~~and~~
- 15 22. Chief of Staff; AND
- 16 23. MANAGEMENT INFORMATION TECHNOLOGY MANAGER.

17
18 **3.08.030 - Salary.**

- 19
20 A. 1. For purposes of setting annual salaries, the following positions in the exempt service are
21 assigned grades in the City's pay plan as indicated:
22

Position	Grade
Executive Office Associate	A10
Recruitment/Employee Relations Administrator	A15
Communications Officer	A15
Deputy Fire Chief	F18
Human Resources Manager	A18 A19
Director of Transportation	A20
Director of Office of Environmental Policy ADVISOR	A20 A17
Director of Recreation and Parks	A20
City Attorney	A20
Assistant City Attorney	A18
Attorney I	A14
Attorney II	A16
Director of Finance	A20
Director of Planning and Zoning	A20
Constituent Services Officer	A14
COMMUNITY SERVICES SPECIALIST	A10

Community Engagement Administrator	A14
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
Economic Development Manager	A17
Development/Events Specialist	A12
Chief of Staff	A16
DIRECTOR OF EMERGENCY MANAGEMENT	<u>A20</u>
MANAGEMENT INFORMATION TECHNOLOGY MANAGER	<u>A19</u>

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2. The salary of the Mayor for the term of office commencing on the first Monday in December, 2017, shall be an annual salary of ~~ninety eight thousand dollars~~ \$98,000.00 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, 2017, shall be an annual salary of ~~fifteen thousand dollars~~ \$15,000.00. Each Alderman and Alderwoman shall be afforded an annual allowance of ~~one thousand five hundred dollars~~ \$1,500.00 to be used exclusively for 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 thirty thousand dollars~~ \$130,000.00 to ~~one hundred eighty thousand dollars~~ \$180,000.00 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 Manager 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.

- 1 ii. Benefits. The City Manager is entitled to receive the same benefits as other City
 2 exempt service employees, including ~~but not limited to~~ inclusion in the City's health
 3 care and retirement plans, in which the City and the employee contribute in the same
 4 proportion as other City exempt service employees.
 5 iii. Allowances. The City shall provide the City Manager with a City vehicle, or
 6 additional compensation to reimburse the use of a personally-owned vehicle.
 7 iv. Severance Pay. ~~Three~~ **THE CITY MANAGER IS ENTITLED TO 3 months'**
 8 ~~severance pay of salary if a~~ **THE City Manager has been removed from the position**
 9 ~~without cause, but there shall be no severance pay if the removal is for cause.~~
 10 **Grounds for removal that constitute cause shall be 1) conviction of a felony or a**
 11 **crime of moral turpitude; or 2) malfeasance or misfeasance in office.**
 12

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

- 14
 15 1. Shall be justified by a performance evaluation by the City Manager or the Mayor,
 16 whichever is the Appointing Authority, **WHICH DEMONSTRATES** that
 17 **PERFORMANCE** exceeds the minimum requirements for the position and shall be
 18 entirely at the **DISCRETION OF THE** City Manager or the MAYOR, Mayor's discretion,
 19 with the exception of those positions listed in Subsection (B)(2) of this Section;
 20 2. Shall be justified by a performance evaluation by the Department Director **WHICH**
 21 **DEMONSTRATES** that **PERFORMANCE** exceeds the minimum requirements for the
 22 position for the following positions:
 23
 24 i. Deputy Fire Chiefs
 25 ii. Police Captains
 26 iii. Police Major
 27 iv. Recruitment/Employee Relations Administrator
 28 v. Assistant City Attorney
 29 vi. Attorney I
 30 vii. Attorney II
 31 ~~viii. Public Information Officer and Quartermaster~~
 32 ~~ix~~ viii. Economic Development Manager.
 33
 34 3. ~~Shall~~ **MAY** not be awarded to an individual more frequently than once per year;
 35 4. ~~Shall~~ **MAY** not be for an amount exceeding one pay step in the grade range for the position
 36 as set in Subsection (A)(1) of this Section;
 37 5. ~~Shall~~ **MAY** not cause an individual's salary to exceed the maximum salary of the assigned
 38 grade.
 39

40 C. Longevity salary increases awarded to civil service employees ~~shall~~ **ARE** not be a benefit of
 41 the exempt service.
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43 D. A City employee appointed to a position specified in Subsection (A)(1) of this Section **SHALL**
 44 **BE PROVIDED PAY AS FOLLOWS:**
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- 1 1. IF THE EMPLOYEE IS APPOINTED TO A POSITION IN A HIGHER GRADE, THE
 2 SALARY shall be AT A RATE in the new pay grade which is at a minimum five percent
 3 higher than the employee's salary prior to promotion or shall be assigned to the minimum
 4 of the new grade, whichever is higher.
- 5 2. IF THE EMPLOYEE IS APPOINTED TO A POSITION IN A LOWER GRADE OR IF
 6 THE POSITION IS RECLASSIFIED TO A CLASSIFICATION IN A LOWER GRADE
 7 OR IF THE EMPLOYEE'S CLASSIFICATION IS REALLOCATED TO A LOWER
 8 GRADE, THE EMPLOYEE'S NEW PAY SHALL BE AT A LEVEL WITHIN THE
 9 NEW GRADE THAT IS CLOSEST TO AND NOT LOWER THAN THE LEVEL AT
 10 WHICH THE EMPLOYEE WAS PAID IN THE FORMER GRADE. IF THE LEVEL
 11 AT WHICH THE EMPLOYEE WAS PAID IN THE FORMER GRADE IS MORE
 12 THAN THE MAXIMUM PAY FOR THE NEW GRADE, THE EMPLOYEE'S NEW
 13 PAY SHALL REMAIN THE SAME AS THE EMPLOYEE'S PAY IN THE FORMER
 14 GRADE AND THE EMPLOYEE IS NOT ELIGIBLE FOR ANY FORM OF PAY
 15 INCREASE UNLESS OR UNTIL THE MAXIMUM PAY IN THE NEW GRADE IS
 16 INCREASED TO A LEVEL THAT EXCEEDS THE EMPLOYEE'S PAY.

17 ~~In no case shall the new salary exceed the maximum salary of the new grade.~~

- 18
- 19 E. The Mayor, City Manager, or Department Director, whichever is the Appointing Authority,
 20 may make an initial appointment at a salary greater than the first step of the assigned grade
 21 for positions that report to them. Appointments to the following positions do not require City
 22 Council approval and initial appointments may be made at a salary greater than the first step
 23 of the assigned grade subject to the availability of funding:

- 24
- 25 1. i. Administrative Assistant
 26 ii. Assistant City Manager
 27 iii. Executive Office Associate
 28 iv. Chief of Staff
 29 v. Communications Officer
 30 vi. COMMUNITY SERVICES SPECIALIST
 31 ~~vii~~VII. Constituent Services Officer
 32 ~~viii~~VIII. Community Engagement Administrator
 33 ~~ix~~IX. Development/Events Specialist
 34 ~~x~~X. ~~Director, Office of~~ Environmental Policy ADVISOR
 35 ~~xi~~XI. Human Resources Manager
 36 ~~xii~~XII. Deputy Fire Chiefs
 37 ~~xiii~~XIII. Police Captains
 38 ~~xiiii~~XIV. Police Major
 39 ~~xv~~XV. Recruitment/Employee Relations Administrator
 40 ~~xvi~~XVI. Assistant City Attorney
 41 ~~xvii~~XVII. Attorney I
 42 ~~xviii~~XVIII. Attorney II
 43 ~~xviii~~——. ~~Public Information Officer and Quartermaster~~
 44 xix. Economic Development Manager-
 45 XX. MANAGEMENT INFORMATION TECHNOLOGY MANAGER.
 46

1 F. The appointment and initial salary for the following positions is subject to confirmation by
2 the City Council:

- 3
4 1. i. City Manager
5 ii. City Attorney
6 iii. Police Chief
7 iv. Fire Chief
8 v. Director of Transportation
9 vi. Director of Recreation and Parks
10 vii. Director of Finance
11 viii. Director of Planning and Zoning
12 ix. Director of Public Works-
13 X. DIRECTOR OF EMERGENCY MANAGEMENT.
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15 G. The Mayor shall report to the City Council on an annual basis the salaries of all positions
16 listed in Subsection A of this Section, and all increases in salary awarded since the prior report.
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19 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
20 **ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date of its passage.
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22
23 **Explanation:**

24 UPPERCASE indicates matter added to existing law.

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

26 Underlining indicates amendments.
27