

1 **CITY COUNCIL OF THE CITY OF ANNAPOLIS**

2  
3 **ORDINANCE NO. O-12-10RevisedAmended**

4  
5 **Introduced by Mayor Cohen**

LEGISLATIVE HISTORY			
First Reading:	Public Hearing:	Fiscal Impact Note:	120 Day Rule:
06/14/10	06/14/10	06/18/10	10/12/10
Referred to:	Referral Date:	Meeting Date:	Action Taken:
Rules & City Gov't	06/14/10	06/24/10	Favorable w/ Amd
Economic Affairs	06/14/10		

7  
8 **AN ORDINANCE concerning**

9  
10 **Economic Development Program**

11  
12 **FOR** the purposes of enabling the Economic Development Program, creating  
13 the Annapolis Economic Development Corporation, and eliminating the  
14 Department of Economic Affairs.

15 \* \* \* \* \*

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17  
18 **BY** repealing and re-enacting with amendments the following portions of the  
19 Code of the City of Annapolis, 2010 Edition:  
20 Chapter 2.12  
21 Chapter 3.08

22 \* \* \* \* \*

23  
24  
25 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE**  
26 **ANNAPOLIS CITY COUNCIL** that the Code of the City of Annapolis shall be  
27 amended to read as follows:

28  
29 **Chapter 2.12 – MAYOR**

30  
31 **2.12.020 - Powers and duties.**

32  
33 In addition to all other duties and powers conferred upon the Mayor pursuant to  
34 the Charter and eede Code, the Mayor has the following additional powers and  
35 duties:

1 A. Generally. The Mayor has the responsibility for the faithful execution of the  
2 ordinances of the City and is the Chief Executive Officer and Administrative  
3 Director of the City government.  
4

5 B. Reports and Recommendations to Aldermen. The Mayor shall give an annual  
6 report to the City Council setting forth the conditions of municipal affairs and  
7 making recommendations as the Mayor deems proper for the public good and  
8 welfare of the City. The annual report shall be given no later than the date on  
9 which the Mayor submits the proposed annual budget for the City to the Finance  
10 Committee, as set forth in subsection C of this section.

11 C. In consultation with the Director of Finance and all other department directors,  
12 the Mayor shall prepare, or have prepared an annual operating budget and shall  
13 submit it to the City Council no later than the second Monday in April of each  
14 year. The Mayor shall supervise the administration of the budget as adopted by  
15 the council.

16 D. Committee Appointments. The Mayor shall recommend to the City Council all  
17 appointments to aldermanic standing committees but all appointments shall be  
18 confirmed by a majority of the City Council.

19 E. Full-time Devotion. The Mayoralty shall be a full-time office. The Mayor shall  
20 be available to meet with the general public at all convenient times. The Mayor  
21 shall preside over all meetings of the City Council and the Mayor shall have one  
22 vote, the same as each Alderman, but shall vote first, and shall perform all of the  
23 duties of the chairperson as designated under the current edition of Robert's  
24 Rules of Order, Newly Revised.

25 F. Meetings with Department Directors. The Mayor shall convene a meeting with  
26 all department directors at least once in each week for the purpose of  
27 coordinating the operation of the government.

28 G. Ombudsman. The Mayor shall be responsible for designating an individual  
29 from his/her office to serve as an ombudsman for the City of Annapolis. All citizen  
30 complaints shall be directed to the ombudsman who will arrange to have each  
31 complaint reduced to writing and directed to the appropriate department with  
32 copies sent to the aldermen.

33 ~~H. Other Powers and Duties. The Mayor, or his/her designee, shall be~~  
34 ~~responsible for: managing all activities and operations related to visitor and~~  
35 ~~tourist attractions, including, but not limited to, parades, concerts, festivals and~~  
36 ~~public information~~

37 H. Special Events Coordinator. The Mayor Subject to the provisions of Section  
38 14.16.030 of this Code, the Mayor, or his or her designee, shall be responsible  
39 for assisting those who desire to hold special events in the City of Annapolis by  
40 providing a single point of contact for the City of Annapolis, advising of necessary  
41 permits, fees and other City requirements, assisting in the development of the  
42 special event applications and fees where appropriate, and working with  
43 businesses and residents to recognize and resolve differences over such matters  
44 as parking and special events.

45 I. Workforce Developments Development. The Mayor, or his or her designee,  
46 shall be responsible for enhancing employment opportunities for all residents,

1 especially women, minorities, and youth, by serving as a resource for workforce  
2 development activities and programs related to the economic vitality of the City of  
3 Annapolis.

4 J. Small, Minority, and Disadvantaged Business Development. The Mayor, or  
5 his or her designee, shall be responsible for facilitating the growth of new and  
6 emerging small, minority, and/or disadvantaged businesses in the City of  
7 Annapolis. This facilitation shall include, but shall not be limited to, coordinating  
8 access to existing federal, state, county and local initiatives that support new and  
9 emerging small, minority and/or disadvantaged businesses, especially with  
10 respect to initiatives that expand access to procurement opportunities and/or  
11 financial, accounting, legal and marketing support.

12 I. K. The Mayor shall have such other duties as may be prescribed by the  
13 Charter and this code, or as may be required of the Mayor by the City Council,  
14 not inconsistent with the Charter and code.

15  
16 **2.12.070 - Economic affairs Economic Development Program.**

17  
18 ~~A. The Department of Economic Affairs shall be administered by a Director. In  
19 accordance with Article VI, Section 2 of the Charter, the Director is appointed by  
20 the Mayor, subject to confirmation by the Council. Before entering upon the  
21 duties of this office, the Director shall take the oath prescribed by Article IX,  
22 Section 1 of the Charter. The compensation of the Director shall be as prescribed  
23 in the annual operating budget. As provided in Article VI, Section 2 of the  
24 Charter, the Director is subject to removal from office by the Mayor.~~

25 ~~B. The Department shall have such staff as is provided for in the annual  
26 operating budget.~~

27 ~~C. The Department shall have the following duties and responsibilities:~~

28 A. The City of Annapolis shall have an Economic Development Program and, as  
29 a part of that program, the City shall:

30 1. Create, assist and maintain a nonprofit economic organization for the purpose  
31 of implementing the Economic Development Program for the City of Annapolis.

32 2. Advocate a review of policies, regulations, and laws and their implementation  
33 to encourage sound and balanced economic growth.

34 ~~1 To assist existing businesses in the City of Annapolis to remain in business.~~

35 3. Provide for collaboration among those City of Annapolis agencies and  
36 departments that are vital to the success of the Economic Development Program.

37 ~~2 4. To promote Attract and retain the establishment of businesses, including  
38 small, minority, and/or disadvantaged enterprises.~~

39 ~~3. To recruit, assist and promote minority and disadvantaged businesses and to  
40 enhance employment opportunities for all residents, especially women, minorities  
41 and youth. For example, to develop and administer workforce development  
42 activities and programs as the programs relate to the economic vitality of the city.~~

43 5. Promote the creation and retention of jobs in the City of Annapolis.

44 6. Expand the commercial and industrial tax base of the City of Annapolis.

45 ~~4 7. To apply Apply for and the administer grants and loans related to the  
46 economic vitality of the City of Annapolis and to assist with various tax credit and~~

1 loan programs offered by the County, State, and Federal governments as these  
2 programs relate to the economic vitality of the City of Annapolis.

3 ~~5~~ ~~8.~~ ~~To work~~ **Work** with other municipal officials and private parties in identifying  
4 areas of the city **City** in need of economic revitalization and ~~to cooperate~~ in the  
5 preparation of plans to bring ~~about~~ economic revitalization to such areas.

6 ~~7~~ ~~9.~~ ~~To offer~~ **Offer** existing businesses and prospective businesses assistance in  
7 identifying sources of financing and ~~obtaining~~ professional and technical  
8 services.

9 ~~8~~ ~~10.~~ ~~To periodically prepare~~ **Prepare** forecasts and statistics of economic  
10 conditions in The City of Annapolis.

11 ~~9~~ ~~11.~~ ~~To analyze~~ **Analyze** the economic impact of proposed legislation.

12 ~~10~~ ~~12.~~ ~~To participate~~ **Participate** in the urban and regional planning activities of  
13 the City of Annapolis, Anne Arundel County, and the regional planning  
14 organizations consistent with the character of the City of Annapolis.

15 ~~14~~ ~~13.~~ ~~To serve~~ **Serve** as a liaison to the business community in the City of  
16 Annapolis.

17 ~~14.~~ ~~To provide~~ **Provide** technical assistance and information to the business  
18 community and its recognized associations.

19 ~~12.~~ ~~Assist those who desire to hold special events in the City by providing a~~  
20 ~~single point of contact for the City, advising of necessary permits and City~~  
21 ~~requirements, and assisting in the development of the special event application~~  
22 ~~and necessary permit applications and fees where appropriate;~~

23 ~~13.~~ ~~Administer, promote, and financially manage the Annapolis Sister City~~  
24 ~~Program.~~

25 ~~14~~ ~~To perform such other tasks as directed by the Mayor.~~

26 ~~D.~~ ~~There is an Economic Revitalization Fund.~~

27 ~~1.~~ ~~The purpose of the Fund is to:~~

28 ~~a.~~ ~~Act as a surety to businesses which are seeking loans from established~~  
29 ~~financial institutions.~~

30 ~~b.~~ ~~Assist in the revitalization of an existing business or distressed area. The~~  
31 ~~Fund may agree to collateralize a loan from an established financial institution to~~  
32 ~~an established or prospective business in Annapolis which is deemed financial~~  
33 ~~sound by the lender but lacks the necessary collateral to secure the loan.~~

34 ~~2.~~ ~~The Fund may not make loans to any party for any purpose.~~

35 ~~3.~~ ~~The Fund shall consist of grants from private entities and other public~~  
36 ~~authorities and the proceeds of any bonds which the City may sell for the benefit~~  
37 ~~of the Fund. The Fund shall be a special fund under the supervision of the~~  
38 ~~Director of Finance. Money in the Fund shall be deposited in a financial institution~~  
39 ~~or invested in financial instruments in accordance with the law which governs the~~  
40 ~~city's money.~~

41 ~~E.~~ ~~There is an Economic Revitalization Fund Board.~~

42 ~~1.~~ ~~The Board consists of seven members who are appointed by the Mayor,~~  
43 ~~subject to confirmation by the City Council. The members must be serving as~~  
44 ~~officers or employees of local lending institutions or be experienced in~~  
45 ~~commercial lending. A majority of the members must be residents of the City of~~  
46 ~~Annapolis. The term of the members is four years. To provide continuity, two of~~

1 ~~the initial members have two year terms and two have three year terms. In~~  
2 ~~making the initial appointments, the Mayor shall designate the members with two~~  
3 ~~and three year terms.~~

4 ~~2. Annually, the Mayor shall appoint one of the members to serve as the chair.~~  
5 ~~The Board shall meet at the call of the chair upon due notice and after consulting~~  
6 ~~the members. Meetings of the Board may be closed in accordance with the~~  
7 ~~State's Open Meetings Law. A quorum for transacting the business of the Board~~  
8 ~~is a majority of the members. Minutes which indicate matters considered and the~~  
9 ~~disposition of those matters shall be prepared and approved in a timely manner.~~

10 ~~3. The principal purpose of the Board is to consider requests that the Fund act~~  
11 ~~as a surety for a commercial loan to an established or prospective local business.~~  
12 ~~If a majority of the members appointed to the Board conclude that the loan would~~  
13 ~~contribute to the economic revitalization of the community and/or improve~~  
14 ~~employment opportunities for residents, the request may be approved with such~~  
15 ~~terms and conditions as the Board deems appropriate to protect the financial~~  
16 ~~integrity of the Fund. The Board may also use the resources of the Fund to seek~~  
17 ~~reinsurance where this is deemed advisable to protect the financial integrity of~~  
18 ~~the Fund. A member of the Board who is associated with a financial institution~~  
19 ~~which is considering making a commercial loan if the Fund acts as a surety, may~~  
20 ~~not participate in the consideration of the surety request for this loan.~~

21 ~~F. There is an Economic Affairs Advisory Commission.~~

22 ~~1. The Commission consists of nine members who have a demonstrated~~  
23 ~~knowledge, experience and interest in local business, commercial finance and/or~~  
24 ~~employment opportunities for local residents.~~

25 ~~2. Members of the Commission are appointed by the Mayor, subject to~~  
26 ~~confirmation by the City Council. The terms are four years. However, to provide~~  
27 ~~continuity, the initial terms of three members is two years and the initial terms of~~  
28 ~~three other members is three years. In making the appointments, the Mayor shall~~  
29 ~~designate which members have two year terms and which have three year terms.~~

30 ~~3. Annually, the Mayor shall designate a member to serve as chair. The~~  
31 ~~Commission shall meet at the call of the chair upon due notice and after~~  
32 ~~consultation with the members.~~

33 ~~4. The principal purpose of the Commission is to advise the Mayor and City~~  
34 ~~Council on matters which affect or are likely to affect the economic well being of~~  
35 ~~residents and businesses in the city of Annapolis. In advising on these matters,~~  
36 ~~the Commission is encouraged to bring to the attention of the Mayor and City~~  
37 ~~Council laws, regulations and policies of the City government which adversely~~  
38 ~~affect the economic well being of residents and businesses of the city of~~  
39 ~~Annapolis. The Commission is also encouraged to make recommendations to~~  
40 ~~change such laws, regulations and policies.~~

41 ~~B. Economic Development Corporation.~~

42 ~~1. There shall be an "Annapolis Economic Development Corporation" ("AEDC")~~  
43 ~~which shall be a nonprofit, nonstock corporation organized and operated under~~  
44 ~~the laws of the State of Maryland, headquartered in the City of Annapolis, and~~  
45 ~~qualified for tax-exempt status under 26 U.S.C. § 501.~~

1 2. The AEDC shall be governed by its articles of incorporation and bylaws and  
2 shall have as its principal corporate purpose the development and  
3 implementation of the City of Annapolis Economic Development Program. The  
4 AEDC shall perform, in cooperation with the appropriate City Of Annapolis  
5 agencies, functions enumerated in section 2.12.070 of the Code of The City of  
6 Annapolis.

7 3. Funding. The program may be funded by public and/or private funds,  
8 including public funds by the City of Annapolis appropriated through the annual  
9 budget. A request for funds for the next fiscal year shall be submitted to the  
10 mayor for inclusion in the annual operating budget process. All requests for  
11 funds shall accompany the program’s proposed budget, which the City Council  
12 shall take into consideration when reviewing requests for funds.

13 4. Reporting. The Corporation shall submit to the City of Annapolis annually a  
14 Reviewed Financial Statement, at a minimum, from an independent public  
15 accounting firm and a report on the activities of the Corporation. The chief  
16 economic executive officer shall come before the Economic Matters Committee  
17 quarterly to discuss the activities of the Corporation.

18 5. Offices. The City Of Annapolis may provide office space for the Corporation.

19  
20 **Chapter 3.08 – EXEMPT SERVICE**

21 **3.08.030 - Salary.**

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

Position	Grade
Executive Office Associate to the Mayor	A10
Recruitment/EEO Administrator	A15
Public Information Officer	A18
Deputy Fire Chief	F18
Human Resources Director	A20
Director of Transportation	A20
Director of Economic Affairs	A20
Director of Neighborhood and Environmental Programs	A20
Central Services Officer	A20
Director of Recreation and Parks	A20
City Attorney	A20
Director of Finance	A20
Director of Planning	A20

Fire Chief	F20
Police Chief	P20
Police Major	P18
Police Captain	P17
Director of Public Works	A20

2. The salary of the City Administrator shall be proposed and approved by the council at the time of the City Administrator's confirmation hearing.

B. Salary raises:

1. Shall be justified by either satisfactory or above satisfactory performance reviews by the Mayor and shall be entirely at the Mayor's discretion, with the exception of those positions listed in subsection (B)(2) of this section;

2. Shall be at the discretion of the Department Director for the following positions:

- i. Deputy Fire Chiefs,
- ii. Police Captains,
- iii. Police Major,
- iv. Recruitment/Employee Relations Administrator.

3. Shall not be awarded to an individual more frequently than once a year;

4. Shall 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 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 assigned to a salary 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. In no case shall the new salary exceed the maximum salary of the new grade.

E. For positions other than those specified in subsection (B)(2) of this section, the Mayor may make an initial appointment at a salary greater than the first step of the assigned grade. The appointment and initial salary is subject to confirmation by the City Council. For those positions specified in subsection (B)(2) of this section, appointments made by Department Director 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.

F. 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.

**Chapter 14.16 – TEMPORARY STREET CLOSURES**

**14.14.030 – Temporary street closure for special events.**

If a special event involves closing a street, the closure must be approved by the Mayor or the Mayor’s designee. Timely notice of a request to close a street must be given by the sponsors of the event to residents, business, and other affected parties in the immediate vicinity. A request for closing a street must be accompanied by a parking and traffic plan to be approved by all applicable departments. If a request to close a street is approved, prior notice of the closure must be given by the sponsor at their expense as directed by the City to the residents, businesses, and other affected parties in the immediate vicinity.

**SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that this Ordinance shall take effect upon date of final passage.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2010.

**ATTEST: THE ANNAPOLIS CITY COUNCIL**

\_\_\_\_\_  
**Regina C. Watkins-Eldrige, MMC**  
**CITY CLERK**

**BY: \_\_\_\_\_**  
**JOSHUA J. COHEN, MAYOR**

**EXPLANATION:**

Highlighting indicates matter added to exiting law.  
~~Strikeout indicates matter deleted from existing law.~~  
Underlining indicates amendments.

## Policy Report

O-12-10

### Economic Development Program

The proposed ordinance enables the Economic Development Program, and directs the creation of the Annapolis Economic Development Corporation. The proposed ordinance also eliminates as superfluous the Department of Economic Affairs, the Economic Affairs Advisory Commission, the Economic Revitalization Fund, and the Economic Revitalization Fund Board, which currently exist under the auspices of the Office of the Mayor. In addition to the former duties and responsibilities of the Department of Economic Affairs, see ANNAPOLIS, MD., CODE § 2.12.070C (2010), the Economic Development Program shall also:

- Create, assist, and maintain a nonprofit economic organization for the purpose of implementing the Economic Development Program for the City;
- Advocate a review of policies, regulations, and laws and their implementation to encourage sound and balanced economic growth;
- Provide for collaboration among those City entities whose roles are vital to the success of the Program;
- Promote the creation and retention of jobs in Annapolis; and
- Expand the commercial and industrial base of the City.

The most robust of these charges is the creation and maintenance of a nonprofit economic organization which, under the proposed ordinance, is the Annapolis Economic Development Corporation. See Ord. O-12-10, p. 5, l. 32. As a nonprofit, nonstock corporation headquartered in Annapolis, and charged with implementing and developing the Economic Development Program, the Corporation is funded by both private and public funds, including funds appropriated by the City through the annual budget process. The Corporation is required to submit to the City an annual financial statement and report on the activities of the corporation. Other jurisdictions, such as Anne Arundel County, have enabled similar bodies. See ANNE ARUNDEL CTY. CODE, § 3-3-101 *et seq.*

The proposed ordinance also clarifies powers and duties of the Office of the Mayor by directing the Mayor or his designee to: (1) provide assistance, including all ancillary permitting and notice requirements, to those who are holding special events in the City; (2) enhance employment opportunities for residents, especially women, minorities, and youth; and, (3) enhance access to initiatives that support new and emerging small, minority, and/or disadvantaged businesses.

