

ORDINANCE NO. 1168

AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND AMENDING CHAPTER 2 (ADMINISTRATION), § 2-11 OF THE CODE OF THE CITY OF CAMBRIDGE, MARYLAND FOR THE PURPOSE OF AMENDING THE COMPENSATION FOR THE MAYOR AND COMMISSIONERS OF CAMBRIDGE WHOSE TERM OF OFFICE COMMENCES IN 2021 AND CONTINUING THEREAFTER; PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED A FAIR SUMMARY AND GENERALLY RELATING TO THE COMPENSATION FOR THE MAYOR AND COMMISSIONERS OF CAMBRIDGE.

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 5-202 and § 3-27(1) of the Charter of the City of Cambridge (the "Charter"), the Commissioners of Cambridge are authorized and empowered to pass all such ordinances not contrary to the Constitution and laws of the State of Maryland or the Charter as they may deem necessary for the good government of the City of Cambridge (the "City"); for the protection and preservation of the City's property, rights, and privileges; for the preservation of peace and good order; to secure persons and property from danger and destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the City and visitors thereto and sojourners therein; and

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 5-206(b), the Commissioners of Cambridge are authorized and empowered to set the compensation of the City's officers and employees; and

WHEREAS, pursuant to Article III, § 35 of the Constitution of Maryland, the salary or compensation of any public officer shall not be increased or diminished during that officer's term, if such term is four years or less as fixed by law; and

WHEREAS, pursuant to § 2-11 of the Code of the City of Cambridge (the "City Code"), the Mayor currently receives an annual salary of \$12,000 and each Commissioner of Cambridge receives an annual salary of \$10,000; and

WHEREAS, on January 27, 2020, the Commissioners of Cambridge voted to establish an ad hoc Compensation Advisory Committee for the purpose of making recommendations to the City Council as to the compensation to which the City's elected officials (i.e., the Mayor and Commissioners of Cambridge) should be entitled during their terms of office; and

WHEREAS, on or about April 7, 2020, the Compensation Advisory Committee issued its Final Report and Recommendations in which it recommended, in part, that the Commissioners of Cambridge amend the Charter for the purposes of specifying that the Mayor and Commissioners of Cambridge may receive other forms of compensation in addition to an annual salary; and

WHEREAS, on July 13, 2020, the Commissioners of Cambridge adopted Charter Amendment Resolution No. CR-2020-01 which amended §§ 3-20 and 3-26 of the Charter for the purposes of providing that the Mayor and Commissioners of Cambridge shall each receive compensation in

the form of an annual salary and may receive additional compensation as established from time to time by ordinance; provided, however, that no change shall be made in the compensation for any such elected official during the term for which they were elected, and further provided that any ordinance making any change in the compensation therefor shall be passed prior to the municipal election to elect, and shall only take effect as to, the next succeeding Mayor and Commissioners of Cambridge; and

WHEREAS, the foregoing amendments to §§ 3-20 and 3-26 of the Charter took effect on September 1, 2020; and

WHEREAS, the Commissioners of Cambridge are desirous of amending § 2-11 of the Code of the City of Cambridge (the "City Code") for the purpose of amending the compensation for the Mayor and Commissioners of Cambridge whose term of office commences in 2021 and continuing thereafter; and

WHEREAS, the Commissioners of Cambridge find that the amendments set forth herein are necessary to promote and protect the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of Cambridge, that:

SECTION 1. Chapter 2 (Administration) of the Code of the City of Cambridge, Maryland is hereby amended as follows:

Sec. 2-11. – Salary of Compensation for the mayor and commissioners.

~~The salaries of the mayor and the commissioners shall be as follows:~~

~~Mayor, per year: \$12,000.00.~~

~~City councilman, per year: \$10,000.00.~~

(1) The mayor and commissioners shall each receive the following compensation during their term of office:

(a) An annual salary in the amount of \$12,000.00 for the mayor and \$10,000.00 for each commissioner:

(b) Worker's compensation, Social Security, Medicare, and Maryland State Retirement System benefits to the extent and amount required by State and/or federal law;

(c) A laptop computer or tablet to be used for official City business only, which shall be returned when the mayor or commissioner to whom the computer or tablet is assigned leaves office; and

(d) Reimbursement for reasonable expenses incurred while traveling on official City business pursuant to any City policy in effect at the time the mayor and commissioners' term of office commenced; and

(2) In addition to the compensation set forth in Section (1) above, the mayor and commissioners shall be eligible to participate in the City's health, dental, and life insurance plans during their term of office; provided, however, that any such official participating in such plans shall pay the highest monthly premium contribution for which City employees may be responsible despite the amount of his or her salary set forth in Section (1)(a) above.

(3) The compensation set forth in Sections (1) and (2) above shall take effect as to the mayor and commissioners whose term of office commences in 2021 and continue thereafter until and unless amended by ordinance of the commissioners, which amendment shall take effect commencing with the next succeeding mayor and commissioners.

SECTION 2. The recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

SECTION 3. In this Ordinance, unless a section of the City Code is expressly repealed in its entirety and reenacted, new or added language is underlined and in boldface type, and deleted text is crossed out with a single strikethrough. With respect to the substantive provisions of this Ordinance set forth in Section 1, language added after the date of introduction is in bold, italicized font and language deleted after the date of introduction is crossed out with a double strikethrough.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the Commissioners of Cambridge that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION 5. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

AND BE IT FURTHER enacted and ordained that this Ordinance shall become effective immediately upon passage.

ATTEST:

THE COMMISSIONERS OF CAMBRIDGE

Patrick C. Comiskey, City Manager

By: _____
Victoria Jackson-Stanley, Mayor

Introduced the 14th day of September, 2020

Passed the 13th day of October, 2020

Effective the 13th day of October, 2020