



STAFF REPORT ON PROPOSED LEGISLATION

To: Mayor Gavin Buckley

From: David Jarrell, City Manager

Date: May 7, 2020

Subject: O-20-20: Deputy City Manager for Resilience and Sustainability

This Ordinance will establish the position of Deputy City Manager (DCM) for Resilience and Sustainability, including providing terms of employment and compensation, clarifying duties and responsibilities, and transferring certain environmental programs and activities.

Sustainability and resilience planning are critical to the future of Annapolis as the rapidly changing environment and climate directly and indirectly impact the health and quality of life of city residents, the economic stability of the City, and the delivery of services to residents, visitors, and businesses. The DCM will create and implement resilience and sustainability plans and integrate their components throughout the city government and city services. This position will serve as an extension of the City Manager in the areas of resilience and sustainability to work directly with department directors and office managers to ensure that all applicable considerations are incorporated into decisions and the provision of services. The DCM will collaborate and seek input from businesses, non-profit organizations, and others working to advance community health, quality of life, and a vibrant economy. Initiatives that will be addressed include those related to climate and energy use, waste reduction, green buildings, water and air quality, resource conservation, green purchasing, transportation, community engagement, and the city's ability to respond to and recover from natural and manmade challenges.

With the creation of the DCM position, the Office of Environmental Policy (OEP) will be disbanded and the Director of OEP position will be eliminated. The Environmental Programs Coordinator position will transfer to the City Manager's office to work directly for the DCM. The other position in OEP, which manages tree issues, will move to the Department of Planning & Zoning. The creation of the DCM position and the reorganization of staff will be cost neutral.

Benefits of the DCM position and reorganization are:

- Elevates resilience and sustainability and allows for coordination of this work across all departments and offices, which is needed for organization-wide change.
- Creates grant funding opportunities by demonstrating the City’s focus on resilience and sustainability
- Provides executive level review of city projects to ensure city laws are being utilized fully to achieve resilience and sustainability goals.
- Provides a direct conduit at the executive level for community concerns related to resilience and sustainability issues.
- Facilitates close collaboration between the DCM, the City Manager, and the Mayor and the Mayor’s staff.
- Provides the least disruption to the existing city department structure while increasing functionality.

Code Section 2.12.080 – Office of Environmental Policy, is deleted in its entirety.

Code Section 2.48.350 – Environmental Review Committee is revised to add the DCM as a member and chair of the committee. Additionally, the following policy changes are made:

1. For projects funded at least 30% by the City, Silver LEED green building standards are required at a minimum, and, whenever practicable, Gold and Platinum LEED green building standards shall be incorporated.
2. The City shall reduce or eliminate use of single use plastic products. By January 1, 2021, the City shall cease use of cups that are not biodegradable. All single use plastic products shall be eliminated by the City by January 1, 2022.
3. The City shall give preference to electric drive vehicles wherever practicable.

Code Section 3.08.010 – Positions included.

“Deputy City Manager for Resilience and Sustainability” replaces “Director of Environmental Policy” on line 20.

Code Section 3.08.030 – Salary.

“Deputy City Manager for Resilience and Sustainability” replaces “Director of Environmental Policy” in the pay plan table.

Code Section 6.29.010 – Establishment of Clean Energy Loan Program.

“Deputy City Manager for Resilience and Sustainability” replaces “Director of Environmental Policy” in Paragraph C.

Code Section 14.13.095 – Tree conservation area – Tree removal on private property.

Throughout this section, “City Forester” replaces “Director of Planning and Zoning or his or her designee”.

In Paragraph C, the following requirement is added: “A permit is also required for the removal of any tree that measures twenty four inches or greater in diameter, as measured at four and one-half feet above the ground located anywhere on private property. Tree removal applications may be denied if sufficient evidence is not provided to meet one of the conditions listed below.”

Code Section 14.12.120 – Species and varieties.

In Paragraph C, “Director of Planning and Zoning” replaces “Director of Public Works” for authority over revisions to the master street tree plan.

Code Section 14.13.140 – Location.

Throughout this section, “City Forester” replaces “Director of Planning and Zoning or his or her designee”.

Code Section 14.13.150 – Pruning and removal of trees.

In Paragraph A, the reference to “dehorning” trees is removed.

Code Section 17.11.300 – Designation of Floodplain Administrator.

This section changes the designation of the Floodplain Administrator from the Director of the Office of Environmental Polis to the Director of Planning and Zoning.

Recommended Amendments to O-20-20:

1. For the sake of consistency between Paragraphs 6.08.030 A.1 and 6.08.030 F., Page 11, line 41 should be changed from “Director of Human Resources” to “Human Resources Manager”, and line 42 should be changed from “Management Information Technology Director” to “Management Information Technology Manager”.
2. Page 12, lines 26-26 should be changed to “Health Officer, and except with regard to Section 10.12.160, which matters shall be administered and enforced by the DEPUTY CITY MANAGER FOR RESILIENCE AND SUSTAINABILITY.
3. Page 12, line 31 should be changed to “C. The Director of Planning and Zoning and the DEPUTY CITY MANAGER FOR RESILIENCE AND SUSTAINABILITY, or”
4. Page 14, line 8 should remain unchanged and read as follows: “C. A permit issued by the Director of Planning and Zoning or his or her designee”. The Environmentalist/City Forester position will move to Planning and Zoning, and can be the Director of Planning and Zoning designee.
5. Page 14, lines 34-38 should remain unchanged and read as follows: “In issuing a permit, the Director of Planning and Zoning or his or her designee may, in its discretion, require that replacement tree(s) be planted. The size, location and variety of any replacement tree may be required by the Director of Planning and Zoning or his or her designee, solely at his or her discretion, to reestablish the visual character and environmental benefits”. The Environmentalist/City Forester position will move to Planning and Zoning, and can be the Director of Planning and Zoning designee.
6. Page 15, lines 5 and 6 should remain unchanged and read as follows: “shall be conditioned upon the approval by the Director of Planning and Zoning of a planting plan, developed by the owner, to plant replacement trees in another”.
7. Page 15, lines 22 and 23 should remain unchanged and read as follows: “of such replacement trees shall be reviewed and approved by the Director of Planning and Zoning or his or her designee in accordance with the standards set”. Again, the Environmentalist/City Forester position will move to Planning and Zoning, and can be the Director of Planning and Zoning designee.

8. Page 15, lines 28-30 should remain unchanged and read as follows: “Director of Planning and Zoning or his or her designee may revoke any permit issued under this section and/or issue an order stopping further tree removal whenever the director or designee determines that such action is necessary to”. Again, the Environmental/City Forester position will move to Planning and Zoning, and can be the Director of Planning and Zoning designee.
9. Page 16, lines 11 and 12 should remain unchanged and read as follows: “permission to select and plant trees under the direction of the Director of Planning and Zoning. The legal agreement shall contain provisions defining the City’s absence”.
10. Page 16, line 22 should remain unchanged and read as follows: “and shrub shall be determined by the Director of Planning and Zoning.”
11. Page 17, line 20. The ordinance should take effect on the effective date of CA-1-20. Otherwise, Office of Environmental Policy would be eliminated before the Charter amendment takes effect to create the Deputy City Manager for Resilience and Sustainability.

Prepared by David Jarrell, City Manager