



## Legislation Details (With Text)

**File #:** O-16-19      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Failed

**File created:** 4/6/2019      **In control:** City Council

**On agenda:** 6/10/2019      **Final action:** 6/10/2019

**Title:** Human Resources - Exempt Service - For the purpose of reclassifying certain positions in the Exempt Service; and making stylistic changes.

**Sponsors:** Gavin Buckley, Sheila Finlayson

**Indexes:** Finance Committee, Financial Advisory Commission, Rules and City Government Committee

**Code sections:**

**Attachments:** 1. O-16-19 Exempt Service Reclassifications First Reader.pdf, 2. O-16-19 Staff Report and Fiscal Impact Note.pdf, 3. O-16-19 Amendments 1-2 Buckley 6,7,19.pdf, 4. O-16-19 Amendments 3-6 Arnett Finlayson 6,7,19.pdf

Date	Ver.	Action By	Action	Result
6/10/2019	1	City Council	adopt on second reader	Fail
6/10/2019	1	City Council	affirm	
6/10/2019	1	City Council	adopt on second reader	Pass
5/15/2019	1	Environmental Matters Committee	amendment(s) approved	Pass
5/15/2019	1	Environmental Matters Committee	recommend with amendments	Pass
5/14/2019	1	Rules & City Government Committee	amendment(s) approved	Pass
5/14/2019	1	Rules & City Government Committee	amendment(s) approved	Pass
5/14/2019	1	Rules & City Government Committee	amendment(s) approved	Pass
5/14/2019	1	Rules & City Government Committee	recommend with amendments	Pass
4/29/2019	1	City Council	declare the public hearing closed	
4/22/2019	1	Finance Committee	amendment(s) approved	Pass
4/22/2019	1	Finance Committee	amendment(s) approved	Pass
4/22/2019	1	Finance Committee	amendment(s) approved	Pass
4/22/2019	1	Finance Committee	amendment(s) approved	Pass
4/22/2019	1	Finance Committee	recommend with amendments	Pass
4/8/2019	1	City Council	adopt on first reader	Pass
4/8/2019	1	City Council	refer	
4/8/2019	1	City Council	refer	
4/8/2019	1	City Council	refer	

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

CITY COUNCIL OF THE  
**City of Annapolis**

**Ordinance 16-19**

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

**Referred to**

Finance Committee  
Financial Advisory Commission  
Rules and City Government

**AN ORDINANCE** concerning

**Human Resources - Exempt Service**

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

**BY** repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis,  
2019 Edition  
3.08.010  
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:

**TITLE 3 - HUMAN RESOURCES**  
**Chapter 3.08 - EXEMPT SERVICE**

**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 I;
8. Attorney II;
9. Community Engagement Administrator;
10. COMMUNITY SERVICES SPECIALIST;
- ~~10~~11. Constituent Services Officer;
- ~~11~~12. Administrative Assistant;
- ~~12~~13. Assistant City Manager;
- ~~13.~~ Public Information Officer and Quartermaster;
14. Executive Office Associate;

- 15. Recruitment/Employee Relations Administrator;
- 16. Deputy Fire Chiefs;
- 17. Police Major and Captains;
- 18. Human Resources Manager;
- 19. ~~Director of Office of Environmental Policy~~ ADVISOR;
- 20. Economic Development Manager;
- 21. Development/Events Specialist; and
- 22. Chief of Staff; AND
- 23. MANAGEMENT INFORMATION TECHNOLOGY MANAGER.

**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:

<b>Position</b>	<b>Grade</b>
Executive Office Associate	A10
Recruitment/Employee Relations Administrator	A15
Communications Officer	A15
Deputy Fire Chief	F18
Human Resources Manager	A18A19
Director of Transportation	A20
<del>Director of Office of Environmental Policy</del> ADVISOR	A20A17
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
<del>Public Information Officer and Quartermaster</del>	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	A20
MANAGEMENT INFORMATION TECHNOLOGY MANAGER	A19

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.
  - ii. Benefits. The City Manager is entitled to receive the same benefits as other City exempt service employees, including ~~but not limited to~~ 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~~ THE CITY MANAGER IS ENTITLED TO 3 months' severance pay of ~~salary~~ if ~~a~~ THE City Manager has been removed from the position without cause, but there shall be no severance pay 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 a performance evaluation by the City Manager or the Mayor, whichever is the Appointing Authority, WHICH DEMONSTRATES that PERFORMANCE exceeds the minimum requirements for the position and shall be entirely at the DISCRETION OF THE City Manager or the ~~MAYOR, Mayor's discretion~~, with the exception of those positions listed in Subsection (B)(2) of this Section;
2. Shall be justified by a performance evaluation by the Department Director WHICH DEMONSTRATES that PERFORMANCE exceeds the minimum requirements for the position 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 I
- vii. Attorney II
- ~~viii. Public Information Officer and Quartermaster~~
- ~~ixviii. Economic Development Manager.~~

3. ~~Shall~~MAY not be awarded to an individual more frequently than once per year;
4. ~~Shall~~MAY 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~~MAY 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~~ARE 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 PROVIDED PAY AS FOLLOWS:

1. IF THE EMPLOYEE IS APPOINTED TO A POSITION IN A HIGHER GRADE, THE SALARY shall be AT A RATE 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.
2. IF THE EMPLOYEE IS APPOINTED TO A POSITION IN A LOWER GRADE OR IF THE POSITION IS RECLASSIFIED TO A CLASSIFICATION IN A LOWER GRADE OR IF THE EMPLOYEE'S CLASSIFICATION IS REALLOCATED TO A LOWER GRADE, THE EMPLOYEE'S NEW PAY SHALL BE AT A LEVEL WITHIN THE NEW GRADE THAT IS CLOSEST TO AND NOT LOWER THAN THE LEVEL AT WHICH THE EMPLOYEE WAS PAID IN THE FORMER GRADE. IF THE LEVEL AT WHICH THE EMPLOYEE WAS PAID IN THE FORMER GRADE IS MORE THAN THE MAXIMUM PAY FOR THE NEW GRADE, THE EMPLOYEE'S NEW PAY SHALL REMAIN THE SAME AS THE EMPLOYEE'S PAY IN THE FORMER GRADE AND THE EMPLOYEE IS NOT ELIGIBLE FOR ANY FORM OF PAY INCREASE UNLESS OR UNTIL THE MAXIMUM PAY IN THE NEW GRADE IS INCREASED TO A LEVEL THAT EXCEEDS THE EMPLOYEE'S PAY.

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

E. The Mayor, City Manager, or Department Director, whichever is the Appointing Authority, may make an initial appointment at a salary greater than the first step of the assigned grade for positions that report to them. Appointments to the following positions 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:

1.
  - i. Administrative Assistant
  - ii. Assistant City Manager
  - iii. Executive Office Associate
  - iv. Chief of Staff
  - v. Communications Officer

- vi. COMMUNITY SERVICES SPECIALIST
- ~~vii~~VII. Constituent Services Officer
- ~~viii~~VIII. Community Engagement Administrator
- ~~ix~~IX. Development/Events Specialist
- ~~x~~X. ~~Director, Office of~~ Environmental Policy ADVISOR
- ~~xi~~XI. Human Resources Manager
- ~~xii~~XII. Deputy Fire Chiefs
- ~~xiii~~XIII. Police Captains
- ~~xiiii~~XIV. Police Major
- ~~xv~~XV. Recruitment/Employee Relations Administrator
- ~~xvi~~XVI. Assistant City Attorney
- ~~xvii~~XVII. Attorney I
- ~~xviii~~XVIII. Attorney II
- ~~xviii~~ . ~~Public Information Officer and Quartermaster~~
- xix. Economic Development Manager-
- XX. MANAGEMENT INFORMATION TECHNOLOGY MANAGER.

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

- 1. i. City Manager
- ii. City Attorney
- iii. Police Chief
- iv. Fire Chief
- v. Director of Transportation
- vi. Director of Recreation and Parks
- vii. Director of Finance
- viii. Director of Planning and Zoning
- ix. Director of Public Works-
- X. DIRECTOR OF EMERGENCY MANAGEMENT.

G. 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:**

UPPERCASE indicates matter added to existing law.  
~~Strikethrough~~ indicates matter stricken from existing law.  
Underlining indicates amendments.