



Legislation Details (With Text)

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Title: Exempt Service - For the purpose of transferring the position of Police Professional Standards Manager to the exempt service; and generally relating to the position of Police Professional Standards Manager.

Sponsors: Gavin Buckley

Indexes:

Code sections:

Attachments: 1. O-36-21 First Reader, 2. O-36-21 Staff Report, 3. O-36-21 Fiscal Impact Note, 4. O-36-21 SIGNED

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------|------------------------|--------|
| 10/25/2021 | 1 | City Council | reconsider | Pass |
| 10/25/2021 | 1 | City Council | rules suspended | Pass |
| 10/25/2021 | 1 | City Council | adopt on second reader | Pass |
| 10/25/2021 | 1 | City Council | adopt on third reader | Pass |
| 10/25/2021 | 1 | City Council | adopt on first reader | Pass |
| 10/25/2021 | 1 | City Council | rules suspended | Pass |

Exempt Service - For the purpose of transferring the position of Police Professional Standards Manager to the exempt service; and generally relating to the position of Police Professional Standards Manager.

CITY COUNCIL OF THE City of Annapolis

Ordinance 36-21

Introduced by: Mayor Buckley

Co-sponsored by:

AN ORDINANCE concerning

Exempt Service

FOR the purpose of transferring the position of Police Professional Standards Manager to the exempt service; and generally relating to the position of Police Professional Standards Manager.

BY repealing and reenacting with amendments the following portions of the Code of the City of Annapolis, 2021 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

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 I;
8. Attorney II;
9. Community Engagement Administrator;
10. Community Services Specialist;
11. Constituent Services Officer;
12. Administrative Assistant;
13. Assistant City Manager;
14. Public Information Officer and Quartermaster;
15. Executive Office Associate;
16. Recruitment/Employee Relations Administrator;
17. Deputy Fire Chiefs;
18. Police Major and Captains;
19. Human Resources Manager;
20. Deputy City Manager for Resilience and Sustainability;
21. Economic Development Manager;
22. Development/Events Specialist;
23. Chief of Staff; ~~and~~
24. Management Information Technology Manager; ~~;~~ AND
25. POLICE PROFESSIONAL STANDARDS MANAGER.

Section 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 | A15 |
| Deputy Fire Chief | F18 |
| Human Resources Manager | A19 |
| Director of Transportation | A20 |
| Deputy City Manager for Resilience and Sustainability | A20 |
| 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 the Office of Emergency Management | A20 |
| Management Information Technology Manager | A19 |
| POLICE PROFESSIONAL STANDARDS MANAGER | <u>A17</u> |

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 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, 2021, shall be an annual salary of fifteen thousand dollars increased by the percentage of the consumer price index (CPI), as calculated for the twelve-month average annually for the Washington-Baltimore Metropolitan Area. In year two of their term, the annual salary shall first increase by one thousand dollars, then increase by the CPI rate as described in year one. In year three, the annual salary shall first increase by an additional one thousand dollars, then increase by the CPI rate as described in year one. In year four, the annual salary will first increase by an additional one thousand dollars, then increase by the CPI rate as described in year one. Each Alderman and Alderwoman shall be afforded an annual allowance of two thousand dollars to be used exclusively for expenses related to the performance of usual and customary constituent services; such expenses may include supplies for town halls and constituent outreach, 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 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 Manager of Human Resources. The base salary and increments shall be subject to cost of living increases (COLAS), commensurate with COLAS awarded to other City exempt service employees. 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 months' severance pay of salary if a 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, that exceeds the minimum requirements for the position and shall be entirely at the discretion of the City Manager or the Mayor, with the exception of those positions listed in Subsection (B)(2) of this Section;
- 2. Shall be justified for the following positions by a performance evaluation by the Department Director that exceeds the minimum requirements for the position:

- 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
- ix. Economic Development Manager-
- X. POLICE PROFESSIONAL STANDARDS MANAGER.

- 3. May not be awarded to an individual more frequently than once per year;
- 4. 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. 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 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.
- 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. Constituent Services Officer
 - vii. Community Engagement Administrator
 - viii. Community Services Specialist
 - ix. Development/Events Specialist
 - x. Deputy Fire Chiefs
 - xi. Police Captains
 - xii. Police Major
 - xiii. Recruitment/Employee Relations Administrator
 - xiv. Assistant City Attorney
 - xv. Attorney I
 - xvi. Attorney II
 - xvii. Public Information Officer and Quartermaster
 - xviii. Economic Development Manager

XIX. POLICE PROFESSIONAL STANDARDS 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 the Office of Emergency Management
- xi. Deputy City Manager for Resilience and Sustainability
- xii. Human Resources Manager
- xiii. Management Information Technology Manager

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.