



Legislation Details (With Text)

File #: CA-1-16 **Version:** 1 **Name:**

Type: Charter Amendment **Status:** Adopted

File created: 2/16/2016 **In control:** City Council

On agenda: 5/9/2016 **Final action:** 5/9/2016

Title: Departmental Reorganization - For the purpose of amending the Annapolis Charter concerning: dissolving the Department of Human Resources and the Department of Neighborhood and Environmental Programs; and reassigning certain duties and granting certain authority to the Department of Finance, the Department of Planning and Zoning, the Department of Public Works and the City Manager.

Sponsors: Michael J. Pantelides

Indexes: Environmental Matters Committee, Rules and City Government Committee

Code sections:

Attachments: 1. CA-1-16 Reorganization 2016.pdf, 2. CA-1-16 Staff Report.pdf, 3. CA 1-16 Fiscal Impact.pdf, 4. CA-1-16 Alderwoman PindellCharles Proposed Amendments.pdf, 5. CA-1-16 Alderman Budge Proposed Amendments.pdf, 6. CA-1-16 Rules Proposed Amendments.pdf, 7. CA-1-16 SIGNED.pdf

Date	Ver.	Action By	Action	Result
4/21/2016	1	Environmental Matters Committee	recommend favorably	Pass
4/20/2016	1	Rules & City Government Committee	recommend favorably	Pass
4/20/2016	1	Rules & City Government Committee	recommend with amendments	Pass
4/20/2016	1	Rules & City Government Committee	recommend with amendments	Pass
4/20/2016	1	Rules & City Government Committee	recommend favorably	Pass
4/12/2016	1	Rules & City Government Committee	postpone	
3/21/2016	1	City Council	declare the public hearing closed	
3/14/2016	1	City Council	refer	
3/14/2016	1	City Council	declare the public hearing left open	
2/22/2016	1	City Council	adopt on first reader	Pass
2/22/2016	1	City Council	refer	

Departmental Reorganization - For the purpose of amending the Annapolis Charter concerning: dissolving the Department of Human Resources and the Department of Neighborhood and Environmental Programs; and reassigning certain duties and granting certain authority to the Department of Finance, the Department of Planning and Zoning, the Department of Public Works and the City Manager.

CITY COUNCIL OF THE City of Annapolis

Charter Amendment 1-16 Amended

Introduced by: Mayor Pantelides

Referred to

Rules and City Government Committee

A CHARTER AMENDMENT concerning

Departmental Reorganization

FOR the purpose of amending the Annapolis Charter concerning: dissolving the Department of Human Resources and the Department of Neighborhood and Environmental Programs; reassigning certain duties and granting certain authority to the Department of Finance, Department of Planning and Zoning, the Department of Public Works and the City Manager.

BY repealing in their entirety the following portions of the City Charter:

Article VI, Section 6

Article VI, Section 13

BY repealing and reenacting the following portions of the City Charter:

Article VI, Section 2B

Article VI, Section 3

Article VI, Section 4

Article VI, Section 7

Article VI, Section 10

SECTION I: BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the Charter of the City of Annapolis shall be amended to read as follows:

THE CHARTER

Article VI - OPERATIONS

Sec. 2B. - City manager.

(a) There shall be a city manager in the office of the mayor who shall be the chief administrative officer of the city. The city manager shall be the direct subordinate of the mayor and shall have supervisory authority over the department directors as provided for by the City's organizational chart that is prepared by the

mayor and accepted by the City Council.

(b) The city manager shall be appointed by the mayor and confirmed by the city council based solely on his or her experience and credentials as a city manager. The city manager may be removed from office by the mayor or by the City Council. The city manager shall have had, prior to appointment, an advanced degree in business or public administration from an accredited college or university and at least eight (8) years' experience in local government management. The city manager shall be thoroughly familiar with contemporary budgeting and accounting practices.

(c) The city manager shall devote full time to the duties of the office.

(d) The compensation of the city manager shall be fixed by the mayor according to the provisions of an executive pay plan formulated by the Council Compensation Commission and adopted by ordinance. If the city manager is hired during an interim year, the mayor and council shall determine the compensation based upon the recommendations from the Finance Committee.

(e) The city manager shall have the following additional powers and duties:

- (1) To administer the day-to-day operations of the municipal government and oversee the delivery of municipal services;
- (2) To exercise supervisory authority over the department directors, as provided for by the City's organizational chart that is prepared by the mayor and accepted by the City Council;
- (3) To direct the operations of the city government;
- (4) To supervise the preparation of the city budget;
- (5) To advise the mayor in the formation of policy and the implementation of plans to address demands for municipal services, enhance the quality of life and strengthen the economic vitality of the city;
- (6) To perform such duties not inconsistent with this Charter as may be delegated by the mayor from time to time; ~~and~~
- (7) To adjust parking rates in City-owned parking garages and parking lots to the extent permitted, pursuant to 12.04.040 A.6. of the Code of the City of Annapolis. The City Manager may appoint a designee to determine any such adjustments to parking rates in City-owned parking garages and parking lots; ;

(8) TO SUPERVISE THE DAILY OPERATIONS OF THE OFFICE OF MANAGEMENT INFORMATION TECHNOLOGY; ~~AND~~

(9) TO SUPERVISE THE DAILY OPERATIONS OF THE OFFICE OF ENVIRONMENTAL POLICY;

AND

(10) TO ADMINISTER THE HUMAN RESOURCES AFFAIRS OF THE CITY, INCLUDING, BUT NOT LIMITED TO:

(i) ADMINISTERING A CIVIL SERVICE SYSTEM;

(ii) CONDUCTING INVESTIGATIONS AND EXAMINATIONS FOR APPOINTMENT OR PROMOTION IN THE CIVIL SERVICE; AND

(iii) ADMINISTERING CERTAIN OTHER ACTIVITIES RELATED TO THE PAYMENT, BENEFITS, TRAINING, DISCIPLINE AND RETIREMENT OF CITY OFFICIALS AND EMPLOYEES.

(f) In the event of a vacancy in the position of city manager, the mayor shall promptly appoint a qualified person to serve as acting city manager. The acting city manager may exercise all the powers of the city manager and enjoys the same immunity accorded the city manager. The acting city manager shall receive such compensation as determined by the mayor that is consistent with the executive pay plan. However, if the position of city manager remains vacant for more than six (6) months, no compensation may be paid to an acting city manager without the approval of the Council at every six-month interval.

Sec. 3. - Finance department**FINANCE AND ADMINISTRATION.**

(a) The finance department IN ADDITION TO ALL OTHER RESPONSIBILITIES SET FORTH UNDER THIS SECTION shall be administered by the finance director. The director shall be appointed on the basis of his knowledge and experience in governmental accounting and budgeting and in public financial administration, of which three (3) years shall have been in an executive or supervisory capacity. THE FINANCE DIRECTOR IS RESPONSIBLE FOR THE POWERS AND DUTIES OF THE DEPARTMENT AS SET FORTH IN PARAGRAPH (B) OF THIS SECTION.

(b) The finance department shall have the following powers and duties:

(1) To collect city taxes, fees, charges, and certain state and county taxes imposed in the city.

(2) To administer the financial affairs of the city, the receipt of all revenues, the custody of all funds and securities, the disbursement of all funds, and the keeping of all accounts.

(3) To assist in the formulation of OPERATING AND CAPITAL budgets.

(4) To administer city purchasing services.

(5) TO ADMINISTER THE RISK MANAGEMENT FUNCTIONS IN THE CITY OF ANNAPOLIS.

(6) TO ADMINISTER THE HUMAN RESOURCES AFFAIRS OF THE CITY, INCLUDING, BUT NOT LIMITED TO:

(i) ADMINISTERING A CIVIL SERVICE SYSTEM;

(ii) CONDUCTING INVESTIGATIONS AND EXAMINATIONS FOR APPOINTMENT OR PROMOTION IN THE CIVIL SERVICE; AND

(ii) ADMINISTERING CERTAIN OTHER ACTIVITIES RELATED TO THE PAYMENT, BENEFITS, TRAINING, DISCIPLINE AND RETIREMENT OF CITY OFFICIALS AND EMPLOYEES.

Sec. 4. - Fire department.

(a) The fire department shall be commanded and administered by a director who shall be known as the fire chief. The fire chief shall be appointed on the basis of his knowledge and experience in fire prevention and suppression, in emergency services, and in public safety and administration, at least three (3) years of which shall have been in an executive or supervisory capacity.

(b) The fire department shall have the following powers and duties:

(1) To provide fire suppression and emergency services.

(2) To engage in programs of fire prevention.

(3) To enforce laws related to fire prevention.

(4) To be responsible for emergency preparedness and risk management functions in the City of Annapolis.

Sec. 6. -- Human resources department.

~~(a) The human resources department shall be administered by a human resources director. The human resources director shall be appointed on the basis of his/her knowledge and experience in public personnel administration of which at least three (3) years shall have been in an executive or supervisory capacity.~~

~~(b) The human resources department shall have the following powers and duties:~~

~~(1) To administer a civil service system;~~

~~(2) To conduct investigations and examinations for appointment or promotion in the civil service;~~

~~(3) To administer certain other activities related to the payment, benefits, training, discipline and retirement of~~

~~city officials and employees.~~

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 REGULATE THE BUILDING AND REBUILDING OF STRUCTURES AND OTHER IMPROVEMENTS.
- (7) TO REGULATE THE USE OF CERTAIN STRUCTURES FOR HOUSING.
- (8) TO ENFORCE ACTIVITIES IMPACTING UPON THE ENVIRONMENT, URBAN FORESTRY AND CRITICAL AREAS.
- (8) TO ENFORCE BUILDING AND HOUSING RULES AND REGULATIONS GOVERNING THE IMPROVEMENT AND USE OF LAND AND STRUCTURES IN THE CITY.
- (10) TO ENFORCE RULES AND REGULATIONS GOVERNING THE USE OF LAND IN THE CITY.
- (11) TO ENFORCE RULES AND REGULATIONS GOVERNING ENVIRONMENTAL PROTECTION IN THE CITY.
- (12) TO ENFORCE RULES AND REGULATIONS GOVERNING THE LICENSING AND OPERATION OF CERTAIN CONTRACTORS DOING BUSINESS IN THE CITY.
- (13) 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.

Sec. 10. - Department of public works.

(a) The department of public works shall be administered by the director of public works. The director of public works shall be appointed on the basis of his knowledge and experience in civil and sanitary engineering works of which at least five (5) years shall have been in an executive or supervisory capacity. The director shall have a degree in civil, mechanical or sanitary engineering and shall be a registered professional engineer in the State of Maryland or shall, at the time of appointment, be a registered professional engineer in another state of the United States and, within eighteen (18) months of the date of appointment, become a registered professional engineer in the State of Maryland.

(b) The department of public works shall have the following powers and duties:

- (1) To be responsible for surveys, reports, maps, drawings, specifications and estimates related to public works and utilities.
- (2) To be the custodian of maps, plans and plats of public improvements.
- (3) To construct or to administer contracts for the construction of capital projects.
- (4) To construct and maintain roadways, bridges, storm drains and other public improvements.
- (5) To construct, maintain and operate a water production and distribution system.
- (6) To construct, maintain and operate a sanitary sewerage collection and disposal system.
- (7) To operate a refuse collection and disposal system.
- (8) To administer maintenance and oversight of all city offices, governmental buildings and city-owned or leased properties.
- (9) To administer space management and planning.
- (10) To maintain inventory records for real property, fixtures, and furniture.
- (11) TO ENFORCE RULES AND REGULATIONS GOVERNING SEWER PRETREATMENT AND STORMWATER MANAGEMENT IN THE CITY.

Sec. 13. -- Department of neighborhood and environmental programs.

(a) The department of neighborhood and environmental programs shall be administered by the director of neighborhood and environmental programs. The director of neighborhood and environmental programs shall be appointed on the basis of his knowledge and experience of which at least five (5) years shall have been in an executive or supervisory capacity. The director shall have a degree in planning, earth sciences, public administration or a related area.

(b) The department of neighborhood and environmental programs shall have the following powers and

duties:

- ~~(1) To regulate the building and rebuilding of structures and other improvements.~~
- ~~(2) To regulate the use of certain structures for housing.~~
- ~~(3) To enforce activities impacting upon the environment, urban forestry, sewer pretreatment, critical areas and storm water management.~~
- ~~(4) To enforce building and housing rules and regulations governing the improvement and use of land and structures in the city.~~
- ~~(5) To enforce rules and regulations governing the use of land in the city.~~
- ~~(6) To enforce rules and regulations governing environmental protection, urban forestry, sewer pretreatment and stormwater management in the city.~~
- ~~(7) To enforce rules and regulations governing the licensing and operation of certain contractors doing business in the city.~~
- ~~(8) To educate and inform the public concerning environmental protection, urban forestry, and related subjects.~~
- ~~(9) To perform other duties and responsibilities, as set forth in the city code.~~

SECTION II: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the date of adoption of this Resolution is May 9, 2016 and the amendments of the Charter of the City of Annapolis, hereby enacted shall become effective on June 28, 2016, unless a proper petition for referendum hereon shall be filed as permitted by law within 40 days of adoption, provided a complete and exact copy of this Resolution shall be continuously posted on the bulletin board in City Hall until June 18, 2016, and provided further that a copy of the title of this Resolution shall be published in "The Capital," a newspaper of general circulation in the City of Annapolis, or in any other newspaper of such general circulation, once in each of the weeks on, May 23, 2016, May 30, 2016, June 6, 2016, and June 13, 2016.

SECTION III: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the Mayor is hereby specifically commanded to carry out the provisions of Section II hereof, and, as evidence of such compliance, the Mayor shall cause to be maintained appropriate certificates of publication of the newspaper or newspapers in which the title of the Resolution shall have been published and if a favorable referendum is held on the Charter change, shall declare the Charter change hereby enacted to be effective on June 28, 2016, by affixing his signature hereto in the space provided on the effective date of change.

SECTION IV: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that as soon as the Charter Amendment hereby enacted shall become effective, either as provided herein or following a referendum, the Mayor shall send to the Maryland Department of Legislative Services a copy of this Resolution showing the number of Aldermen and Alderwomen voting for and against it and a report on the votes cast for or against the amendment hereby enacted at any referendum thereon and the date of such referendum.

The above Charter Amendment was enacted by the foregoing Resolution which was passed at a Meeting of the Annapolis City Council on May 9, 2016; 8 voting in the affirmative, 0 voting in the negative, 0 abstaining and 0 absent and the said Resolution becomes effective in accordance with law on the 28th day of June, 2016.

EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.

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

Underlining indicates amendments.