

1. Monday, September 27, 2021 Work Session/CARS

Documents:

[SEPT. 27, 2021 RECRUITMENT MEMO.PDF](#)
[SEPT 27, 2021 WORK SESSION-CHARTER RESOL.PDF](#)
[SEPT 27, 2021 WORK SESSION -RESOLUTION.PDF](#)
[SEPT 27, 2021 WORK SESSION 3-39.PDF](#)



City of Cambridge

410 Academy Street
Cambridge, MD 21613

TO: Mayor and City Commissioners
FROM: David J. Deutsch, Acting City Manager
SUBJECT: City Manager Recruitment
DATE: September 23, 2021

I have been requested to outline various options that can be used to recruit Cambridge's next City Manager. The options are somewhat limited, and are listed below:

- A. Retain Mercer Group Associates (MGA) to conduct the search. I am a Senior Associate with MGA, having been affiliated with MGA and its predecessor organization, The Mercer Group, Inc., for over five years. During that time I have conducted over one dozen local government searches. I have also hired numerous senior level management staff during my twenty-three years as City Manager in Bowie, including chief of police, human resources director, economic development director, information technology director, community services director, city clerk and more. Conducting the search (under a separate contract) while serving as acting City Manager replicates the dual role I had in Cheverly in 2019. The benefit of this approach is that the acting City Manager is in a better position to understand the Cambridge community and the City government organization given the "insider status" gained from the acting City Manager role. No other executive search consultant will be able to say that.
- B. A Request for Proposals (RFP) could be prepared, and submittals from various firms may be obtained. Mercer Group Associates will compete if necessary, but it should be understood that the RFP process will consume some time at the outset of the recruitment effort, and it will delay the actual start of the search by some weeks.
- C. A third option is to conduct the search in-house, using existing staff to assist the Mayor and Commissioners in conducting the search. Cities that go this route are generally communities with a dedicated human resources staff, which clearly does not exist in Cambridge.

Administrative Standard Operating Procedures (ASOP) address a range of policy matters in Cambridge. While ASOP No. 24 regarding procurement was last amended in 2015, it does not address professional services, which is addressed in ASOP No. 15, which was adopted in 1988 and is outdated. I have discussed this with the City Attorney, and together we will recommend changes to the relevant ASOP. One feature of the Bowie, Maryland City Charter (Section 61 (b) (4)) that should be considered in updating procurement regulations relates to professional services: "All procurements involving professional services, including but not limited to accounting, architecture, auditing, engineering, law, planning, and surveying need not be on a bid basis but may be negotiated by the City Manager or the Council or both. The City Manager shall advertise the intention to negotiate for such professional services prior to making any contract in excess of twenty-five thousand dollars (\$25,000)." Executive search clearly falls under the heading of "professional services". I can safely state that the executive search contract for a full-time Cambridge City Manager will be less than \$25,000.

There are other issues that should be addressed, and they are beyond the scope of the search process that is outlined above. These matters include:

1. **Residency:** Section 3-39(b) (4) requires residency within Cambridge city limits within one (1) year of appointment. Residency requirements limit the depth of the applicant pool.
2. **Search committee:** Cambridge City Charter Sections 3-39 (b) and 3-39 (b) (6) reference a search committee as part of the City Manager selection process. At minimum there will be additional time consumed in the search process as the search consultant will need to meet with the committee. The role of the committee needs to be clarified. I must say that a Charter mandated committee is quite unusual. The committee may have been a valuable asset for the first search process when Ms. Tripp-Jones was hired under a new Charter Section, but it is difficult to see how such a committee fits into the search process for the third City Manager.
3. **Charter changes:** There is currently a Charter Amendment Resolution (CAR) pending that addresses the human resources function and the provision of legal services (city attorney). The City Charter in Section 3-39 (d) "Powers and Duties" states "S/he shall serve as the chief personnel officer of the city, which shall include all matters regarding human resources". A human resources director position should be created and filled. The pending CAR strips the human resource function from the City Manager's aegis, and presumably would have the HR Director reporting directly to elected leadership.

Cambridge operates with a Council/Manager form of government. Removing positions from the purview of the City Manager is inconsistent with the Council/Manager form of government, and could potentially create confusion and upheaval in city government. Carving out the HR function, or any other line or staff function in the City government, and having a position(s) report directly to elected leadership will clearly be seen as a lack of support for the Council/Manager form of

government. The mere existence of the proposed CAR is potentially problematic, but if the Charter is amended as described in CR-2021-01, the impact could affect the depth and quality of the applicant pool for the City Manager position. Recruiters hear the question all the time: "How solid is the charter and is there elected and community support for the position?"

RECOMMENDATION SUMMARY

The Mayor and City Commissioners need to decide as soon as possible on the process that will be used to acquire the next City Manager. Most recruitment proposals suggest a 90 to 120 day process for the recruitment. A week from Friday is October 1, and therefore a realistic expectation for the start date for the new manager is sometime in the middle of the first quarter of 2022. One of the factors that needs to be realized is that if the person chosen as your next City Manager is currently a City Manager elsewhere, he/she may have a contractual obligation for notice to a governing body regarding a departure. Those notice requirements start at thirty (30) days.

I look forward to discussing this important matter with you in the Work session on Monday night (September 27). I believe you all have my contact information if any Member would want to discuss this report prior to the Monday session.

Attachments:

- a. City Charter 3.39 – City Manager
- b. City Manger - Resolution
- c. Charter Resolution No. CR-2021-01

**RESOLUTION FOR AN AMENDMENT
TO THE CHARTER OF THE
CITY OF CAMBRIDGE, MARYLAND**

CHARTER RESOLUTION NO. CR-2021-01

A RESOLUTION OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND PASSED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE CONSTITUTION OF MARYLAND AND §§ 4-302(1) AND 4-304 OF THE LOCAL GOVERNMENT ARTICLE OF THE MARYLAND ANNOTATED CODE TO AMEND THE CHARTER OF THE CITY OF CAMBRIDGE FOR THE PURPOSES OF AUTHORIZING THE ESTABLISHMENT OF THE DEPARTMENTS OF HUMAN RESOURCES AND LEGAL SERVICES FOR THE CITY; ESTABLISHING THE OFFICE OF DIRECTOR OF HUMAN RESOURCES FOR THE CITY, INCLUDING THE POWERS AND DUTIES ASSOCIATED WITH SUCH OFFICE; CLARIFYING THE MANNER OF APPOINTMENT AND ESTABLISHING THE QUALIFICATIONS OF THE CITY ATTORNEY; AND AMENDING THE POWERS AND DUTIES OF THE CITY MANAGER REGARDING CITY PERSONNEL; PROVIDING THAT THE TITLE OF THIS CHARTER AMENDMENT RESOLUTION SHALL BE DEEMED A FAIR SUMMARY AND GENERALLY RELATING TO HUMAN RESOURCES, LEGAL SERVICES, AND PERSONNEL IN THE CITY OF CAMBRIDGE.

WHEREAS, pursuant to Article XI-E, § 3 of the Constitution of Maryland, the Commissioners of Cambridge, as the legislative body of the City of Cambridge, Maryland (the "City"), are authorized and empowered to amend the Charter of the City of Cambridge (the "Charter"); and

WHEREAS, pursuant to Article XI-E, § 4 of the Constitution of Maryland, an amendment to the Charter shall be proposed either by a resolution of the Commissioners of Cambridge or by a petition containing the signatures of at least twenty (20) percent of the registered voters of the City and filed with the Commissioners of Cambridge; and

WHEREAS, pursuant to Md. Code Ann., Local Gov't §§ 4-302(1) and 4-304, the Commissioners of Cambridge may initiate a proposed amendment or amendments to the Charter by a resolution which, except as otherwise specified in the subtitle, is ordained or passed as in the usual course of considering resolutions in the City government, by a majority of the Commissioners of Cambridge, and the same shall be subject to the right of referendum; and

WHEREAS, the Commissioners of Cambridge are desirous of amending the Charter for the purposes of authorizing the establishment of the Departments of Human Resources and Legal Services for the City; establishing the office of Director of Human Resources for the City, including the powers and duties associated with such office; clarifying the manner of appointment and establishing the qualifications of the City Attorney; and amending the powers and duties of the City Manager regarding City personnel; and

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 4-304(a)(2), a public hearing on the amendments to the Charter as set forth herein was held on _____, 2021, notice of which was published on _____, 2021 and _____, 2021 in the Star Democrat, a newspaper of general circulation in the City, with the first publication occurring more than 21 days prior to the public hearing; and

WHEREAS, the Commissioners of Cambridge, to provide for the reasonable and appropriate representation of the citizens of the City and to provide for the better management and governance of the City and its affairs, deems it necessary and appropriate for the good government and citizens of the City to amend certain provisions of the Charter as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF CAMBRIDGE, that pursuant to the authority of Article XI-E of the Constitution of Maryland and § 4-301, et seq. of the Local Government Article of the Maryland Annotated Code, the Charter of the City of Cambridge (as published in Chapter 19, Volume 1 of Compilation of Municipal Charters) be, and the same is hereby, amended as follows:

SECTION 1. Section 3-21 of the Charter is hereby amended as follows:

Section 3-21. Mayor; oath of office, duties.

- (a) *Oath of office.* The mayor-elect shall, on or before the second (2nd) Monday in January following his or her election, but not before the first (1st) day of January following his or her election, appear before the Clerk of the Circuit Court for Dorchester County and make the declaration and take the oath prescribed by the Constitution of Maryland, and, procuring from said Clerk a certificate of the declaration and oath taken by him/her as mayor, shall return the same to the commissioners.
- (b) *General duties.* The mayor shall be the principal representative of the City in all official and ceremonial matters, and before all federal, State, and local governmental bodies, including serving as Resident Agent of the City. The mayor shall preside over the meetings of the commissioners and shall be entitled to actively engage in any discussion that occurs during the meetings of the commissioners. The mayor is authorized to declare for the City when a formal emergency begins and ends. The mayor shall also perform such other duties and functions as may be authorized or required of him or her under this charter, or the amendments thereto, or by municipal ordinances.
- (c) *Personnel Duties.* The mayor shall have a vote along with the commissioners on the issue of termination of the employment agreement of: (1) any person who holds the position of City Manager or Acting City Manager, and (2) any Department Head employed pursuant to the employment agreement which agreement is in effect prior to the effective date of this Charter provision, and which employment agreement provides for the mayor's participation in the termination of employment.

(d) *Voting and veto power.* Unless otherwise provided by a specific ordinance or Charter provision, the mayor shall only vote in the event of a tie vote of the commissioners. The mayor shall have the power and authority to veto ordinances passed by the commissioners, as set forth in Section 3-20 of this Charter with the exception of any ordinance establishing the departments of human resources and legal services for the city.

(e) *Effective Date.* The effective date of this Section shall be February 3, 2015.]

SECTION 2. Section 3-26 of the Charter is hereby amended as follows:

Section 3-22. [Reserved] Departments of human resources and legal services.

(a) Creation of departments. *The departments of human resources and legal services for the city shall be established and modified from time to time by ordinance of the commissioners.*

(b) Appointment and qualifications of director of human resources. *The director of human resources shall be the head of the department of human resources and shall be appointed by the mayor upon recommendation of a search committee and confirmed by a majority vote of the commissioners for a term and under conditions as may be agreed to by the commissioners.*

(1) S/he shall be selected solely on the basis of merit, training, and experience, with specific qualifications to be set forth in the ordinance described in subsection (a) above.

(2) No mayor or commissioner shall receive such appointment as director of human resources or acting director of human resources during the term for which the mayor city commissioner shall have been elected, or within one year after the expiration of the mayor's or commissioner's term.

(3) The search for a director of human resources shall be conducted by a search committee made up of a minimum of three (3) individuals appointed by the mayor, who shall be appointed within thirty (30) days of the enactment of this legislation and thereafter within thirty (30) days of the director of human resources position becoming vacant. The search committee shall consist of the mayor, who shall chair the committee, along with at least one commissioner, the city manager, and at least one department head. All members of the committee shall have a vote. The search committee may obtain additional assistance and resources in the search process upon a majority vote of the commissioners.

(c) Removal from office.

(1) The director of human resources shall hold office subject to the vote to remove him or her upon recommendation of the mayor and majority vote by the commissioners, which recommendation and vote shall be made at an official meeting of the commissioners duly called and advertised. Removal shall be effective immediately following a majority vote of the commissioners for removal.

- (2) Nothing herein shall prevent the director of human resources from voluntarily accepting a proposed removal or termination of his/her contract without a majority vote of the commissioners.
- (3) The suspension or removal of the director of human resources shall not be subject to any administrative appeal that is afforded to classified employees of the city.
- (4) If a director of human resources becomes disabled, is temporarily absent from the city for a length of time that may interfere with the efficient running of the city's department of human resources, is suspended, removed, or resigns, or completes his or her term as may be agreed to in his or her contract of employment and is not reappointed, or prior to the appointment of the first director of human resources under this Charter, the commissioners may appoint an acting director of human resources. Any acting director of human resources shall hold office for a period of time not to exceed six (6) months, subject to the affirmative vote by a majority of the mayor and commissioners, with the mayor having a vote, to remove the acting director of human resources or to extend his/her term. No notice of removal or hearing as allowed for a director of human resources under subsection (c)(1) above is required for removing an acting director of human resources. If an acting director of human resources is removed, the mayor and commissioners may appoint his or her replacement. An acting director of human resources shall possess the qualifications set forth in subsection (b)(1) above.
- (d) Powers and duties of the director of human resources. The director of human resources shall be the chief personnel officer for the city, which shall include all matters regarding human resources except as otherwise set forth in this Charter. Subject to sufficient appropriations, the director of human resources may appoint an assistant director of human resources. To these ends the director of human resources shall have the power and shall be required to:
- (1) Hire, suspend or remove any classified employee pursuant to the city's adopted merit system and in consultation with the city manager;
- (2) Maintain all city personnel records;
- (3) Administer or supervise the administration of employee benefits and assist employees with obtaining information and services from benefits providers;
- (4) Coordinate training, safety, risk management, and other personnel programs; and
- (5) Perform such other duties as are specified in this Charter and in the ordinance described in subsection (a) above and as may be required by the mayor and commissioners as a body, not inconsistent with this Charter or any city laws or ordinances.

(e) Other personnel duties.

- (1) All subordinate officers and employees of the offices, departments, and agencies of the city shall be appointed by the director of human resources, in consultation with the city manager. Subject to the provisions of any adopted merit system, all subordinate officers and employees may be removed by the director of human resources, in consultation with the city manager.
 - (2) Pending any changes pursuant to subsection (e)(3) below, the city employee manual and personnel policies in effect on the effective date of the Charter Amendment Resolution enacting this section shall remain in full force and effect.
 - (3) Upon the hiring of a director of human resources and periodically thereafter as may be needed, one of his/her duties shall be a review of the City of Cambridge Personnel Policies, which shall include convening a Cambridge Personnel Review Committee to assist in determining if any changes in the city's personnel policies need to be made, and, if so, to make recommended changes for the city commissioners to consider.
 - (4) Neither the mayor, nor any city commissioner, shall give orders to any subordinates of the director of human resources, either publicly or privately.
 - (5) The director of human resources shall not have the authority to hire, remove, or discipline any police officer or other employee subject to the General Orders of the Cambridge Police Department.
- (f) Nothing herein shall be deemed to limit the authority of the mayor and city commissioners to contract with a third party to serve as director of human resources; provided, however, that the provisions of subsection (c) above shall not apply to any contracted third party, and further provided that the selection and appointment of any contracted third party shall be in accordance with the city's procurement procedures for professional services, which shall control over any conflicting provisions in subsection (b) above.
- (g) Appointment and qualifications of city attorney. The city attorney shall be appointed, suspended, or removed, directly by the mayor and city commissioners as a body. The city attorney shall be a member of the bar of the Maryland Court of Appeals. The city attorney shall be the head of the city's department of legal services, is the legal advisor of the city, and shall perform such duties in this connection as may be required by the mayor and commissioners, to the extent not inconsistent with this Charter or applicable law. The compensation of the city attorney shall be determined by the mayor and commissioners. The mayor and commissioners shall have the power to employ such legal consultants as it deems necessary from time to time. Nothing herein shall be deemed to limit the authority of the mayor and city commissioners to contract with a law firm to provide city attorney services to the city; provided, however, that all attorneys providing such services shall meet the qualifications set forth herein.

SECTION 3. Section 3-39 of the Charter is hereby amended as follows:

Sec. 3-39. - City manager.

- (a) *Creation of office.* The office of city manager is hereby created.
- (b) *Appointment and qualifications of city manager.* The city manager shall be appointed by a majority vote of the city commissioners upon recommendation of a search committee for a term and under conditions as may be agreed to by the city commissioners.
- (1) S/he shall be selected solely on the basis *of* executive and administrative qualifications with special reference to actual experience in and knowledge of accepted practice in respect to the duties of the office hereinafter set forth.
 - (2) The minimum educational requirement for the city manager is a Master's Degree in Public Administration, a Master's Degree in Business Administration or a post-baccalaureate degree in another closely related field. Candidates for the position shall also have a minimum of five (5) years of experience as a city/county manager or assistant city/county manager.
 - (3) If an acceptable candidate is not found meeting the requirements in (b)(2) above, the city commissioners may consider candidates with a Master's Degree in Public Administration, a Master's Degree in Business Administration or a post-baccalaureate degree in another closely related field who also have a minimum of five (5) years experience as a department head of a significant governmental line or staff function or in a management position in a significant business or corporate entity.
 - (4) At the time of any appointment as a city manager, the appointee need not be a resident of the city or state. Within one (1) year from his/her appointment, the city manager shall reside within the city limits as his/her principal residence. The residence requirement for a city manager may be delayed or waived by city commissioners based on extenuating circumstances as may be presented to and approved by a majority vote of the city commissioners, or as set forth in a binding employment agreement. An acting city manager appointed under this law shall not be required to live in the City of Cambridge as a condition of the appointment.
 - (5) No mayor or city commissioner shall receive such appointment as city manager or acting city manager during the term for which the mayor or commissioner shall have been elected, or within one year after the expiration of the mayor's or commissioner's term.
 - (6) The search for a city manager shall be conducted by a search committee made up of five (5) individuals appointed by the city commissioners, who shall be appointed within thirty (30) days of the enactment of this legislation and thereafter within thirty (30) days of the city manager position becoming vacant. The mayor shall chair and be a voting member of the search committee. The search committee may obtain additional assistance and resources in the search process upon a majority vote of the city commissioners. The

individuals appointed by the city commissioners as members of the search committee shall be residents of the city or of Dorchester County, or be owners of businesses located in the city, or be persons who live elsewhere but have a second home in the city or Dorchester County who possess considerable expertise related to the search process.

(c) *Removal from office.*

- (1) The city manager shall hold office subject to the vote to remove him or her by four (4) of the six (6) elected officials of the city - the mayor and the city commissioners as a body - which vote shall be made at an official meeting of the city commissioners duly called and advertised. The final resolution of removal may be made effective immediately, or at any time after five (5) days from the date on which a copy of the preliminary resolution required in subsection (c)(2) below is delivered to the city manager, subject to the right of the city manager to a hearing as set forth in subsection (c)(3) herein below.
- (2) To institute the removal process, the city commissioners must adopt by the affirmative vote of a majority of its members, a preliminary resolution that sets forth in detail the reasons for removal. A copy of the resolution shall be delivered promptly to the city manager and the mayor.
- (3) The city manager shall have the right to a private or a public hearing on the removal resolution, which right must be exercised by him/her making written request for same to the mayor and city commissioners as a body, within five (5) days of receipt of said resolution. This hearing shall be held at a meeting of the mayor and city commissioners as a body not sooner than fifteen (15) days, nor later than, thirty (30) days after the request is filed. The city manager may also file with the city commissioners, a written reply not later than five (5) days before any scheduled hearing.
- (4) Nothing herein shall prevent the city manager from accepting the proposed removal or termination of his/her contract without a hearing.
- (5) If the city manager requests a hearing pursuant to subsection (c)(3) hereinabove, the city commissioners may, by majority vote, suspend with pay the city manager from duty pending the outcome of the removal hearing and consistent with the terms of the city manager's employment agreement.
- (6) The suspension or removal of the city manager shall not be subject to any administrative appeal that is afforded to classified employees of the city.
- (7) If a city manager becomes disabled, is temporarily absent from the city for a length of time that may interfere with the efficient running of the city, is suspended, removed, or resigns, or completes his or her term as may be agreed to in his or her contract of employment and is not reappointed, or prior to the appointment of the first city manager under this Charter, the city commissioners may appoint an acting city manager. Any acting city manager shall hold office for a period of time not to exceed six (6) months, subject to the affirmative vote by a majority of the mayor and city commissioners, with

the mayor having a vote, to remove the acting city manager or to extend his/her term. No notice of removal or hearing as allowed for a city manager under subsection (c)(1)(2) and (3) above is required for removing an acting city manager. If an acting city manager is removed, the city commissioners may appoint his or her replacement. An acting city manager shall possess the qualifications set forth in subsections (b)(1), and (b)(2) or (b)(3) above.

(d) *Powers and duties of the city manager.* The city manager shall be the chief executive officer of the city and head of the administrative branch of the city, and may head one or more departments, and shall be responsible to the mayor and city commissioners as a body, for the proper administration of all affairs of the city. [S/he shall serve as the chief personnel officer for the city, which shall include all matters regarding human resources.] Subject to sufficient appropriations, the city manager may appoint [an assistant director of human resources to assist him or her in these responsibilities and may appoint] a finance director. To these ends the city manager shall have the power and shall be required to:

- (1) [~~With the exception of the city attorney, who shall be appointed, suspended, or removed, directly by the mayor and city commissioners as a body, appoint~~] *Appoint* and, when necessary for the good of the city, suspend or remove any department head with the advice and consent of the city commissioners. [The city manager may hire, suspend or remove any classified employee pursuant to the city's adopted merit system, or may authorize any department head to exercise these powers with respect to subordinates within that department head's department, with the prior approval of the city manager.] *The city manager shall report any actual or potential violation of the city's personnel policies by a classified employee to the director of human resources promptly upon being made aware thereof.*
- (2) With the exception of the [city attorney and his/her office] *departments of human resources and legal services*, direct and supervise the administration of all departments, offices and agencies of the city, except as otherwise provided by this charter or by law; create, consolidate, separate, or combine offices, positions, departments, or units under his/her jurisdiction, with the approval of the city commissioners. Notwithstanding the exclusion of the city attorney from supervision and oversight by the city manager, the city attorney shall closely coordinate his/her activities with the city manager, respond to reasonable requests of the city manager, and keep the city manager apprised of and discuss with him/her city priorities, status of assignments, litigation, special needs, and issues of importance to the city that fall under the duties and responsibilities of the city attorney.
- (3) Be the chief financial officer of the city and:
 - (i) Ensure that all public moneys belonging to or under the control of the city, except as otherwise provided herein, are properly accounted for;
 - (ii) Certify all financial reports developed for the mayor and city commissioners as a body and have custody of all bonds and notes of the city;

- (iii) Review all reports of a finance director regarding the collection of taxes, special assessments, license fees, liens, and all other revenues (excluding utility revenues) of the city, and all other revenues for whose collection the city is responsible;
 - (iv) Supervise and be responsible for the disbursement of all moneys and have control over all expenditures to assure that budget appropriations are not exceeded;
 - (v) With the assistance of a finance director, prepare the city budget and capital program annually and submit them to the mayor and city commissioners as a body with a message describing the important features and be responsible after adoption for the administration and implementation of the final budget and any capital program approved by city commissioners to achieve the goals of the city;
 - (vi) On a regular and ongoing basis, keep the mayor and city commissioners as a body advised of the financial condition and future needs of the city, and make such recommendations as may be deemed desirable;
 - (vii) Recommend to the mayor and city commissioners as a body from time to time, a standard schedule of pay for each appointed office and position in the city service, including minimum, intermediate, and maximum rates;
- (4) Recommend to the mayor and city commissioners as a body from time to time, adoption of such measures as may be deemed necessary or expedient for the health, safety, or welfare of the community or for the improvement of administrative services;
 - (5) Attend all meetings of the city commissioners unless excused, and take part in the discussion of all matters coming before the city commissioners. The city manager shall be entitled to notice of all regular and special meetings of the city commissioners;
 - (6) Supervise the city procurement process including purchase of all materials, supplies, and equipment for which funds are provided in the budget; let contracts necessary for operation or maintenance of the city services; and report said actions on an ongoing basis to the mayor and city commissioners as a body pursuant to subsection (d)(3)(vi) above. Nothing herein is to be construed as limiting the city commissioners from establishing by resolution reasonable and customary upper limits beyond which the city manager must obtain approval for said purchase and contracts;
 - (7) See that all laws, provisions of this charter and acts of the city commissioners[, subject to enforcement by the city manager or by officers subject to the manager's direction and supervision, including contract employees,] are faithfully executed and duly enforced;
 - (8) Investigate the affairs of the city or any department or division thereof; investigate all complaints in relation to matters concerning the administration of the government of the city and in regard to service maintained by the public utilities in the city, and see that all franchises, permits, and privileges granted by the city are faithfully observed;

- (9) Devote his/her entire time to the discharge of all official duties;
- (10) In collaboration with any finance director, submit to the mayor and city commissioners as a body and make available to the public a complete report on the finances and administrative activities of the city as of the end of each fiscal year. Included in the report shall be the accomplishments of the various agencies and the city;
- (11) Make such other reports as the mayor and city commissioners as a body may require concerning operations;
- (12) Make recommendations to the mayor and city commissioners as a body concerning the affairs of the city and facilitate the work of the mayor and city commissioners as a body in developing policy;
- (13) Provide staff support services for the mayor and city commissioners as a body;
- (14) Assist the mayor and city commissioners as a body in the development of long term goals for the city and strategies to implement those goals;
- (15) Encourage and provide staff support for regional and intergovernmental cooperation;
- (16) Promote partnerships among the mayor, city commissioners, staff, and citizens in developing public policy and building a sense of community;
- (17) Assure that a record of all the proceedings of the city commissioners is kept in the minute book as they occur. S/he shall within six (6) days after an ordinance has been passed record the same fully and at length in the ordinance book, and shall duly and promptly record and enter in the general record books all papers, documents, contracts and orders which the Charter or the ordinances or the directions of the city commissioners require to be recorded therein. S/he may appoint one or more staff persons as city clerk/deputy clerk under his/her direction and authority to perform these duties, with the advice and consent of the city commissioners;
- (18) Be the public information official for the city, except for matters involving the Cambridge Police Department. With regard to any matters involving the police department, the chief of police shall designate the spokesperson for the department. The police department shall cooperate and coordinate with the city manager regarding information being provided to the public by the department;
- (19) Hold regular meetings with the department heads;
- (20) Serve as the supervisor of elections for the city;
- (21) Perform such other duties as are specified in this charter and may be required by the mayor and city commissioners as a body, not inconsistent with the city charter, law, or ordinances.

- (e) *Non-interference with appointments or removals.* Except for the purpose of inquiry, the mayor and city commissioners shall deal with the administration of the city solely through the city manager and neither the mayor, nor any city commissioner, shall give orders to any subordinates of the city manager, either publicly or privately.
- (f) *Emergencies.* In the event an emergency is declared by the mayor pursuant to section 3-21(b) of this Charter, the city manager may award contracts and make purchases for the purpose of meeting said emergency, subject to appropriations not to exceed an amount established by a resolution of the city commissioners. In so doing, the city manager shall meet during the period of the emergency on a regular and ongoing basis as needed with the mayor and city commissioners and collaborate with them in addressing the challenges that present themselves during the emergency. The city manager shall also file promptly after the emergency ends with the mayor and city commissioners as a body, a certificate showing an itemized account of all expenditures during the emergency.
- (g) *Bond.* The city manager shall furnish a surety bond to be approved by the city commissioners, said bond to be conditioned on the faithful performance of all the duties of the city manager. The premium of the bond shall be paid by the city.
- (h) *Compensation.* The city manager shall receive such compensation as the city commissioners shall fix pursuant to the terms of any contract of employment entered into between the city and the city manager as provided for in a formal employment agreement. The city manager's compensation shall not be reduced unless such a contingency is included in any formal employment agreement and all city employees' compensation is reduced. Any reduction will be covered by the terms of the formal employment agreement.
- (i) *Personnel duties.*
 - (1) All subordinate officers and employees of the offices, departments, and agencies of the city shall be appointed by the city manager. Subject to the provisions of any adopted merit system, all subordinate officers and employees may be removed by the city manager, or by the department head with the prior approval of the city manager.
 - (2) Pending any changes pursuant to paragraph (3) below, the city employee manual and personnel policies in effect on the date of enactment of this Charter Amendment shall remain in full force and effect.
 - (3) Upon the hiring of a city manager and periodically thereafter as may be needed, one of his/her duties shall be a review of the City of Cambridge Personnel Policies, which shall include convening the Cambridge Personnel Review Committee to assist in determining if any changes in the city's personnel policies need to be made, and, if so, to make recommended changes for the city commissioners to consider.
- (j) *Savings clause.* If any section, subsection, or sentence, clause, or phrase of this Charter is for any reason held invalid, such decision or decisions shall not affect the validity of the remaining portions of this Charter. All ordinances of the city prescribing the duties of heads of

departments shall remain in full force and effect except in so far as they conflict with the provisions of this Charter in which case the provisions of this Charter shall govern.

[(k) *Effective date.* The effective date of this Charter Resolution shall be February 3, 2015.]

AND BE IT FURTHER RESOLVED that, in this Resolution, unless a section of the Charter is expressly repealed in its entirety and reenacted, new or added language is underlined and in *italicized* type, and deleted text is enclosed in [bold brackets]. Language added after the date of introduction is in italicized, boldface type and text deleted after the date of introduction is crossed out twice and enclosed in bold brackets.

AND BE IT FURTHER RESOLVED that if any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of 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 Resolution, it being the intent of the Commissioners of Cambridge that this Resolution shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

AND BE IT FURTHER RESOLVED that, to the extent that any section of the Charter is in conflict with the provisions of this Resolution, such section or sections be and hereby are repealed to the extent of such conflict.

AND BE IT FURTHER RESOLVED that the date of adoption of this Resolution is _____, 2021, and the Charter amendment enacted by this Resolution shall become effective upon the fiftieth (50th) day after adoption, or on _____, 2021, unless a proper petition for a referendum hereon shall be filed on or before the fortieth (40th) day after adoption, or on _____, 2021, as provided by law. A complete and exact copy of this Resolution shall be posted at City Hall, 410 Academy Street, Cambridge, Maryland 21613, or another main municipal building or public place, for a period of at least forty (40) days following its adoption, or until _____, 2021, and the title to this Resolution, being a fair summary of the Charter amendment enacted hereby, shall be published in a newspaper of general circulation in the City not less than four (4) times, at weekly intervals within a period of at least forty (40) days, starting immediately after the date of its adoption, or between _____, 2021 and _____, 2021.

AND BE IT FURTHER RESOLVED that as soon as the Charter amendment enacted by this Resolution shall become effective, either as herein provided or following a referendum, the City Manager shall send by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to the Department of Legislative Services of the State of Maryland, the following documents or information concerning the Charter amendment: (1) the complete text of this Resolution; (2) the date of the referendum election, if any, held with respect thereto; (3) the number of votes cast for or against this Resolution by the Commissioners of Cambridge or in a referendum; and (4) the effective date of the Charter amendment.

AND BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to carry out the provisions of the foregoing Recitals; and as evidence of compliance herewith, the City Manager shall cause to be affixed to the minutes of the Commissioners of Cambridge for the meeting at which this Resolution is adopted: (1) a certificate to the effect that this Resolution was duly and properly posted as provided herein; (2) an appropriate certificate of publication in the newspaper in which the fair summary of this Charter Amendment Resolution shall have been published as provided herein; and (3) the return receipt of the mailing as provided herein.

This Charter Amendment Resolution was introduced at a public meeting of the Commissioners of Cambridge, held on the __ day of ____, 2021, and having been reviewed and considered for final action, was duly adopted on the __ day of ____, 2021.

ATTEST:

THE COMMISSIONERS OF CAMBRIDGE

Patrick C. Comiskey, City Manager

Andrew Bradshaw, Mayor

Introduced the __ day of ____, 2021
Adopted the __ day of ____, 2021
Effective the __ day of ____, 2021

RESOLUTION NO. 21-__

A RESOLUTION OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND TO AMEND ADMINISTRATIVE STANDARD OPERATING PROCEDURE NO. 24 ENTITLED "PROCUREMENT PROCEDURE" REGARDING THE PROCUREMENT OF PROFESSIONAL SERVICES

WHEREAS, pursuant to § 2-9 of the City Code, the Commissioners of Cambridge shall establish and maintain a compilation of policies established by the Commissioners of Cambridge which are not otherwise included in the City Code and affect the administration of the City, known as the Administrative Practices and Procedures Manual, which may be changed from time to time by resolution of the Commissioners of Cambridge; and

WHEREAS, the Commissioners of Cambridge are desirous of amending Administrative Standard Operating Procedure No. 24 entitled "Procurement Procedure" regarding the procurement of professional services as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF CAMBRIDGE that Administrative Standard Operating Procedure No. 24, entitled "Procurement Procedure," is hereby amended as follows:

Professional Services

- 1. Notwithstanding any provision herein to the contrary, all procurements involving professional services, including but not limited to accounting, architecture, auditing, engineering, law, planning, and surveying, may be negotiated and approved by the City Manager where the cost of such services is reasonably expected not to exceed twenty-five thousand dollars (\$25,000.00). Such procurements may, but are not required to, be made on a bid or competitive proposal basis.**
- 2. Council approval shall be required for any professional service where the cost thereof is reasonably expected to exceed twenty-five thousand dollars (\$25,000.00). Such procurements shall be made on a bid or competitive proposal basis except where the Council determines that a particular individual, firm, or entity is uniquely qualified to provide such services and/or that the delay in obtaining such bids or proposals would be unduly prejudicial to the City.**
- 3. Any Administrative Standard Operating Procedure or provision thereof inconsistent with this policy shall be repealed to the extent of such inconsistency.**

AND BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption.

ATTEST:

THE COMMISSIONERS OF CAMBRIDGE

David J. Deutsch, Acting City Manager

By: _____
Andrew Bradshaw, Mayor

Introduced the 27th day of September, 2021
Adopted the 27th day of September, 2021
Effective the 27th day of September, 2021

ADMINISTRATIVE STANDARD OPERATING PROCEDURE NO. 50

SOCIAL MEDIA POLICY FOR THE CITY OF CAMBRIDGE

I. INTRODUCTION:

A. The Social Media Policy for the City of Cambridge (the “Policy”) is set forth below. The Policy applies to the following social-media platforms, as well as any other platforms the City of Cambridge may establish for public information or citizen discussion:

1. <https://www.facebook.com/CityofCambridgeMD>
2. <https://www.facebook.com/CambridgePD>
3. <https://www.facebook.com/pine.street.399>
4. <https://twitter.com/cambridgemd1>
5. <https://twitter.com/cambridgemdpd>
6. <https://www.instagram.com/city.of.cambridge.md>
7. https://www.instagram.com/cambridge_md_police
8. <https://www.youtube.com/channel/UCqlCrSw4Iw1apupx2h0pHbw>

II. PURPOSES:

- A. The social-media platforms listed above are established by the City of Cambridge or by City departments under the authority of the City of Cambridge to promote and disseminate information regarding public announcements, City policies, City initiatives, public events, and other matters of public interest that relate directly or indirectly to the City of Cambridge. These pages provide limited public forums for discussion with and among users about the posted public announcements, City policies, City initiatives, public events, and other matters of public interest.
- B. Conversations and questions related to matters posted are encouraged within comments, messages, retweets, and other communications. The City of Cambridge, its staff, or other individuals appointed to manage these social-media accounts, and those that may be established at a future date, may review the comments, messages, retweets, and other communications on all its social-media platforms. The City of Cambridge does not discriminate based on viewpoint, but does reserve the right to remove comments, messages, and retweets for violating the terms of this Policy.

III. COMMENTS:

- A. In order to facilitate the above-stated purposes of the social-media platforms operated by the City of Cambridge, comments, messages, retweets, and other communications may be removed for containing, linking to, or constituting:
 - 1. Conduct in violation of any federal, state, or local law;
 - 2. Conduct or encouragement of criminal or other illegal activity;
 - 3. Content that promotes, fosters, or perpetuates discrimination on any legally-protected classes including, but not limited to, race, religion, national origin, age, familial status, pregnancy, sex, sexual orientation, gender identity, physical or mental disability, genetic information, or military or veteran status;
 - 4. Confidential information including, but not limited to, social security number; driver's license number, state identification card number, or other individual identification number issued by a state or local governmental unit; passport number or other identification number issued by the United States government; Individual Taxpayer Identification Number; financial or other account number, credit card number, or debit card number that, in combination with any required security code, access code, or password, would permit access to an individual's account;
 - 5. Hateful, violent, or threatening content or unlawful harassment;
 - 6. Nudity, indecent, sexual, or sexual harassment content;
 - 7. Profane or obscene language or content;
 - 8. Fraudulent information;

9. Information that compromises the safety or security of the public or public systems;
 10. Content that threatens or defames any person, group, or organization;
 11. Making or publishing of false or malicious statements concerning any employee, the City, or its operations;
 12. Comments not topically related to, or out of context to, the particular article or post;
 13. Matters unrelated to governmental concerns;
 14. Content that violates a legal ownership interest, ongoing investigation, or legal or administrative proceeding of any other party;
 15. Disruptive or repetitive content;
 16. Copyrighted or trademarked material used in violation of any applicable laws and regulations;
 17. Confidential or private information that may serve to personally identify an individual, subject to any applicable statutory prohibition;
 18. Advertisements or promotions for commercial products and services; and/or
 19. Malicious computer hardware or software.
- B. Questions or concerns about specific employees should generally be referred to the City Manager. Any violation of law or threat of violence may be forwarded to the Cambridge Police Department or to other law enforcement for investigation. The Cambridge City Manager and/or the Police Department may be reached via the City website “Contact Us” section at www.choosecambridge.com.

IV. RULES:

- A. The following rules apply across City of Cambridge social-media platforms:
1. Removed content may be saved in the form of screenshot, transcription, or other digitized fashion.
 2. Users in repeated violation of this Policy may be temporarily or permanently restricted from accessing or commenting on City of Cambridge social-media platforms.
 3. To contest the restriction of access to a City of Cambridge social-media platform, the restricted user must submit to the City Manager a written request for reinstatement, including details regarding any restriction, and grounds for reinstatement. Requests

shall be addressed in a timely fashion. Access shall be restored if a determination is made that grounds for reinstatement are sufficient.

4. Users may report comments, messages, retweets, or other communications believed to be in violation of this Policy. Any response to any comment, message, retweet, or other communication shall be made in compliance with this Policy or may be determined to be in violation of this Policy.

5. The City of Cambridge shall make notice of changes to this Policy as they occur.

V. **USER-GENERATED CONTENT:** The City of Cambridge is not responsible for user-generated comments, messages, retweets, or other communications on City of Cambridge social-media platforms. No user-generated comments, messages, retweets, or other communications should be construed as endorsed by the City of Cambridge. No materials intended to remain private should be published on or to a City social-media account by a user with an expectation that such material will remain private.



City of Cambridge

110 Academy Street
Cambridge, Maryland 21613

Sec. 3-39. - City manager.

- (a) *Creation of office.* The office of city manager is hereby created.
- (b) *Appointment and qualifications of city manager.* The city manager shall be appointed by a majority vote of the city commissioners upon recommendation of a search committee for a term and under conditions as may be agreed to by the city commissioners.
 - (1) S/he shall be selected solely on the basis executive and administrative qualifications with special reference to actual experience in and knowledge of accepted practice in respect to the duties of the office hereinafter set forth.
 - (2) The minimum educational requirement for the city manager is a Master's Degree in Public Administration, a Master's Degree in Business Administration or a post-baccalaureate degree in another closely related field. Candidates for the position shall also have a minimum of five (5) years of experience as a city/county manager or assistant city/county manager.
 - (3) If an acceptable candidate is not found meeting the requirements in (b)(2) above, the city commissioners may consider candidates with a Master's Degree in Public Administration, a Master's Degree in Business Administration or a post-baccalaureate degree in another closely related field who also have a minimum of five (5) years experience as a department head of a significant governmental line or staff function or in a management position in a significant business or corporate entity.
 - (4) At the time of any appointment as a city manager, the appointee need not be a resident of the city or state. Within one (1) year from his/her appointment, the city manager shall reside within the city limits as his/her principal residence. The residence requirement for a city manager may be delayed or waived by city commissioners based on extenuating circumstances as may be presented to and approved by a majority vote of the city commissioners, or as set forth in a binding employment agreement. An acting city manager appointed under this law shall not be required to live in the City of Cambridge as a condition of the appointment.
 - (5) No mayor or city commissioner shall receive such appointment as city manager or acting city manager during the term for which the mayor or commissioner shall have been elected, or within one year after the expiration of the mayor's or commissioner's term.
 - (6) The search for a city manager shall be conducted by a search committee made up of five (5) individuals appointed by the city commissioners, who shall be appointed within thirty (30) days of the enactment of this legislation and thereafter within thirty (30) days of the city manager position becoming vacant. The mayor shall chair and be a voting member of the search committee. The search committee may obtain additional assistance and resources in the search process upon a

majority vote of the city commissioners. The individuals appointed by the city commissioners as members of the search committee shall be residents of the city or of Dorchester County, or be owners of businesses located in the city, or be persons who live elsewhere but have a second home in the city or Dorchester County who possess considerable expertise related to the search process.

(c) *Removal from office.*

- (1) The city manager shall hold office subject to the vote to remove him or her by four (4) of the six (6) elected officials of the city - the mayor and the city commissioners as a body - which vote shall be made at an official meeting of the city commissioners duly called and advertised. The final resolution of removal may be made effective immediately, or at any time after five (5) days from the date on which a copy of the preliminary resolution required in subsection (c)(2) below is delivered to the city manager, subject to the right of the city manager to a hearing as set forth in subsection (c)(3) herein below.
- (2) To institute the removal process, the city commissioners must adopt by the affirmative vote of a majority of its members, a preliminary resolution that sets forth in detail the reasons for removal. A copy of the resolution shall be delivered promptly to the city manager and the mayor.
- (3) The city manager shall have the right to a private or a public hearing on the removal resolution, which right must be exercised by him/her making written request for same to the mayor and city commissioners as a body, within five (5) days of receipt of said resolution. This hearing shall be held at a meeting of the mayor and city commissioners as a body not sooner than fifteen (15) days, nor later than, thirty (30) days after the request is filed. The city manager may also file with the city commissioners, a written reply not later than five (5) days before any scheduled hearing.
- (4) Nothing herein shall prevent the city manager from accepting the proposed removal or termination of his/her contract without a hearing.
- (5) If the city manager requests a hearing pursuant to subsection (c)(3) hereinabove, the city commissioners may, by majority vote, suspend with pay the city manager from duty pending the outcome of the removal hearing and consistent with the terms of the city manager's employment agreement.
- (6) The suspension or removal of the city manager shall not be subject to any administrative appeal that is afforded to classified employees of the city.
- (7) If a city manager becomes disabled, is temporarily absent from the city for a length of time that may interfere with the efficient running of the city, is suspended, removed, or resigns, or completes his or her term as may be agreed to in his or her contract of employment and is not reappointed, or prior to the appointment of the first city manager under this Charter, the city commissioners may appoint an acting city manager. Any acting city manager shall hold office for a period of time not to exceed six (6) months, subject to the affirmative vote by a majority of the mayor and city commissioners, with the mayor having a vote, to remove the acting city manager or to extend his/her term. No notice of removal or hearing as allowed for a city manager under subsection (c)(1)(2) and (3) above is required for removing an acting city manager. If an acting city manager is removed, the city commissioners may appoint his or her replacement. An acting city manager shall possess the qualifications set forth in subsections (b)(1), and (b)(2) or (b)(3) above.

(d) *Powers and duties of the city manager.* The city manager shall be the chief executive officer of the city and head of the administrative branch of the city, and may head one or more departments, and shall be responsible to the mayor and city commissioners as a body, for the proper administration of all affairs of the city. S/he shall serve as the chief personnel officer for the city, which shall include all matters regarding human resources. Subject to sufficient appropriations, the city manager may appoint an assistant director of human resources to assist him or her in these responsibilities and may appoint a finance director. To these ends the city manager shall have the power and shall be required to:

- (1) With the exception of the city attorney, who shall be appointed, suspended, or removed, directly by the mayor and city commissioners as a body, appoint and, when necessary for the good of the

city, suspend or remove any department head with the advice and consent of the city commissioners. The city manager may hire, suspend or remove any classified employee pursuant to the city's adopted merit system, or may authorize any department head to exercise these powers with respect to subordinates within that department head's department, with the prior approval of the city manager.

- (2) With the exception of the city attorney and his/her office, direct and supervise the administration of all departments, offices and agencies of the city, except as otherwise provided by this charter or by law; create, consolidate, separate, or combine offices, positions, departments, or units under his/her jurisdiction, with the approval of the city commissioners. Notwithstanding the exclusion of the city attorney from supervision and oversight by the city manager, the city attorney shall closely coordinate his/her activities with the city manager, respond to reasonable requests of the city manager, and keep the city manager apprised of and discuss with him/her city priorities, status of assignments, litigation, special needs, and issues of importance to the city that fall under the duties and responsibilities of the city attorney.
- (3) Be the chief financial officer of the city and:
 - (i) Ensure that all public moneys belonging to or under the control of the city, except as otherwise provided herein, are properly accounted for;
 - (ii) Certify all financial reports developed for the mayor and city commissioners as a body and have custody of all bonds and notes of the city;
 - (iii) Review all reports of a finance director regarding the collection of taxes, special assessments, license fees, liens, and all other revenues (excluding utility revenues) of the city, and all other revenues for whose collection the city is responsible;
 - (iv) Supervise and be responsible for the disbursement of all moneys and have control over all expenditures to assure that budget appropriations are not exceeded;
 - (v) With the assistance of a finance director, prepare the city budget and capital program annually and submit them to the mayor and city commissioners as a body with a message describing the important features and be responsible after adoption for the administration and implementation of the final budget and any capital program approved by city commissioners to achieve the goals of the city;
 - (vi) On a regular and ongoing basis, keep the mayor and city commissioners as a body advised of the financial condition and future needs of the city, and make such recommendations as may be deemed desirable;
 - (vii) Recommend to the mayor and city commissioners as a body from time to time, a standard schedule of pay for each appointed office and position in the city service, including minimum, intermediate, and maximum rates;
- (4) Recommend to the mayor and city commissioners as a body from time to time, adoption of such measures as may be deemed necessary or expedient for the health, safety, or welfare of the community or for the improvement of administrative services;
- (5) Attend all meetings of the city commissioners unless excused, and take part in the discussion of all matters coming before the city commissioners. The city manager shall be entitled to notice of all regular and special meetings of the city commissioners;
- (6) Supervise the city procurement process including purchase of all materials, supplies, and equipment for which funds are provided in the budget; let contracts necessary for operation or maintenance of the city services; and report said actions on an ongoing basis to the mayor and city commissioners as a body pursuant to subsection (d)(3)(vi) above. Nothing herein is to be construed as limiting the city commissioners from establishing by resolution reasonable and customary upper limits beyond which the city manager must obtain approval for said purchase and contracts;

- (7) See that all laws, provisions of this charter and acts of the city commissioners, subject to enforcement by the city manager or by officers subject to the manager's direction and supervision, including contract employees, are faithfully executed and duly enforced;
 - (8) Investigate the affairs of the city or any department or division thereof; investigate all complaints in relation to matters concerning the administration of the government of the city and in regard to service maintained by the public utilities in the city, and see that all franchises, permits, and privileges granted by the city are faithfully observed;
 - (9) Devote his/her entire time to the discharge of all official duties;
 - (10) In collaboration with any finance director, submit to the mayor and city commissioners as a body and make available to the public a complete report on the finances and administrative activities of the city as of the end of each fiscal year. Included in the report shall be the accomplishments of the various agencies and the city;
 - (11) Make such other reports as the mayor and city commissioners as a body may require concerning operations;
 - (12) Make recommendations to the mayor and city commissioners as a body concerning the affairs of the city and facilitate the work of the mayor and city commissioners as a body in developing policy;
 - (13) Provide staff support services for the mayor and city commissioners as a body;
 - (14) Assist the mayor and city commissioners as a body in the development of long term goals for the city and strategies to implement those goals;
 - (15) Encourage and provide staff support for regional and intergovernmental cooperation;
 - (16) Promote partnerships among the mayor, city commissioners, staff, and citizens in developing public policy and building a sense of community;
 - (17) Assure that a record of all the proceedings of the city commissioners is kept in the minute book as they occur. S/he shall within six (6) days after an ordinance has been passed record the same fully and at length in the ordinance book, and shall duly and promptly record and enter in the general record books all papers, documents, contracts and orders which the Charter or the ordinances or the directions of the city commissioners require to be recorded therein. S/he may appoint one or more staff persons as city clerk/deputy clerk under his/her direction and authority to perform these duties, with the advice and consent of the city commissioners;
 - (18) Be the public information official for the city, except for matters involving the Cambridge Police Department. With regard to any matters involving the police department, the chief of police shall designate the spokesperson for the department. The police department shall cooperate and coordinate with the city manager regarding information being provided to the public by the department;
 - (19) Hold regular meetings with the department heads;
 - (20) Serve as the supervisor of elections for the city;
 - (21) Perform such other duties as are specified in this charter and may be required by the mayor and city commissioners as a body, not inconsistent with the city charter, law, or ordinances.
- (e) *Non-interference with appointments or removals.* Except for the purpose of inquiry, the mayor and city commissioners shall deal with the administration of the city solely through the city manager and neither the mayor, nor any city commissioner, shall give orders to any subordinates of the city manager, either publicly or privately.
- (f) *Emergencies.* In the event an emergency is declared by the mayor pursuant to section 3-21(b) of this Charter, the city manager may award contracts and make purchases for the purpose of meeting said emergency, subject to appropriations not to exceed an amount established by a resolution of the city commissioners. In so doing, the city manager shall meet during the period of the emergency on a regular and ongoing basis as needed with the mayor and city commissioners and collaborate with

them in addressing the challenges that present themselves during the emergency. The city manager shall also file promptly after the emergency ends with the mayor and city commissioners as a body, a certificate showing an itemized account of all expenditures during the emergency.

- (g) *Bond.* The city manager shall furnish a surety bond to be approved by the city commissioners, said bond to be conditioned on the faithful performance of all the duties of the city manager. The premium of the bond shall be paid by the city.
- (h) *Compensation.* The city manager shall receive such compensation as the city commissioners shall fix pursuant to the terms of any contract of employment entered into between the city and the city manager as provided for in a formal employment agreement. The city manager's compensation shall not be reduced unless such a contingency is included in any formal employment agreement and all city employees' compensation is reduced. Any reduction will be covered by the terms of the formal employment agreement.
- (i) *Personnel duties.*
 - (1) All subordinate officers and employees of the offices, departments, and agencies of the city shall be appointed by the city manager. Subject to the provisions of any adopted merit system, all subordinate officers and employees may be removed by the city manager, or by the department head with the prior approval of the city manager.
 - (2) Pending any changes pursuant to paragraph (3) below, the city employee manual and personnel policies in effect on the date of enactment of this Charter Amendment shall remain in full force and effect.
 - (3) Upon the hiring of a city manager and periodically thereafter as may be needed, one of his/her duties shall be a review of the City of Cambridge Personnel Policies, which shall include convening the Cambridge Personnel Review Committee to assist in determining if any changes in the city's personnel policies need to be made, and, if so, to make recommended changes for the city commissioners to consider.
- (j) *Savings clause.* If any section, subsection, or sentence, clause, or phrase of this Charter is for any reason held invalid, such decision or decisions shall not affect the validity of the remaining portions of this Charter. All ordinances of the city prescribing the duties of heads of departments shall remain in full force and effect except in so far as they conflict with the provisions of this Charter in which case the provisions of this Charter shall govern.
- (k) *Effective date.* The effective date of this Charter Resolution shall be February 3, 2015.

(Res. No. CR-2014-01, 2-3-15)