

1 Introduced by: Councilmember Seamens

First Reading: November 10, 2021

2 Second Reading: November 17, 2021

3 Effective Date: December 7, 2021

4
5 **CITY OF TAKOMA PARK, MARYLAND**

6
7 **ORDINANCE NO. 2021-46**

8
9 **Amending Takoma Park Code, Chapter 2.04 to Provide for Adjustments to the Salary and**
10 **Compensation of the Mayor and Councilmembers**
11

12 **WHEREAS,** the City of Takoma Park Charter Sections 302(c) and 304(c) the Mayor and each
13 Councilmember may receive an annual salary as set from time to time by an
14 ordinance passed by the Council in the regular course of business, that the salary
15 paid to the Mayor and to Councilmembers cannot be increased or diminished during
16 his or her term of office, that any ordinance changing the compensation shall be
17 adopted prior to the next municipal election, and that any salary adjustment
18 ordinance can be effective only as to the members of the next succeeding Council;
19 and

20 **WHEREAS,** the City of Takoma Park Code, section 2.04.110(A), states that the “Council shall
21 appoint a committee of city residents, every 4 years beginning with calendar year
22 2007, to serve as the Council Compensation Committee. The Committee shall
23 review the salaries of the Mayor and Councilmembers and make recommendations
24 to the Council whether or not such salaries should be changed; and

25 **WHEREAS,** the salaries of the Mayor and Councilmembers were last modified by Ordinance
26 2012-53, pursuant to the review of a compensation committee; and

27 **WHEREAS,** the 2012 ordinance also provided for health insurance benefits and added an annual
28 salary adjustment based on the Wage and Salaries Employment Cost Index for State
29 and Local Government; and

30 **WHEREAS,** Ordinance 2015-51 permitted the Mayor and Councilmembers to save money
31 in a flexible spending account for dependents based on the
32 recommendation of a compensation review committee; and
33

34 **WHEREAS,** the Mayor currently receives an annual salary of \$15,413.05, which is comprised
35 of a \$13,000.00 base salary adjusted on an annual basis by Code in relation to the
36 Wage and Salaries Employment Cost Index for State and Local Government; and
37

38 **WHEREAS,** each Councilmember currently receives an annual salary of \$11,856.24, which is
39 comprised of a base salary of \$10,000.00 adjusted on an annual basis in relation to
40 the Wage and Salaries Employment Cost Index for State and Local Government;
41 and
42

43 **WHEREAS**, by Resolution 2019-55, the Council appointed the 2019 Council Compensation
44 Committee, which was referred to as the “Council Compensation Task Force,” to
45 review the salaries and benefits of the Mayor and Councilmembers and provide a
46 recommendation to the Council as to whether or not any adjustments should be
47 made; and

48 **WHEREAS**, on April 22, 2020, the 2019 Council Compensation Committee presented its final
49 report to Council and recommended that;

- 51 1. The Mayor’s salary be increased to \$32,000.00,
- 52
- 53 2. Councilmember’s salaries be increased to \$24,000.00,
- 54
- 55 3. The City continue to utilize the Wage and Salaries Employment Cost Index
56 for State and Local Government to adjust the salaries of elected officials on
57 an annual basis, and
- 58
- 59 4. Elected officials have access to all types and categories of benefits provided
60 to full-time City staff.
- 61

62 **WHEREAS**, the Mayor and Council sitting in September, 2020, adopted an ordinance amending
63 the principles of compensation and deferred consideration of compensation
64 adjustments until after the November 2020 election in order to allow the Council
65 elected in the November 2020 election to address any changes that would become
66 effective for the Council to be elected following the November 2022 election; and

67 **WHEREAS**, the Mayor and Council have accepted some but not all of the 2019 Council
68 Compensation Committee’s recommendations.

69 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**
70 **TAKOMA PARK, MARYLAND THAT** Chapter 2.04 of the City of Takoma Park Code is
71 amended as follows:

72 * * *

73
74 **2.04.100 Salary of Mayor and Councilmembers.**

75 A. Unless a different salary is enacted pursuant to a recommendation arising out of a periodic
76 council compensation review and set forth in subparagraph C of this section, tThe Mayor shall
77 receive an annual salary of \$13,000.00 through the date on which the Mayor elected in November
78 2013 is sworn in. For the period from the day following the swearing in of November 2013 until
79 June 30, 2014, the salary shall be \$13,000.00 as adjusted according to the 12-month percent of
80 change in the annual Wage and Salaries Employment Cost Index for State and Local Government
81 calculated as of December 2012, or 0.0%, whichever is greater. Thereafter, the Mayor’s salary
82 shall be adjusted on July 1st of each year pursuant to the above index, or 0.0%, whichever is
83 greater.

84 B. Unless a different salary is enacted pursuant to a recommendation arising out of a periodic
85 council compensation review and set forth in subparagraph C of this section, eEach

86 Councilmember shall receive an annual salary of \$10,000.00 through the date on which the
87 Councilmembers elected in November 2013 are sworn in. For the period from the day following
88 the swearing in of November 2013 until June 30, 2014, the salary shall be \$10,000.00 as adjusted
89 according to the 12-month percent of change in the annual Wage and Salaries Employment Cost
90 Index for State and Local Government calculated as of December 2012, or 0.0%, whichever is
91 greater. Thereafter, the salary of each Councilmember shall be adjusted on July 1st of each year
92 pursuant to the above index, or 0.0%, whichever is greater.

93 C. Pursuant to the 2019 council compensation committee's recommendations, the salaries for
94 the Mayor and each Councilmember are modified for future years as follows:

95 1. Mayor. For the period from the day following the post-election swearing in of
96 November 2022 until June 30, 2023, the Mayor's salary shall be \$32,000.00 as adjusted
97 according to the 12-month percent of change in the annual Wage and Salaries Employment
98 Cost Index for State and Local Government calculated as of December 2021, or 0.0%,
99 whichever is greater. Thereafter, the Mayor's salary shall be adjusted on July 1st of each
100 year pursuant to the above index, or 0.0%, whichever is greater.

101 2. Council. For the period from the day following the post-election swearing in of
102 November 2022 until June 30, 2023, the salary for each Councilmember shall be
103 \$24,000.00 as adjusted according to the 12-month percent of change in the annual Wage
104 and Salaries Employment Cost Index for State and Local Government calculated as of
105 December 2021, or 0.0%, whichever is greater. Thereafter, the salary of each
106 Councilmember shall be adjusted on July 1st of each year pursuant to the above index, or
107 0.0%, whichever is greater.

108 ~~D.~~ In the event that a staff wage adjustment is suspended due to financial constraints,
109 adjustments to the salaries of the Mayor and each Councilmember shall also be suspended.

110 ~~E.~~ The Mayor and Councilmembers shall be paid biweekly in accordance with the City's
111 regular payroll schedule. (Ord. 2015-51 § 1, 2015/Ord. 2012-53 § 1, 2012/Ord. 2007-42, 2007/Ord.
112 2004-3 (part), 2004)

113 **2.04.105 Health insurance benefits of Mayor and Councilmembers.**

114 A. Unless different health insurance benefits are enacted pursuant to a recommendation
115 arising out of a periodic council compensation review and identified in subparagraph B of this
116 section, eEffective the day after the Mayor and Councilmembers are sworn in following the
117 November 2013 election, the Mayor and each Councilmember may participate in the City's health
118 insurance program on a cost sharing basis, with the City paying 50% of the lowest cost base
119 premium rate for individual coverage. (Ord. 2015-51 § 1, 2015/Ord. 2012-53 § 1, 2012)

120 B. Pursuant to the 2019 council compensation committee's recommendations, the benefits for
121 the Mayor and each Councilmember are modified for future years as follows:

122 1. Following the post-election swearing in of November 2022, the Mayor and Council
123 shall be eligible to receive health insurance benefits equivalent to those of full-time City
124 employees.

125 **2.04.110 Periodic review of council compensation.**

126 A. Council Compensation Committee. The Council shall appoint a committee of City residents,
127 at least every four years, to serve as the Council Compensation Committee. The Committee shall
128 review the salaries of the Mayor and Councilmembers and recommend to the Council whether
129 such salaries should be changed, as well as review the principles of compensation.

130 B. Principles of Compensation. The purpose of compensation is to provide the Mayor and
131 Councilmembers with salary and nonsalary benefits which promote a more equitable incentive and
132 opportunity for residents to run for elected office. The Council Compensation Committee shall
133 apply the following principles to guide its recommendations:

134 1. The City of Takoma Park is committed to the fair and equitable administration of
135 compensation, which includes salary and benefits;

136 2. Compensation shall be balanced between the City's financial condition and fiscal capacity,
137 and the service and stewardship provided by the Mayor and Councilmembers;

138 3. In recognition of the complex community-oriented nature of the work performed by the
139 Takoma Park City Council, the City should strive to maintain a compensation structure that
140 provides fair and reasonable compensation which need not be comparable with municipalities
141 of similar size;

142 4. To recognize increased responsibility, the Mayor's salary shall be greater than that of the
143 Councilmembers; and

144 5. Information regarding compensation of the Mayor and Councilmembers shall be
145 transparent and easily accessible.

146 C. Effective Date of Council Salary Adjustment. Any change in the salary paid to the Mayor and
147 Councilmembers shall be adopted prior to the next municipal election and takes effect only as to
148 the next succeeding Mayor and Councilmembers as prescribed in Sections 302(c) and 304(c) of
149 the Municipal Charter. (Ord. 2020-29, 2020/Ord. 2004-3 (part), 2004)

150 THIS ORDINANCE IS ADOPTED BY THE COUNCIL OF THE CITY OF TAKOMA PARK,
151 MARYLAND, THIS 17TH DAY OF NOVEMBER, 2021, BY ROLL-CALL VOTE AS
152 FOLLOWS:

153 AYE: Stewart, Kovar, Dyballa, Kostiuk, Seamens, Smith, Searcy

154 NAY: None

155 ABSTAIN: None

156 ABSENT: None

157
158 Explanatory Note:

159
160 Additions to the existing language of the City Code are shown by underlining.

161 ~~Deletions~~ to the existing language of the City Code are shown by ~~strikeout~~.

162 *** indicates sections of the Chapter that remain unchanged but have been omitted from the
163 ordinance.