

**CITY OF ANNAPOLIS
REGULAR MEETING OF THE CITY COUNCIL**

May 14, 2012 7:30 p.m.

Call to Order
Invocation
Pledge of Allegiance
Roll Call
Approval of Agenda

Mayor Cohen
Alderman Arnett
Mayor Cohen
City Clerk Watkins-Eldridge

HONORARY MAYORAL CITATIONS

Martha Wood Leadership Award to the Annapolis Optimist Club

Mayor Cohen

PETITIONS, REPORTS AND COMMUNICATIONS

Approval of Journal of Proceedings

Regular Meeting April 9, 2012
Emergency Meeting April 16, 2012
Special Meeting April 23, 2012
Special Meeting April 30, 2012

Presentation of Award to the City of Annapolis from the Local Government Insurance Trust
Reports by Committees
Comments by the General Public

A person appearing before the City Council with a petition, report or communication shall be limited to a presentation of not more than three minutes.

PUBLIC HEARING

Continued from April 30, 2012

Planning Commission Report from David DiQuinzio on R-9-12 Capital Improvement Budget and Program: FY 2013 to FY 2018

R-9-12 Capital Improvement Budget and Program: FY 2013 to FY 2018 – For the purposes of adopting a capital improvement budget for the Fiscal Year 2013, and a capital improvement program for the six-year period from July 1, 2012, to June 30, 2018.

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
3/12/12	4/30/12	3/16/12	6/12/12
Referred to	Referral Date	Meeting Date	Action Taken
Finance Committee	3/12/12		
Planning Commission	3/12/12		
Financial Advisory Commission	3/12/12		

LEGISLATIVE ACTION

CHARTER AMENDMENT and ORDINANCES – 2nd READER

CA-01-10 Deputy Department Directors – For the purpose of requiring department directors, subject to mayoral approval, to designate a full-time employee as deputy director.

LEGISLATIVE HISTORY			
First Reading	Public Hearing	Fiscal Impact Note	120 Day Rule
1/11/10	2/22/10	2/4/10	5/11/10
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	1/11/10	5/18/10	Favorable w/ amd.
Civil Service Board	1/11/10	6/21/10	Favorable w/ comments
Charter Revision Commission	1/11/10	10/20/11	Favorable w/ amd.

O-32-11 Outdoor Dining in the B1 and B2 Zoning Districts – For the purpose of clarifying the contradiction in use standards related to outdoor dining in the B1 and B2 zoning districts in Chapters 21.64 and specific provisions in 21.42 of the Code of the City of Annapolis.

LEGISLATIVE HISTORY			
First Reading	Public Hearing	Fiscal Impact Note	180 Day Rule
7/11/11	1/9/12	12/9/11	1/13/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	7/11/11	2/14/12 3/13/12	Favorable w/ amd.
Planning Commission	7/11/11	11/17/11	Favorable w/ amd.

O-9-12 Exempting Members of the City Central Committees from Holding More Than One City or City-Connected Position – For the purpose of exempting members of the City Central Committees from holding more than one position as defined in Section 2.04.040 of the City Code.

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
3/12/12	4/9/12	3/14/12	6/12/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	3/12/12	4/11/12	Favorable w/ amd.

ORDINANCES and RESOLUTIONS – 1st READER

O-19-12 Assistance for Aldermen and Alderwomen – For the purpose of establishing the civil service position of City Council Associate reporting to the City Manager.

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule

5/14/12			8/10/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	5/14/12		

O-20-12 Issuance of Bonds – For the purpose of authorizing and empowering the City of Annapolis (the “City”) to issue and sell, upon its full faith and credit, general obligation bonds in the aggregate principal amount not to exceed Seven Million Six Hundred Ninety Thousand Dollars (\$7,690,000), pursuant to Sections 31 through 39, inclusive, of Article 23A of the Annotated Code of Maryland (2011 Replacement Volume), as amended, and Article VII, Section 11 of the Charter of the City of Annapolis, as amended, to be designated as “Public Improvements Bonds, 2012 Series” and said bonds to be issued and sold for the public purpose of financing and refinancing certain capital projects of the City as provided in this Ordinance; prescribing the form and tenor of said bonds; determining the method of sale of said bonds and other matters relating to the issuance and sale thereof; providing for the disbursement of the proceeds of said bonds; covenanting to levy and collect all taxes necessary to provide for the payment of the principal of and interest on said bonds; and generally providing for and determining various matters relating to the issuance, sale and delivery of all said bonds.

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council’s adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
5/14/12			8/10/12
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	5/14/12		
Finance	5/14/12		
Financial Advisory Commission	5/14/12		

O-21-12 Tolling Approval and Permit Expiration Dates – For the purpose of temporarily tolling expiration dates of zoning approvals and permits granted by the Board of Appeals, the Department of Planning and Zoning, the Historic Preservation Commission, and the Department of Neighborhood and Environmental Programs until June 30, 2014 provided that the zoning approvals and permits are active and valid as of June 30, 2012.

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council’s adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
5/14/12			8/10/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	5/14/12		
Planning Commission	5/14/12		
Historic Preservation Commission	5/14/12		

R-20-12 Paint Annapolis 2012 – For the purpose of designating June 7-10, 2012 as dates for the sale of arts-related merchandise in the Historic District at the Paint Annapolis 2012 event; authorizing City Council approval of the event; and the reimbursement of full fees to the City for the cost associated with the event.

LEGISLATIVE HISTORY			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
5/14/12			8/10/12
Referred to	Referral Date	Meeting Date	Action Taken
Finance	5/14/12		
Economic Matters	5/14/12		

R-21-12 Chesapeake Bay Yacht Racing Association (CBYRA) Race Week 2012 – For the purpose of designating September 1-3, 2012 as dates for the sale of merchandise in the Historic District at the Chesapeake Bay Yacht Racing Association (CBYRA) Race Week 2012 event; authorizing City Council approval of the event; and the reimbursement of full fees to the City for the cost associated with the event.

LEGISLATIVE HISTORY			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
5/14/12			8/10/12
Referred to	Referral Date	Meeting Date	Action Taken
Finance	5/14/12		
Economic Matters	5/14/12		

R-22-12 Submission of Finance Committee Budget Report – For the purpose of postponing until after May 14, 2012, the submission to the Mayor and City Council of the Finance Committee’s recommendations on the FY2013 operating budget and related legislation.

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council’s adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
5/14/12			8/10/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov’t	5/14/12		

BUSINESS and MISCELLANEOUS

1. Budget transfer
2. Approval of Special Event Applications per R-14-12:

Event Name	Event Day(s)	Event Date(s)	Location; reason a "major event"
APD 1-Mile Challenge	Saturday	5/19/2012	Downtown/City Dock; road closure
Greek Festival	Sunday	5/27/2012	City Dock/Market Space; parking
ZOOMA	Saturday	6/2/2012	Marine-Naval Stadium; road closure
Corvettes on the Bay	Saturday	6/16/2012	Susan Campbell Park/City Dock; parking
USNA Band Concerts	Tuesday	7/4, 7/10, 7/17, 7/24, 7/31; 8/7, 8/14	Susan Campbell Park; parking

UPCOMING CITY COUNCIL EVENTS

Work Session; Thursday, May 17, 2012 1:30-4:30 p.m. City Council Chambers
Special Meeting; Monday, May 21, 2012 7:00 p.m. City Council Chambers

Jessica Cowles
Legislative and Policy Analyst
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E) JCCowles@annapolis.gov
P) 410-263-1184
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May 9, 2012

TO: The Capital Legal Notices: legalad@capgaz.com
FROM: Jessica Cowles, Legislative and Policy Analyst
RE: Notice of Public Hearing
PUBLISH: Please publish on: **Sunday, May 13, 2012 and Monday, May 14, 2012**

Please send bill and certificate of publication to the City of Annapolis Office of Law, 93 Main Street, 3rd Floor, Annapolis, MD 21401.

NOTICE OF ANNAPOLIS CITY COUNCIL PUBLIC HEARING

Notice is hereby given that the Annapolis City Council will hold a public hearing on Monday, May 14, 2012 at 7:30 p.m., in City Council Chambers, 160 Duke of Gloucester Street, Annapolis, for a continuation of the public hearing on:

R-9-12 Capital Improvement Budget and Program: FY 2013 to FY 2018 – For the purposes of adopting a capital improvement budget for the Fiscal Year 2013, and a capital improvement program for the six-year period from July 1, 2012, to June 30, 2018.

The above legislation on the City Council agenda for public hearing can be viewed on the City's website at: <http://www.annapolis.gov/Government/Departments/LawOffice/PendingLegis.aspx>

REGULAR MEETING

April 9, 2012

The Regular Meeting of the Annapolis City Council was held on April 9, 2012 in the Council Chamber. Mayor Cohen called the meeting to order at 7:41 p.m.

Present on Roll Call: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Silverman, Kirby, Pfeiffer, Arnett

Staff Present: City Attorney Hardwick, DNEP Director Broadbent, Planning and Zoning Director Arason, Harbormaster Walters, Special Events Coordinator Le Furge

Approval of Agenda

- Alderman Arnett moved to approve the Regular Meeting Agenda as amended to include R-15-12 on 1st Reader. Seconded. CARRIED on voice vote.

HONORARY MAYORAL CITATIONS

Martha Wood Leadership Award

Mayor Cohen invited Alderman Kirby to present to Barry Butler 1424 Tyler Avenue, Annapolis, Maryland 21403 the Mayoral Citations in recognition of being honored by the Housing Authority of the City of Annapolis as the twenty third recipients of the prestigious Martha Wood Leadership Award.

PETITIONS, REPORTS AND COMMUNICATIONS

Approval of Journal of Proceedings

- Alderwoman Hoyle moved to approve the Journal of Proceedings for the Regular Meeting March 12, 2012 and the Special Meeting March 19, 2012. Seconded. CARRIED on voice vote.

Comments by the General Public

Chris Buchheister, 5 Wagner Street, Annapolis, Maryland 21401 spoke in favor of R-14-12

Peggy Summers, 110 Prince George Street, Annapolis, Maryland 21401 representing Gibson's Lodgings spoke in favor of R-14-12

Chris Stelzig, 10 Monticello Avenue, Annapolis, Maryland 21401 representing Annapolis Elementary School PTA spoke in opposition to Compromise Street Garage

Cindy Reiner, 1708 Smugglers Run, Annapolis, Maryland 21401 representing the Annapolis Business Association spoke in favor of R-14-12

Paul Clar, 7 Constitution Avenue, Annapolis, Maryland 21401 spoke in opposition to R-14-12

Felicia Barlow Clar, 7 Constitution Avenue, Annapolis, Maryland 21401 spoke in opposition to R-14-12

Jessica Paret, 3571 Narragansett Avenue, Annapolis, Maryland 21403 spoke in favor of R-14-12

Ann Yonkers, 1319 18th Street, N.W. Washington, DC 20036 representing Annapolis Fresh Farm Market spoke in favor of O-13-12

Matt Grubbs, 31 Decatur Avenue, Annapolis, Maryland 21403 spoke in favor of R-14-12

John Guild, 18 Pinkney Street, Annapolis, Maryland 21401 representing Historic Annapolis spoke on the Compromise Street Parking Facility

Joe Budge, 9 Randall Court, Annapolis, Maryland 21401 representing the Ward One Residents Association spoke in favor of R-14-12

Janet Norman, 787 Annapolis Neck Road, Annapolis, Maryland 21403 spoke on the Compromise Street Parking Garage
Orlando Rideout, 110 Duke of Gloucester Street, Annapolis, Maryland spoke in opposition to R-14-12
Sharon Kennedy, 9 Randall Court, Annapolis, Maryland 21401 spoke on R-14-12
Jim Martin, 1 B South Cherry Grove Avenue, Annapolis, Maryland 21401 spoke on R-14-12
Doug Smith, 5 Revell Street, Annapolis, Maryland 21401 spoke in favor of R-14-12
Jane Campbell-Chambliss, 119 Prince George Street, Annapolis, Maryland 21401 requested the city changes the name of Susan B. Campbell Park to Susan C. Campbell

PUBLIC HEARING

O-9-12 Exempting Members of the City Central Committees from Holding More Than One City or City-Connected Position – For the purpose of exempting members of the City Central Committees from holding more than one position as defined in Section 2.04.040 of the City Code.

Spoke in favor of the ordinance:

Nicholas Berry, 517 Third Street, Annapolis, Maryland 21401 representing the Annapolis Democratic Central Committee

Spoke in opposition to ordinance:

Joe Budge, 9 Randall Court, Annapolis, Maryland 21401 representing Ward One Residents Association

No one else from the general public spoke in favor of or in opposition to the ordinance.

- Mayor Cohen declared the public hearing closed.

O-12-12 Lease of City Property: Spring 2012 Boat Show – For the purpose of authorizing a lease from April 25-30, 2012 for the area of Susan B. Campbell Park, Annapolis City Donner Parking Lot, Ego Alley Water Space, and Old City Recreation Center and other property and water locations as described in the lease.

Spoke in favor of the ordinance:

Ed Hartman, 980 Awald Road, Annapolis, Maryland 21401 representing the Annapolis Boat Shows
Joe Budge, 9 Randall Court, Annapolis, Maryland 21401 representing Ward One Residents Association

No one else from the general public spoke in favor of or in opposition to the ordinance.

- Mayor Cohen declared the public hearing closed.

O-53-11 Keeping or Maintaining Chickens Within the City of Annapolis – For the purpose of allowing chickens, but not roosters, to be kept or maintained within the City of Annapolis.

DNEP Director Broadbent was present and answered questions from Council.

Guy Hohenhaus Dum, 50 Truman Parking, Annapolis, Maryland 21401 representing Maryland Department of Agriculture gave a brief presentation on the ordinance and answered questions from council.

David Myers, 7320 Ritchie Highway, Suite 210, Glen Burnie, Maryland 21061 representing the Anne Arundel County Agriculture Extension was present and answered questions from Council.

Spoke on the ordinance:

Kurt Riegel, 307 A Monterey Avenue, Annapolis, Maryland 21401
Gilbert Renault, 5 Monticello Avenue, Annapolis, Maryland 21401
Janet Norman, 787 Annapolis Neck Road, Annapolis, Maryland 21403

Spoke in favor of the ordinance resolution:

Jessica Pachler, 506 President Street, Annapolis, Maryland 21407
Carol Schanker, 118 Main Street, Annapolis, Maryland 21409

No one else from the general public spoke in favor of or in opposition to the ordinance.

- Mayor Cohen declared the public hearing closed.

Without objection the public hearing on O-38-11 and R-47-11 were held jointly.

O-38-11 Zoning of Annexed Land – Hayes Property – For the purpose of establishing zoning classifications of R3 – General Residence District and R1-B – Single-Family Residence District for 7.374 acres of property known as the Hayes Property, which property is contiguous to the existing boundary of the City and which property is generally located south of the City’s jurisdictional boundary and to the east of Old Solomons Island Road and Dorsey Drive.

&

R-47-11 Annexation of Hayes Property – For the purpose of annexing into the boundaries of the City of Annapolis 7.374 acres of property known as the Hayes Property, which property is contiguous to the existing boundary of the City and which property is generally located south of the City’s jurisdictional boundary and to the east of Old Solomons Island Road and Dorsey Drive.

Planning and Zoning Director Arason gave a brief presentation on the ordinance and resolution.

Present and testified on behalf of the application:

Expert Witness Gary T. Westholm, MAI, c/o Westholm & Associates, LLC, 140 South Street, Annapolis, Maryland 21401
Terry Shuman c/o Bay Engineering Inc, 190 Admiral Cochran Drive, Suite 175, Annapolis, Maryland 21401
Timothy S. Hogan, 2661 Riva Road, Suite 300, Annapolis, MD 21401 c/o Hogan Holding Company, LC

Alan Hyatt, Esq., Hyatt & Weber P.A. 200 Westgate Circle, Suite 500, Annapolis, Maryland 21401 representing Hogan Holding Company, LC gave a brief presentation on the ordinance and the resolution.

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 12/15/11, and Memoranda from Jon Arason, Director, to the Planning Commission dated 11/17/11 and 11/23/11.
- Mayor Cohen accepted into the record the following exhibit’s into the

record: (Binder)

- Exhibit: 1 Letter to the City Clerk dated October 28, 2011
- Exhibit: 2 Petition to mayor and Alderman to Annex Property
- Exhibit: 2-A Annapolis City Annexation Plat
- Exhibit: 2-B Metes and Bounds Description of Property to be Annexed
- Exhibit: 2-C Excerpt from the 2009 City of Annapolis Comprehensive Plan (pages 69-70)
- Exhibit: 2-D Metes and Bounds Description of Boundary Realignment for Insertion into City Code
- Exhibit: 2-E List of Owners
- Exhibit: 2-F Existing /Proposed City Boundary Exhibit
- Exhibit: 2-G Existing Zoning Classification Exhibit
- Exhibit: 2-H Zoning Site Plan
- Exhibit: 2-I List of Owners of Real Property within the area of the Proposed Annexation and within Five Hundred (500) Feet of the subject Prop
- Exhibit: 2-J Fiscal Impact Analysis of the Proposed Annexation Property
- Exhibit: 3 Letter to City Clerk dated October 28, 2011- K. Hovanian Homes of Maryland withdrawal as Petitioner
- Exhibit: 4 Certification of Notice Sign Posting
- Exhibit: 5 December 15, 2011- Planning Commission Findings
- Exhibit: 6 R-45-11- Amended- Annexation Plan
- Exhibit: 7 R-47-11- Annexation of the Hayes Property
- Exhibit: 8 O-38-11- Zoning of Annexed Land
- Exhibit: 9 Resume- Gary Westholm

Spoke on the resolution:

Gilbert Renault, 5 Monticello Avenue, Annapolis, Maryland 21401

Spoke in opposition to the resolution:

Lillie Odessa Ellis, 110 Dorsey Drive, Edgewater, Maryland 21037
Janet Norman, 787 Annapolis, Maryland 21403 representing Ward 7 and Hillsmere Elementary
Ray Sullivan, 119 Meade Drive, Annapolis, Maryland 21403
Lynell Reed, 102 Dorsey Drive, Edgewater, Maryland 21037
Kris Holm, 1 State Street, Annapolis, Maryland 21401
Al Brown, Jr, 111 Dorsey Drive, Edgewater, Maryland 20137
Henry Keith, 121 Dorsey Drive, Edgewater, Maryland 21037

No one else from the general public spoke in favor of or in opposition to the resolution.

- Mayor Cohen declared the public hearings open until April 23, 2012 at 4:30 p.m. for the purpose of receiving written testimony.

R-3-12 First Sundays Festival 2012 – For the purpose of designating dates for the sale of arts-related merchandise in the Historic District at the First Sunday events and the reimbursement of full fees to the City for the cost associated with the events.

Special Events Coordinator Le Furge and answered questions from Council.

Pam Stevens, 586 Defense Highway, Crownsville, Maryland 21032 representing the First Sunday Arts Festival gave a brief presentation on the resolution and answered questions from Council.

Spoke in favor of the resolution:

Joe Budge, 9 Randall Court, Annapolis, Maryland 21401 representing the Ward One Residents Association

No one else from the general public spoke in favor of or in opposition to the resolution.

- Mayor Cohen declared the public hearing closed.
- Alderman Israel moved to continue the public hearings beyond 10:30 p.m. and to consider new business items after 11:00 p.m. Seconded. CARRIED on voice vote.

R-4-12 Four Rivers Garden Club Flower Mart – For the purpose of designating dates for the sale of floral merchandise in the Historic District at the Four Rivers Garden Club Flower Mart on April 30 and the reimbursement of full fees to the City for the cost associated with the events.

Special Events Coordinator Le Furge and answered questions from Council.

Maureen Kieffer, 133 Friar Tuck Hill, Annapolis, Maryland 21405 representing the Four Rivers Garden Club gave a brief presentation on the resolution.

Spoke in favor of the resolution:

Joe Budge, 9 Randall Court, Annapolis, Maryland 21401 representing the Ward One Residents Association

No one else from the general public spoke in favor of or in opposition to the resolution.

- Mayor Cohen declared the public hearing closed.

R-5-12 Race Across America 2012 – For the purpose of designating dates for the sale of merchandise in the Historic District at the Race Across America event from June 21-25, 2012 and the reimbursement of full fees to the City for the cost associated with the event.

Special Events Coordinator Le Furge gave a brief presentation and answered questions from Council.

Spoke in opposition to the resolution:

Joe Budge, 9 Randall Court, Annapolis, Maryland 21401 representing the Ward One Residents Association

No one else from the general public spoke in favor of or in opposition to the resolution.

- Mayor Cohen declared the public hearing closed.

R-6-12 TriRock Annapolis 2012 – For the purpose of designating dates for the sale of merchandise in the Historic District at the TriRock Annapolis 2012 event and the reimbursement of full fees to the City for the cost associated with the events.

Special Events Coordinator gave a brief presentation on the resolution and answered questions from Council.

Ashley Halsey, 709 Howard's Loop, Annapolis, Maryland 21401 representing the

Annapolis Triathlon Club was present and answered questions from Council.

Spoke on the resolution:

Anne Murphy, 23 Randall Street, Annapolis, Maryland 21401

Spoke in favor of the resolution:

Zach Barnhorst, 7362 Remley Place La Jolla, California 92037 representing the Annapolis Triathlon Club

Spoke in opposition to the resolution:

John Guild, 18 Pinkney Street, Annapolis, Maryland 21401 representing Historic Annapolis Foundation

Joe Budge, 9 Randall Court, Annapolis, Maryland 21401 representing the Ward One Residents Association

Peggy Summers, 110 Prince George Street, Annapolis, Maryland 21401 representing Gibson's Lodgings

No one else from the general public spoke in favor of or in opposition to the resolution.

- Mayor Cohen declared the public hearing closed.

R-12-12 Maryland Avenue Festivals 2012 – For the purpose of designating dates for the sale of merchandise in the Historic District at the Maryland Avenue Festivals and the reimbursement of full fees to the City for the cost associated with the events on April 22, 2012; June 17, 2012; and September 23, 2012.

Special Events Coordinator gave a brief presentation on the resolution and answered questions from Council.

Spoke in favor of the resolution:

Joe Budge, 9 Randall Court, Annapolis, Maryland 21401 representing the Ward One Residents Association

No one else from the general public spoke in favor of or in opposition to the resolution.

- Mayor Cohen declared the public hearing closed.

LEGISLATIVE ACTION

CHARTER AMENDMENT
ORDINANCES and RESOLUTIONS – 2nd READER

CA-01-10 Deputy Department Directors – For the purpose of requiring department directors, subject to mayoral approval, to designate a full-time employee as deputy director.

- Alderman Israel moved to postpone CA-01-10 on second reading until the Regular Meeting on May 14, 2012. Seconded. CARRIED on voice vote.

O-2-12 Lease of City Dock Space to Chesapeake Marine Tours – For the purpose of authorizing for fiscal year 2018 the lease of certain municipal property located at the City Dock to Chesapeake Marine Tours, Inc. for the docking and mooring of certain boats.

- Alderman Silverman moved to adopt O-2-12 on second reading. Seconded.

The Economic Matters and Environmental Matters Committees reported

favorably on O-2-12.

- Alderman Israel moved to amend O-2-12 as follows:

Amendment #1

Page 4, Section 3a

“If the Lessor fails to pay rent by July 5, 2017, the Lessee shall incur a late payment of 1% of the base rent, and an additional 1% of the base rent if unpaid by the fifth day of any subsequent month.”

Strike original use of “Lessor” and insert “Lessee”

Strike original use of “Lessee” and insert “Lessor”

Amendment #2

Page 7, Section 10a

Strike “City Council” and insert “Aldermen and Alderwomen”

Amendment #3

Page 7, Section 10b

Strike both uses of “Lessor” and insert “Lessee” Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Israel moved to adopt O-2-12 amended on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Silverman, Kirby, Pfeiffer, Arnett, Israel, Paone

NAYS:

CARRIED: 9/0

O-3-12 Lease of City Property: Boat Shows in 2017 – For the purpose of authorizing a lease of certain municipal property located in the general harbor, Dock Street and Edgewood Road areas to United States Sailboat Shows, Inc. and United States Powerboat Shows, Inc., for a certain period of time in October 2017, to conduct boat shows. Add Alderwoman Finlayson on 2nd Reader.

- Alderman Arnett moved to adopt O-3-12 on second reading. Seconded.

The Economic Matters and Environmental Matters Committees reported favorably on O-3-12.

- Alderman Israel moved to amend O-3-12 as follows:

On page 9, after Joshua J. Cohen, Mayor strike “United States Sailboat Shows, Inc” Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Arnett moved to adopt O-3-12 on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Silverman, Kirby, Pfeiffer, Arnett, Israel, Paone

NAYS:

CARRIED: 9/0

O-12-12 Lease of City Property: Spring 2012 Boat Show – For the purpose of authorizing a lease from April 25-30, 2012 for the area of Susan B. Campbell Park, Annapolis City Donner Parking Lot, Ego Alley Water Space, and Old City Recreation Center and other property and water locations as described in the lease.

Harbormaster Walters was present and answered questions from Council.

- Alderman Arnett moved to adopt O-12-12 on second reading. Seconded.

The Economic Matters and Environmental Matters Committees reported favorable on O-12-12.

- Alderman Arnett moved to amend O-12-12 as follows:

Amendment # 1

Change the name of the lessee from United States Yacht Shows, Inc to “Cruiser University, Inc., trading as Annapolis Spring Sailboat Show” Seconded. CARRIED on voice vote.

Amendment # 2

In the Lease: Section 1.2 Use of Premises: Fifth paragraph of the section. Please remove the words “dry goods” Seconded. CARRIED on voice vote.

Amendment # 4

To delete “XIX. Section 19.1. Other Leases: Please remove this article entirely. Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Arnett moved to adopt O-12-12 amended on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Silverman, Kirby, Pfeiffer, Arnett, Israel, Paone

NAYS:

CARRIED: 9/0

O-53-11 Amended 1/9/12

Keeping or Maintaining Chickens Within the City of Annapolis – For the purpose of allowing chickens, but not roosters, to be kept or maintained within the City of Annapolis.

- Alderman Paone moved to amend O-12-12 as follows:

A minimum lot size of 30 thousand square feet. Seconded. CARRIED on voice vote. Seconded. DEFEATED on voice vote.

- Alderman Israel move to call the question to end the debate. Seconded. CARRIED on voice vote.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Aldermen Kirby, Pfeiffer, Israel, Paone
NAYS: Alderwomen Hoyle, Finlayson, Aldermen Silverman, Arnett
CARRIED: 5/4

The main motion as amended CARRIED on voice vote. A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwoman Hoyle, Aldermen Silverman, Kirby, Pfeiffer, Israel, Paone
NAYS: Alderwoman Finlayson, Alderman Arnett
CARRIED: 7/2

- Alderman Kirby moved to adopt O-12-12 amended on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwoman Hoyle, Aldermen Silverman, Kirby, Pfeiffer, Israel
NAYS: Alderwoman Finlayson, Aldermen Arnett, Paone
CARRIED: 6/3

R-3-12 First Sundays Festival 2012 – For the purpose of designating dates for the sale of arts-related merchandise in the Historic District at the First Sunday events and the reimbursement of full fees to the City for the cost associated with the events.

- Alderman Paone moved to postpone R-3-12 on second reading until the Special Meeting on April 23, 2012. Seconded. CARRIED on voice vote.

R-4-12 Four Rivers Garden Club Flower Mart – For the purpose of designating dates for the sale of floral merchandise in the Historic District at the Four Rivers Garden Club Flower Mart on April 30 and the reimbursement of full fees to the City for the cost associated with the events.

- Alderman Paone moved to postponed R-4-12 on second reading until the Special Meeting on April 23, 2012. Seconded. CARRIED on voice vote.

R-5-12 Race Across America 2012 – For the purpose of designating dates for the sale of merchandise in the Historic District at the Race Across America event from June 21-25, 2012 and the reimbursement of full fees to the City for the cost associated with the event.

- Alderman Paone moved to postponed R-5-12 on second reading until the Special Meeting on April 23, 2012. Seconded. CARRIED on voice vote.

R-6-12 TriRock Annapolis 2012 – For the purpose of designating dates for the sale of merchandise in the Historic District at the TriRock Annapolis 2012 event and the reimbursement of full fees to the City for the cost associated with the events.

- Alderman Paone moved to postponed R-6-12 on second reading until the Special Meeting on April 23, 2012. Seconded. CARRIED on voice vote.

ORDINANCE and RESOLUTIONS – 1st READER

O-13-12 Lease of Public Parking Lots to FRESHFARM Markets, Inc. – For the purpose of authorizing a lease of municipal property located at 110 Compromise Street from May 6, 2012, through November 18, 2012, to FRESHFARM Markets, Inc.

Referred to the Rules and City Government and the Economic Matters Committees

- Mayor Cohen scheduled O-13-12 for a public hearing on second reading for the Special Meeting on April 23, 2012

R-12-12 Maryland Avenue Festivals 2012 – For the purpose of designating dates for the sale of merchandise in the Historic District at the Maryland Avenue Festivals and the reimbursement of full fees to the City for the cost associated with the events on April 22, 2012; June 17, 2012; and September 23, 2012.

There being no voiced objection, the rules were suspended to allow passage of the resolution at the meeting of its introduction.

- Alderman Arnett moved to adopt R-12-12 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Silverman, Kirby, Pfeiffer, Arnett, Israel, Paone

NAYS:

CARRIED: 9/0

R-14-12 A Moratorium on Administrative Approvals for Special Events at City Dock – For the purpose of declaring a moratorium on administrative approvals for special events at City Dock.

Referred to the Rules and City Government and the Economic Matters Committees

- Mayor Cohen scheduled R-14-12 on second reading for the Special Meeting on April 23, 2012

R-15-12 A Public Parking Garage and Retail Storefronts on Compromise Street - FOR the purpose of expressing the sense of the Annapolis City Council regarding a parking garage and retail storefronts on Compromise Street.

Referred to the Finance and Economic Matters Committees

BUSINESS and MISCELLANEOUS

1. Community Development Block Grant Allocations

- Alderwoman Finlayson moved to postpone action on the Community Development Block Grant Allocations until the Special Meeting on April 23, 2012. Seconded. CARRIED on voice vote.

2. Withdraw of R-33-11

- Without objection Alderman Israel withdraw R-33-11.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 1:06 a.m.

Regina C. Watkins-Eldridge, MMC
City Clerk

EMERGENCY SESSION

April 16, 2012

The Emergency Session of the Annapolis City Council was held on April 16, 2012 in the Council Chamber. Mayor Cohen called the meeting to order at 6:41 p.m.

Present on Roll Call: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Silverman, Kirby, Pfeiffer, Arnett

Staff Present: Assistant City Attorney Elson, City Manager Mallinoff

LEGISLATIVE ACTION

RESOLUTION – 2ND READING

R-15-12 A Public Parking Garage and Retail Storefronts on Compromise Street - For the purpose of expressing the sense of the Annapolis City Council regarding a parking garage and retail storefronts on Compromise Street.

City Manager Mallinoff was present and answered questions from Council.

Doug Smith, 5 Revel Street, Annapolis, Maryland 21401 gave a brief presentation on the proposed Compromise Street Parking Project.

Jeremy Parks, 304 Rosslare Drive Arnold, Maryland 21012 representing Compromise, LLC was also present and answered questions from Council.

- No Legislative Action Taken.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 7:51 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk

SPECIAL MEETING
April 23, 2012

The Special Meeting of the Annapolis City Council was held on April 23, 2012 in the Council Chamber. Mayor Cohen called the meeting to order at 7:18 p.m.

Present on Roll Call: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Silverman, Kirby, Pfeiffer,

Absent on Roll Call: Alderman Arnett arrived at 7:23 p.m.

Staff Present: City Attorney Hardwick, City Manager Mallinoff, DNEP Director Broadbent, Chief of Comprehensive Planning Burke, Planning Administrator Rouse, Development/Special Projects Coordinator LeFurge

PETITIONS, REPORTS AND COMMUNICATIONS

City Council Citation

To the Anne Arundel Medical Center Auxiliary Clothes Box - Postponed

Proclamation

Mayor Cohen presented City Clerk Regina C. Watkins-Eldridge with a proclamation in recognition of Municipal Clerk's Week from April 29, 2012 – May 5, 2012.

Comments by the General Public

Denise Worthen, 65 Southgate Avenue, Annapolis, Maryland 21401 spoke in opposition to R-13-12

Robert Waldman, 1001 Poplar Avenue, Annapolis, Maryland 21401 spoke in opposition to R-13-12

Lillie Ellis, 110 Dorsey Drive, Edgewater, Maryland 21037 spoke in opposition to Buckley Hayes Annexation.

Susan Pogell, 137 Conduit Street, Annapolis, Maryland 21401 spoke in opposition to the R4 zoning proposed for the Hayes Property Annexation.

- Mayor Cohen declared petitions, reports and communications closed.

PUBLIC HEARING

R-15-12 A Public Parking Garage and Retail Storefronts on Compromise Street - For the purpose of expressing the sense of the Annapolis City Council regarding a parking garage and retail storefronts on Compromise Street.

Chris Stelzig, 10 Monticello Avenue, Annapolis, Maryland 21401 representing Annapolitans for a Better Community gave a brief presentation in opposition to the resolution.

Heather Macintosh, 6 Lawrence Avenue, Annapolis, Maryland 21403, Laura Graham Booth, 81 Windwhisper Lane, Annapolis, Maryland 21403 and Heather Hurtt, 820 Chester Avenue, Annapolis, Maryland 21403 representing Annapolis Elementary PTA were present and answered questions from Council.

Jeremy Parks, 304 Rosslare Drive Arnold, Maryland 21012 representing Compromise, LLC gave a brief presentation in favor of the resolution.

Jerome J. Parks, One Park Place, Suite 400, Annapolis, Maryland 21401 21012 representing Compromise, LLC was present and answered questions from

Council.

Spoke on the resolution:

Delegate Ron George, 84 College Ave # 216 Annapolis, MD 21401
Gilbert Renault, 115 Monticello Avenue, Annapolis, Maryland 21401
Sharon Kennedy, 9 Randall Court, Annapolis, Maryland 21401 representing the
Historic Preservation Commission
Margaret Evans, 181 Duke of Gloucester Street, Annapolis, Maryland 21401
representing Matt Evans
Judy Buddensick, 211 Severn Avenue, Annapolis, Maryland 21403 representing
the Annapolis Business Association
Margaret Drake, 7 King Court, Annapolis, Maryland 21401 granddaughter of the
man who deeded the land for the playground
Tiffany Clay, 49 Maryland Avenue, Annapolis, Maryland 21401
Loni Moyer, 1019 Forest Hills Avenue, Annapolis, Maryland 21403
Bruce Chance, 306 Bridle Path Lane, Annapolis, Maryland 21401 representing
Chance Jewelers
Ryan Seth, 3234 Black Walnut Drive, Annapolis, Maryland 21401
Denise Holmes, 401 Abagnale Circle, Severna Park, Maryland 21146 Annapolis
Book Store
Timothy Hogan, 1603 West Street, Annapolis, Maryland 21401
Brian Miller, 114 Market Street, Annapolis, Maryland 21401

Spoke in favor of the resolution:

Sean O'Neill, 423 Halsey Road, Annapolis, Maryland 21401 representing the
Annapolis Business Association
Stephen Duffy, 1700 Robinhood Road, Annapolis, Maryland 21401
Jody Danek, 2981 Friends Road, Annapolis, Maryland 21401
Jeff Berger, 321 Rosslere Drive, Arnold, Maryland 21012 representing Jerome J.
Parks Companies
Jim Jaffre, 161 Main Street, Annapolis, Maryland 21401 representing CASA
Nova of Annapolis, LLC
Megan Moore, 86 Charles Street, Annapolis, Maryland 21401
Christopher L. Vaughan, 28 East Street, Annapolis, Maryland 21401

Spoke in opposition to the resolution:

Joe Budge, 9 Randall Court, Annapolis, Maryland 21401 representing Ward One
Residents Association
Bevin Buchheister, 5 Wagner Street, Annapolis, Maryland 21401 representing
Ward One Residents Association
Don Kirkpetrick, 9 Revel Street, Annapolis, Maryland 21401
Marry Adams, 33 Maryland Avenue, Annapolis, Maryland 21401 representing
The Annapolis Book Store and the Ward One Residents Associations
Bill Kardash, 1 Action Place, Annapolis, Maryland 21401
Bill Hughes, 521 Third Street, Annapolis, Maryland 21403
Stephen Hall, 37 Franklin Street, Annapolis, Maryland 21401
Elizabeth Stafford, 7 Porter Road, Annapolis, Maryland 21402
Connie Parks, P.O. Box 8042, Annapolis, Maryland 21403
Annebeth Bunker, 75 Maryland Avenue, Annapolis, Maryland 21403
Orlando Rideout, 110 Duke of Gloucester Street, Annapolis, Maryland 21401
Cathy Durkan, 162 Main Street, Annapolis, Maryland 21401 representing the
Annapolis Sustainable Business Alliance and the Ward One Residents
Association
Laura Booth, 81 Windwhisper Lane, Annapolis, Maryland 21403
Clare Sweeney, 9 Lipsher Street, Annapolis, Maryland 21403 6th grade student at
Bates Middle School
Roger H. Kizer Ball, 9 Silopanna Road, Annapolis, Maryland 21403
Julie Davis, 11 Landings Court, Annapolis, Maryland 21403
Peter Smith, 224 Westwood Road, Annapolis, Maryland 21401

Jackie Tyler, 114 Duke of Gloucester Street, Annapolis, Maryland 21401
Tracy Greenfield, 106 River Drive, Annapolis, Maryland 21403
Frederica Struse, 120 Duke of Gloucester Street, Annapolis, Maryland 21401
Heather Macintosh, 6 Lawrence Avenue, Annapolis, Maryland 21403
Peter Miller, 171 Green Street, Annapolis, Maryland 21401
Dr. Paul Davies, 5 St. Mary's Street, Annapolis, Maryland 21401
Hans Froelicher, 110 Market Street, Annapolis, Maryland 21401
Janet Hall, 37 Franklin Street, Annapolis, Maryland 21401 representing Baillie
McNitt, 26 Franklin Street, Annapolis, Maryland 21401
Kemp Hammond, 20 Glen Avenue, Annapolis, Maryland 21401

No one else from the general public spoke in favor of or in opposition to the resolution.

- Mayor Cohen declared the public hearing closed.
- Alderwoman Finlayson moved to continue the public hearings after 10:30 p. m. Seconded. CARRIED on voice vote.

O-51-11 Use and Redevelopment of Property in C2 Zoning Districts – For the purpose of adding certain provisions governing use and redevelopment of property located in a C2 Zoning District.

Chief of Comprehensive Planning Burke gave a brief presentation on the ordinance.

Robert Waldman, 1001 Poplar Avenue, Annapolis, Maryland 21401 representing the Planning Commission presented the commissions findings and answered questions from Council.

Spoke on the ordinance:

Sharon Kennedy, 9 Randall Court, Annapolis, Maryland 21401 representing the Historic Preservation Commission
Juliet Thompson, 9 College Avenue, Annapolis, Maryland 21401

Spoke in favor of the ordinance:

Joe Budge, 9 Randall Court, Annapolis, Maryland 21401 representing City Dock Advisory Commission and the Comprehensive Plan Advisory Commission

Spoke in opposition to the ordinance:

Charles F. Delavan, Esq., Blumenthal, Delavan & Williams, P.A., 170 Jennifer Road # 240, Annapolis, MD 21401-7995 representing Chandler, LLC
Shep Tullier, AICP, Land Vision, Inc., 1982 Moreland Parkway, Suite 201, Annapolis, Maryland 21401 representing Chandler, LLC

No one else from the general public spoke in favor of or in opposition to the ordinance.

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 3/1/12, and Memoranda from Jon Arason, Director, to the Planning Commission dated 1/5/12 and 3/1/12.
- Mayor Cohen declared the public hearing open until April 30, 2012 close of business for the purpose of accepting written comments.

O-52-11 Rezoning Parcels 1244 and 1255, Grid 20, Tax Map 52A – For the purpose of rezoning parcels 1244 and 1255, Grid 20, Tax Map 52A to C2, “Conservation Business” Zoning District.

Chief of Comprehensive Planning Burke gave a brief presentation on the ordinance.

Spoke on the ordinance:

Robert Waldman, 1001 Poplar Avenue, Annapolis, Maryland 21401 representing the Planning Commission
Charles F. Delavan, Esq., Blumenthal, Delavan & Williams, P.A., 170 Jennifer Road # 240, Annapolis, MD 21401-7995 representing Chandler, LLC
Shep Tullier, AICP, Land Vision, Inc., 1982 Moreland Parkway, Suite 201, Annapolis, Maryland 21401 representing Chandler, LLC
Sarah Woodworth, 1031 Skid Moore Drive, Annapolis, Maryland 21409 representing Chandler, LLC

Spoke in favor of the ordinance:

Delegate Ron George, 84 College Ave # 216 Annapolis, MD 21401
Carol Coltharp, 101 Quiet Waters Place, Annapolis, Maryland 21403
Craig Morrell, 1210 Buckingham Road, Arnold, Maryland 21012
Rob Jabin, 2523 Lyon Drive, Annapolis, Maryland 21403
Peter Trogdon, 214 Eastern Avenue, Annapolis, Maryland 21403
David Gallitano, 19 Southgate Avenue, Annapolis, Maryland 21401
Jim Ellis, 200 Pauline Court, Arnold, Maryland 21012
Cindy Reiner, 1708 Smugglers Run, Annapolis, Maryland 21401 representing the Annapolis Business Association
Juliet Thompson, 9 College Avenue, Annapolis, Maryland 21401 representing Ward One Residents Association
Douglas B. Finlayson, 9 B 3 President Point Drive, Annapolis, Maryland 21403
Mike Milligan, 3 Southgate Avenue, Annapolis, Maryland 21401
Carolyn P. Kirby, 143 Compromise Street, Annapolis, Maryland 21401 representing the Annapolis Summer Garden Theatre

Spoke in opposition to the ordinance:

Ed Hartman, 980 Awald Road, Annapolis, Maryland 21401
Joe Budge, 9 Randall Court, Annapolis, Maryland 21401 representing Ward One Residents Association

No one else from the general public spoke in favor of or in opposition to the ordinance.

- Mayor Cohen accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 10/19/11.
- Mayor Cohen also accepted into the record the exhibit binder containing:

- Exhibit # 1 Map Amendment Application- 110 Compromise Street Property
- Exhibit # 2 Map Amendment Site Plan (“Zoning Exhibit”)
- Exhibit # 3 Summary of Map Amendment Criteria
- Exhibit # 4 1970 Zoning Map Showing C2 Zoning District on Chandler, LLC Property
- Exhibit # 5 1987 Zoning Map Showing WMC Zoning District on Chandler, LLC Property
- Exhibit # 6 2009 Comprehensive Plan, Figure 3-3-“Generalized Proposed Land Use Map” Showing Proposed MX Zoning District
- Exhibit # 7 W-ZHA/Sara Woodworth Economic Development

- Exhibit # 8 Analysis - Chandler, LLC Property
Chronological Summary of Planning Documents Related to
City Dock Area
- Exhibit # 9 Urban land Institute (UL I) – City Dock Analysis and
Report
- Exhibit # 10 Staff and Planning Commission Recommendations
- Exhibit # 11 Proposed Amendments to O-51-11 and O-52-11
- Exhibit # 12 Zoning Exhibit

- Mayor Cohen declared the public hearing open until April 30, 2012 close of business for the purpose of accepting written comments.

Written Comments Received:

- O-52-11 Email from MSG Philip I. Barber, Us Army Retired dated 4/26/12
- O-52-11 Email from Jeffrey Davis dated 4/25/12
- O-52-11 Letter from Thomas H. Connolly & Sons, Inc received 4/26/12
- O-51-12/O-52-12 Ed Hartman representing Annapolis Boat Shows 4/23/12
- O-52-12 Email from Greg Kaufman dated 4/25/12
- O-51-12 Letter from James S. Mumper dated 4/27/12
- O-52-12 Letter from Shep Tullier dated 4/27/12
- R-14-12 Maritime Advisory Board Commission referral action report
request to be added 4/30/12 from Tarry Lomax
- O-52-11 Maritime Advisory Board referral action report request to be added
4/30/12 from Tarry Lomax
- O-51-11/O-52-11 Letter from Robert Henry Waldman dated 4/25/12
- O-51-11 Letter from Blumenthal, Delavan & Williams, P.A.

O-13-12 Lease of Public Parking Lots to FRESHFARM Markets, Inc. – For the purpose of authorizing a lease of municipal property located at 110 Compromise Street from May 6, 2012, through November 18, 2012, to FRESHFARM Markets, Inc.

Ann Yonkers, 313 Connecticut Avenue, NW # 2710, Washington, DC 20008 gave a brief presentation on the ordinance.

Spoke in favor of the ordinance:

Joe Budge, 9 Randall Street, Annapolis, Maryland 21401 representing Ward One Residents Association

No one else from the general public spoke in favor of or in opposition to the ordinance.

- Mayor Cohen declared the public hearing closed.

R-14-12 A Moratorium on Administrative Approvals for Special Events at City Dock – For the purpose of declaring a moratorium on administrative approvals for special events at City Dock.

Spoke on the resolution:

Zach Barnhorst, 7362 Remley place, San Diego, CA 92037 representing TriRock
Ashley Halsey, 709 Howard's Loop, Annapolis, Maryland 21401 representing Annapolis Triathlon Club
Joe Budge, 9 Randall Street, Annapolis, Maryland 21401 representing Ward One Residents Association
Jack Gerbes, 827 Bear Cabin Drive, Forest Hills, Maryland 21050 Maryland Film Office

Spoke in favor of the resolution:

Debbie Gosselin, 980 Awald Road, Annapolis, Maryland 21401 representing

Watermark

Matt Grubbs, 31 Decatur Avenue, Annapolis, Maryland 21403

Sean O'Neill, 423 Halsey Road, Annapolis, Maryland 21401 representing
Annapolis Business Association

Peter Chambliss, 10 Round Bay Road, Crownsville, Maryland 21401
representing Campbell Families Properties

No one else from the general public spoke in favor of or in opposition to the
resolution.

- Mayor Cohen also accepted into the record a letter from Carroll Hynson,
Jr, re: Corvette Annapolis dated 4/23/12.
- Mayor Cohen declared the public hearing closed.
- Alderman Arnett moved to continue legislative action beyond 11:00 p.m.
Seconded. CARRIED on voice vote.

LEGISLATIVE ACTIONS

ORDINANCES AND RESOLUTIONS – 2ND READING

**O-29-11 The Length of Time for Filing an Appeal of an Administrative
Decision to the Board of Appeals – For the purpose of extending the
length of time for filing an appeal of an administrative decision to the
Board of Appeals from fifteen days to thirty days.**

- Alderman Israel moved to adopt O-29-11 on second reading.
Seconded.

The Rules and City Government Committee reported favorably with amendments
and the Planning Commission reported unfavorably on O-29-11.

- Alderman Israel moved to amend O-29-11 as follows:

Amendment # 1

On page 1, in line 19, strike “12” and replace with “21” Seconded. CARRIED on
voice vote.

Amendment # 2

On page 2, in line 6 strike “retroactively take effect as of May 15, 2011” and
Insert “take effect on the date of adoption” Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Israel moved to adopt O-29-11 amended on third reading.
Seconded.

A ROLL CALL vote was taken:

YEAS: Aldermen Silverman, Pfeiffer, Arnett, Israel, Paone, Alderwoman Hoyle

NAYS: Mayor Cohen, Alderwoman Finlayson, Aldermen Kirby

CARRIED: 6/3

**O-32-11 Outdoor Dining in the B1 and B2 Zoning Districts – For the purpose
of clarifying the contradiction in use standards related to outdoor
dining in the B1 and B2 zoning districts in Chapters 21.64 and specific
provisions in 21.42 of the Code of the City of Annapolis.**

Planning Administrator Rouse was present and answered questions from Council.

- Alderman Arnett moved to adopt O-32-11 on second reading. Seconded.

The Rules and City Government Committee and the Planning Commission reported favorably with amendments on O-32-11.

- Alderman Israel moved to amend O-32-11 as follows:

21.64.540 - Restaurants, standard.

Standard restaurants are subject to the general standards for food and beverage-related uses. The following additional standards apply:

A. Drive-through service is not permitted.

B. Catering or delivery service may be permitted as an accessory use.

C. B1, B2, B3, B3-CD, and PM Districts. In the B1, B2, B3, B3-CD, and PM districts the following standards apply:

1. Where the use is permitted subject to standards:

- a. No more than fifty seats are permitted,
- b. Alcohol is permitted with the service of food,
- c. Hours of operation are limited to midnight seven days a week,
- d. Outdoor dining with the exception of rooftop dining may be permitted subject to the following: and

1. Alcoholic beverages shall be served only in conjunction with the service of food.

2. Hours of operation shall be limited to 10 p.m. seven days a week.

3. No speakers or public address system shall be allowed.

- e. No bar, dancing, or live entertainment is permitted, except in the PM district where indoor, live, non-amplified acoustical musical entertainment may be permitted.

f. Recorded music shall be limited to background variety only indoors.

2. In the B1 district, more than fifty seats may be permitted by special exception.

~~3. In the B1 and B2 districts, notwithstanding provisions in Section 21.42.020 D-2, and Section 21.42.030 D-1, outdoor dining may be permitted by special exception in accordance with Table 21.48.020.~~

~~3-4-3.~~ In the B2, B3, B3-CD, and PM districts, the following may be permitted by special exception:

- a. More than fifty seats, and
- b. Bar, dancing, and live entertainment indoors.
- c. Hours of operation extending past midnight.
- d. Rooftop dining, subject to the following:

1. Alcoholic beverages shall be served only in conjunction with the service of food.

2. Hours of operation shall be limited to 10 p.m. seven days a week.

3. No bar, dancing or live entertainment and no speakers or public address system shall be allowed.

5. The rooftop dining area may not exceed 25 percent of the floor area of the indoor restaurant area and may not have more than 25 percent of the number of seats in the indoor restaurant area.

6. Access to the rooftop dining area shall be through the interior of the restaurant. An exterior access shall be allowed only as an emergency access for fire and life safety purposes.

7. Lighting shall be directed away from adjoining properties and streets and designed to minimize glare. All lighting shall be at or below railing level.

8. The design of the rooftop dining area shall include noise mitigation measures that will minimize adverse impacts on adjoining properties.

D. BCE and BR Districts. In the BCE and BR districts the following may be permitted:

1. More than fifty seats,
2. Outdoor dining with the exception of rooftop dining, subject to the standards enumerated in Section 21.64.540 C.1.d., and
3. Bar, dancing, and live entertainment,;
4. Rooftop dining may be permitted by special exception subject to the standards enumerated in Section 21.64.540 C.3.d.

E. MX District. In the MX district:

1. The following are permitted by right:
 - a. Any number of seats,
 - b. Alcohol with the service of food,
 - c. Outdoor dining with the exception of rooftop dining, subject to the standards enumerated in Section 21.64.540 C.1.d., and
 - d. Accessory bars.
2. Dancing and live entertainment may be permitted by special exception;
3. Rooftop dining may be permitted by special exception subject to the standards enumerated in Section 21.64.540 C.3.d.

F. WMC District. In the WMC district the following standards apply:

1. The use may only be provided in combination with a principal permitted use.
2. The use may occupy no more than thirty percent of the total gross floor area on the lot.
3. In conjunction with approval of this use the applicant shall construct and maintain a public pedestrian walkway in accordance with the standards set forth in Section 21.62.020

G. WMM District. In the WMM district the following standards apply:

1. This use is permitted only in combination with one of the following:
 - a. A working boatyard of at least twenty thousand square feet and a thirty-ton boat lift,
 - b. Seafood processing of at least nine thousand square feet,
 - c. On-land boat storage of at least twenty-five thousand square feet, or
 - d. Yacht and sailing clubs providing in-water and on-land boat storage to their members.
2. In structures in existence as of August 24, 1987 this use may not exceed thirty percent of the total gross floor area of development on the lot. Seconded. CARRIED on voice vote.

- Alderman Paone move to postpone until May 14, 2012. Seconded. CARRIED on voice vote.

R-47-11 Annexation of Hayes Property – For the purpose of annexing into the boundaries of the City of Annapolis 7.374 acres of property known as the Hayes Property, which property is contiguous to the existing boundary of the City and which property is generally located south of the City’s jurisdictional boundary and to the east of Old Solomons Island Road and Dorsey Drive.

Planning Administrator Rouse was present and answered questions from Council.

- Alderwoman Hoyle moved to adopt R-47-11 on second reading. Seconded.
- Alderwoman Hoyle moved to amend R-47-11 as follows:

Amendment #1

Page 5, lines 2-23, Strike from “Line” in Line 2 through “1084.71 feet;” in Line 23.

Amendment #2

Page 5, line 27, Strike "proposed"

Amendment #3

Page 6, line 1, Strike "to the City of Annapolis Boundary Line" then strike in Lines 1-2, "with the said City of Annapolis Boundary Line"

Amendment #4

Page 6, line 3, Strike "proposed"

Amendment #5

Page 6, lines 10-51, strike from "thence" through "minutes" in Line 51.

Amendment #6

Page 7, lines 1-20, strike in their entirety. Seconded. CARRIED on voice vote.

- Alderman Paone moved to postpone R-47-11 on second reader until May 14, 2012. Seconded. CARRIED on voice vote.

A ROLL CALL vote was taken:

YEAS: Aldermen Pfeiffer, Arnett, Israel, Paone

*NAYS: Mayor Cohen, Alderwoman Finlayson, Aldermen Silverman, Kirby,
Alderwoman Hoyle*

DEFEATED: 4/5

- Alderwoman Hoyle moved to amend R-47-11 as follows:

Amendment # 1

On page 2, in line 41, after City of Annapolis insert "the maximum density will be 135 Multi Family Dwelling Units or 55 Single Family Attached Dwellings per acre" Seconded. CARRIED on voice vote.

Amendment # 2

Throughout the document strike "R3" and insert "R4" Seconded. CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

*YEAS: Mayor Cohen, Alderwoman Finlayson, Aldermen Silverman, Kirby,
Pfeiffer, Paone, Alderwoman Hoyle*

NAYS: Alderman Israel

ABSTAIN: Alderman Arnett

CARRIED: 7/1/1

- O-38-11 Zoning of Annexed Land – Hayes Property – For the purpose of establishing zoning classifications of R3 – General Residence District and R1-B – Single-Family Residence District for 7.374 acres of property known as the Hayes Property, which property is contiguous to the existing boundary of the City and which property is generally located south of the City’s jurisdictional boundary and to the east of Old Solomons Island Road and Dorsey Drive.**

Planning Administrator Rouse was present and answered questions from Council.

- Alderwoman Hoyle moved to adopt O-38-11 on second reading. Seconded.

The Rules and City Government Committee and the Planning Commission reported favorably with amendments on O-38-11.

- Alderman Israel moved to amend O-38-11 as follows:

Amendment #1

Page 1, lines 12 and 29, strike "R3" and insert "R4" Seconded. CARRIED on voice vote.

Amendment #2

Page 2, lines 18, 23, 30 and 35, strike "R3" and insert "R4" Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Silverman moved to adopt O-38-11 amended on third reading. Seconded.

YEAS: Mayor Cohen, Alderwoman Finlayson, Aldermen Silverman, Kirby, Pfeiffer, Paone, Alderwoman Hoyle

NAYS: Alderman Israel

ABSTAIN: Alderman Arnett

CARRIED: 7/1/1

O-13-12 Lease of Public Parking Lots to FRESHFARM Markets, Inc. – For the purpose of authorizing a lease of municipal property located at 110 Compromise Street from May 6, 2012, through November 18, 2012, to FRESHFARM Markets, Inc.

- Alderman Israel moved to adopt O-13-12 on second reading. Seconded.

The Rules and City Government and Economic Matters Committees reported favorably on O-13-12.

The main motion CARRIED on voice vote.

- Alderman Israel moved to adopt O-13-12 on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwoman Finlayson, Aldermen Silverman, Kirby, Pfeiffer, Arnett, Israel, Paone, Alderwoman Hoyle

NAYS:

CARRIED: 9/0

R-3-12 First Sundays Festival 2012 – For the purpose of designating dates for the sale of arts-related merchandise in the Historic District at the First Sunday events and the reimbursement of full fees to the City for the cost associated with the events.

- Alderwoman Finlayson moved to adopt R-3-12 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwoman Finlayson, Aldermen Silverman, Kirby, Pfeiffer, Arnett, Israel, Paone, Alderwoman Hoyle

NAYS:
CARRIED: 9/0

R-4-12 Four Rivers Garden Club Flower Mart – For the purpose of designating dates for the sale of floral merchandise in the Historic District at the Four Rivers Garden Club Flower Mart on April 30 and the reimbursement of full fees to the City for the cost associated with the events.

- Alderman Arnett moved to adopt R-4-12 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: *Mayor Cohen, Alderwoman Finlayson, Aldermen Silverman, Kirby, Pfeiffer, Arnett, Israel, Paone, Alderwoman Hoyle*

NAYS:
CARRIED: 9/0

R-5-12 Race Across America 2012 – For the purpose of designating dates for the sale of merchandise in the Historic District at the Race Across America event from June 21-25, 2012 and the reimbursement of full fees to the City for the cost associated with the event.

- Alderman Pfeiffer moved to adopt R-5-12 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: *Mayor Cohen, Alderwoman Finlayson, Aldermen Silverman, Kirby, Pfeiffer, Arnett, Israel, Paone, Alderwoman Hoyle*

NAYS:
CARRIED: 9/0

R-6-12 TriRock Annapolis 2012 – For the purpose of designating dates for the sale of merchandise in the Historic District at the TriRock Annapolis 2012 event and the reimbursement of full fees to the City for the cost associated with the events.

Development/Special Projects Coordinator LeFurge was present and answered questions from Council.

John Guild, 18 Pinkney Street, Annapolis, Maryland 21401 representing Historic Annapolis was present and answered questions from Council.

- Alderman Arnett moved to adopt R-6-12 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: *Mayor Cohen, Alderwoman Finlayson, Aldermen Silverman, Kirby, Pfeiffer, Alderwoman Hoyle*

NAYS: *Aldermen Arnett, Israel, Paone*
CARRIED: 6/3

R-14-12 A Moratorium on Administrative Approvals for Special Events at City Dock – For the purpose of declaring a moratorium on administrative approvals for special events at City Dock.

Development/Special Projects Coordinator LeFurge was present and answered questions from Council.

- Alderman Arnett moved to adopt R-6-12 on second reading. Seconded.

- Alderman Pfeiffer moved to amend R-6-12 as follows:

Amendment #1

Page 2, Line 17: after "resolution," insert "Film production shall be exempt from this moratorium. Film production activity means the production of a film, video or digital project intended for distribution including, but not limited to, feature films, television projects, commercials, documentaries, and music videos. Film production not intended for distribution shall also be exempt, including but not limited to student productions associated with class work. Film production activity does not include non commercial personal videos." Seconded. CARRIED on voice vote.

- Alderman Pfeiffer moved to amend R-6-12 as follows:

Amendment #2

Page 2, Line 27, insert: "AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that any special events with vendors in the historic district that the City Council has already previously authorized are deemed approved by the City Council and exempt from this moratorium." Seconded. CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwoman Finlayson, Aldermen Silverman, Kirby, Pfeiffer, Arnett, Israel, Paone, Alderwoman Hoyle

NAYS:

CARRIED: 9/0

R-15-12 A Public Parking Garage and Retail Storefronts on Compromise Street - For the purpose of expressing the sense of the Annapolis City Council regarding a parking garage and retail storefronts on Compromise Street.

- Alderman Arnett moved to adopt R-15-12 on second reading. Seconded.

The main motion amended A ROLL CALL vote was taken:

YEAS: Alderwoman Finlayson, Aldermen Silverman, Kirby, Arnett, Paone, Alderwoman Hoyle

NAYS: Mayor Cohen, Aldermen Pfeiffer, Israel

CARRIED: 6/3

- Alderman Paone moved to dispense with the reading of the ordinances and resolutions on 1st reading. Seconded. CARRIED on voice vote.

ORDINANCES and RESOLUTIONS-- 1st READING

R-7-12 FY 2013 Fees Schedule Effective July 1, 2012 – For the purpose of specifying fees that will be charged for the use of City services for FY 2013. Available Monday April 23, 2012.

Referred to the Finance Committee and the Financial Advisory Commission

R-17-12 Position Classifications and Pay Plan – For the purpose of approving the FY 2013 position classification and pay plan.

Referred to the Rules and City Government and the Finance Committees

R-13-12 Re-Organization of City Government: Merger of the Department of Neighborhood and Environmental Programs and the Department of

Planning and Zoning – For the purpose of expressing the sense of the Annapolis City Council regarding the merger of the Department of Neighborhood and Environmental Programs and the Department of Planning and Zoning into the new Department of Planning, Environment and Permits (PEP).

Referred to the Rules and City Government Committee

O-14-12 The Department of Emergency Preparedness and Risk Management – For the purpose of establishing the Office of Emergency Preparedness and Risk Management in the Annapolis City Code; authorizing the Mayor to declare and terminate a local state of emergency; defining the powers granted to the Mayor and City Council during a local state of emergency; classifying violations as a misdemeanor punishable by fine and imprisonment; and, codifying the duties of the Office of Emergency Preparedness and Risk Management.

Referred to the Environmental Matters and Public Safety Committees

R-16-12 Amending Fines Schedule for Emergency Preparedness Violations – For the purpose of revising the fines schedule for emergency preparedness violations.

Referred to the Environmental Matters and Public Safety Committees

O-15-12 Establishing Chapter 14.18 of the City Code on Special Events – For the purpose of establishing Chapter 14.18 of the City Code on special events.

Referred to the Environmental Matters and Economic Matters Committees

O-16-12 Distribution of Unsolicited Materials – For the purpose of establishing Section 11.36.025 of the Code of the City of Annapolis regarding the distribution of unsolicited materials.

Referred to the Public Safety Committee

BUSINESS and MISCELLANEOUS

1. Special Event Approval

Development/Special Projects Coordinator LeFurge was present and answered questions from Council.

- Alderman Arnett moved to approve the Annapolis City Fair. Seconded. CARRIED on voice vote.
- Alderman Paone left for the evening at 3:26 a.m.

2. Community Development Block Grant Allocations

- Alderwoman Finlayson moved to postpone the approval of the community development block grant allocations until April 30, 2012.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 3:37 a.m.

Regina C. Watkins-Eldridge, MMC
City Clerk

SPECIAL MEETING

April 30, 2012

The Special Meeting of the Annapolis City Council was held on April 30, 2012 in the Council Chamber. Mayor Cohen called the meeting to order at 7:06 p.m.

Present on Roll Call: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Silverman, Kirby, Pfeiffer, Arnett

Staff Present: City Attorney Hardwick, City Manager Mallinoff, Finance Director Miller, Planning and Zoning Director Arason

PRESENTATION

Comprehensive Financial Report (CAFR)

Finance Director Bruce Miller presented the comprehensive financial report and answered questions from Council.

City Manager Mallinoff was present and answered questions from Council.

PUBLIC HEARING

The public hearing for all legislation below will be conducted at the same time so the public may speak on any item of legislation on the agenda for public hearing during their testimony.

- O-8-12** **Annual Operating Budget: FY 2013 – For the purposes of adopting an operating budget for the City of Annapolis for the Fiscal Year 2013; appropriating funds for expenditures for the Fiscal Year 2013; defraying all expenses and liabilities of the City of Annapolis and levying same for the purposes specified; specifying certain duties of the Director of Finance; and, specifying a rate of interest to be charged upon overdue property taxes.**
- &
- R-9-12** **Capital Improvement Budget and Program: FY 2013 to FY 2018 – For the purposes of adopting a capital improvement budget for the Fiscal Year 2013, and a capital improvement program for the six-year period from July 1, 2012, to June 30, 2018.**
- &
- R-7-12** **FY 2013 Fees Schedule Effective July 1, 2012 – For the purpose of specifying fees that will be charged for the use of City services for FY 2013.**
- &
- R-17-12** **Position Classifications and Pay Plan – For the purpose of approving the FY 2013 position classification and pay plan.**
- &
- O-10-12** **Positions Added to the Exempt Service – For the purpose of adding the positions of Assistant City Attorney, Community Relations Specialist, Development/Events Specialist, Human Services Officer, Administrative Assistant, Assistant City Manager, and Public Information Officer and Quartermaster, to the exempt service and changing the position title from Public Information Officer to Communications Officer.**
- &
- R-11-12** **Updated Job Descriptions – For the purpose of approving the new job descriptions for the GIS Coordinator (MIT), GIS Technician (MIT), MIT Administrative Support Analyst (MIT), Facilities Maintenance Engineer I and II (Public Works), Fleet Maintenance/Asset Forfeiture (Police), Mobility and Parking Specialist (Transportation), Facility Supervisor (Recreation and Parks), Front Desk Supervisor**

(Recreation and Parks), Marketing/Membership Coordinator (Recreation and Parks), Dance and Fitness Coordinator (Recreation and Parks), Harbormaster (Recreation and Parks), Fire Administrative Specialist (Fire), City Council Associate (City Clerk), and Facilities Maintenance Supervisor (Public Works).

&

R-13-12 Re-Organization of City Government: Merger of the Department of Neighborhood and Environmental Programs and the Department of Planning and Zoning – For the purpose of expressing the sense of the Annapolis City Council regarding the merger of the Department of Neighborhood and Environmental Programs and the Department of Planning and Zoning into the new Department of Planning, Environment and Permits (PEP).

&

O-14-12 The Department of Emergency Preparedness and Risk Management – For the purpose of establishing the Office of Emergency Preparedness and Risk Management in the Annapolis City Code; authorizing the Mayor to declare and terminate a local state of emergency; defining the powers granted to the Mayor and City Council during a local state of emergency; classifying violations as a misdemeanor punishable by fine and imprisonment; and, codifying the duties of the Office of Emergency Preparedness and Risk Management.

&

R-16-12 Amending Fines Schedule for Emergency Preparedness Violations – For the purpose of revising the fines schedule for emergency preparedness violations.

Spoke on the ordinance and resolution:

Preston Holland, 701 Morris Blum Senior Apartments, Annapolis, Maryland 21401 Glenwood High-rise
Reverend Dr. Carletta Allen, 31 LaFayette Avenue, Annapolis, Maryland 21401
Robert H. Eades, 32 Pleasant Street, Annapolis, Maryland 21401 regarding the Movement
Molly Smith, 224 Westwood Road, Annapolis, Maryland 21401
Peter Smith, 224 Westwood Road, Annapolis, Maryland 21401
Ann Berger, 170 Duke of Gloucester Street, Annapolis, Maryland 21401
Joe Budge, 9 Randall Court, Annapolis, Maryland 21401 representing Ward One Residents Association
Sharon Kennedy, 9 Randall Court, Annapolis, Maryland 21401 regarding R-7-12 and R-13-12

Spoke in favor of the O-8-12:

Patsy Blackshears, 2705 Riva Road, Annapolis, Maryland 21401, representing Kunta Kinte/Alex Haley Memorial
Larry Griffin, 1202 Bay Highland Drive, Annapolis, Maryland 21403 Founder & President of We Care and Friends
Robert Taylor, 612 Severn Island Court, Annapolis, Maryland 21401 representing We Care and Friends
Regina Glover, 10 Hudson Street, Annapolis, Maryland 21401 representing We Care and Friends
Carlos Koudelka, 771 Mac Sherry Drive, Arnold, Maryland 21012 representing We Care and Friends
Clyde Queen, 10 Hudson Street, Annapolis, Maryland 21401 representing We Care and Friends
Terry Tofaono, 214 Meadow Gate Drive, Annapolis, Maryland 21409 representing We Care and Friends
Jeff Holland, 307 Edgemere Drive, Annapolis, Maryland 21403 representing

Annapolis Maritime Museum and LB "Buck" Buchanan, 723 2nd Street, Annapolis, Maryland 21403
Elizamae Robinson, 213 Janwall Street, Annapolis, Maryland 21403 representing HACA regarding Pathway to Opportunities
Lenora Jones, 1155 Madison Street, Apt A-4, Annapolis, Maryland 21403 regarding Transportation to Sojourner-Douglass College
Dr. Carol Benson, 44 Calvert Street, Annapolis, Maryland 21401 representing Four Rivers Heritage Area
Ed Green, 2423 Vineyard Lane, Crofton, Maryland 21114 representing OIC and Alice Green
Erik Evans, 38 City Gate Lane, Annapolis, Maryland 21401 representing Whitmore Park and Friends of Annapolis Parks
Jim Martin, 1 B South Cherry Gove Avenue, Annapolis, Maryland 21401 representing Friends of Annapolis Parks
Dr. Debbie Wood, 1332 Swan Drive, Cape St. Clair, Maryland 21409 representing Chesapeake Children's Museum
Kathryn Deeley, 1701 East West Highway, Apt 320, Silver Spring Maryland 20910 representing Archaeology in Annapolis
Tawana Offer, 5234 Al Jones Drive, Shady Side, Maryland 20764 regarding Transportation to Sojourner-Douglass College
Helena Hunter, 97 Quarter landing Road, Annapolis, Maryland 21401 regarding Community Grants
Fay Mauro, 2666 Riva Road, Annapolis, Maryland 21401 representing Volunteer Center for Anne Arundel County
Sascha Lipczewico, 92 W. Washington Street, Annapolis, Maryland 21401 representing Community Action Agency
Elizabeth Kinney, 10 Hudson Street, Annapolis, Maryland representing Light House

- At 9:22 p.m., Mayor Cohen requested Alderman Arnett preside over the meeting during his absence.
- At 9:31 p.m., Mayor Cohen resumed the duties of the Chair.

Spoke in opposition to O-8-12:

Reverend Louis J. Boston, 31 W. Washington Street, Annapolis, Maryland 21401 regarding Privatizing of Refuse Collection
Tyrone Nutter, Homeless, Annapolis, Maryland 21401 regarding bus fares
Jacqueline Douglas, 1224 Madison Street, Annapolis, Maryland 21403 regarding refuse collectors positions
Bill Kardash, 1 Acton Place, Annapolis, Maryland 21401 representing Annapolitans for a Better Community
Peter Smith, 224 Westwood Road, Annapolis, Maryland 21401
Debbie Yatsuk, 418 Fox Hollow Lane, Annapolis, Maryland 21403
Reverend Johnny Calhoun, 410 Fox Hollow Lane, Annapolis, Maryland 21403 representing Mount Olive AME Church
James Urban, 915 Creek Drive, Annapolis, Maryland 21403 regarding R-13-12
Robert Waldman, 1001 Poplar Avenue, Annapolis, Maryland 21401 regarding R-13-12
Denise Worthen, 65 Southgate Avenue, Annapolis, Maryland 21401 regarding R-13-12

- Mayor Cohen referred R-13-12 to the Planning Commission.

No one else from the general public spoke in favor of or in opposition to the ordinance and resolution.

- Mayor Cohen declared the public hearings on O-8-12, R-7-12, R-17-12, O-10-12, R-11-12, R-13-12 O-14-12 and R-16-12 closed.

- Mayor Cohen declared the public hearing on R-9-12 open for the purpose of receiving public comment and the planning commission findings.

BUSINESS and MISCELLANEOUS

1. Community Development Block Grants

Planning and Zoning Director Arason was present and answered questions from Council.

- Alderman Arnett moved to approve the community development block grants as recommended by the Housing and Human Welfare Committee with the amendments from Alderwoman Finlayson. Seconded. CARRIED on voice vote.

CDBG GRANTS PROPOSAL - Finlayson

Public Service Projects

ORGANIZATION	DESCRIPTION	REQUESTED	STAFF RECOMMENDATIONS	COMMITTEE RECOMMENDATIONS	FINLAYSON RECOMMENDATIONS
Annapolis Area Ministries	Light House Shelter	\$10,000	\$3,500	\$3,550	\$3,000
AA Co Community Action Agency	Housing Counseling	\$10,000	\$4,000	\$4,000	\$3,400
AA Co Community Action Agency	Youth Services Bureau	\$10,000	\$0	\$2,200	\$3,000
ARC	Family Support	\$5,000	\$0	\$0	\$0
Center of Help	Referral and Information	\$15,000	\$6,500	\$6,000	\$4,000
Newtowne CDC	Microenterprise	\$35,000	\$0	\$0	\$2,000
OHLA	Referral and Information	\$5,000	\$1,650	\$1,650	\$2,000
OIC	Job Preparation Training	\$20,000	\$9,600	\$9,000	\$9,000
Restoration Community Developmt	Reconnecting Youth	\$20,000	\$9,600	\$9,000	\$9,000
Volunteer Center	Mentoring Coordination	\$20,725	\$7,500	\$7,000	\$7,000
SUBTOTALS		\$150,725	\$42,400	\$42,400	\$42,400

Justification: I attempted to 1) be as equitable, 2) not pass judgment on a value of individual programs and 3) use additional information not available at the time of the Committee deliberations.

Capital Projects

ORGANIZATION	DESCRIPTION	REQUEST	COMMITTEE RECOMMENDATION
ARC	Facility Rehab	\$13,780	\$13,780
Community Health Center	Health Facility Rehab	\$70,000	\$70,000
Arundel Lodge	Facility Rehab	\$20,385	\$20,385
Housing Rehabilitation	Owner Occupied Rehab	\$200,000	\$133,545
SUBTOTAL		\$304,165	\$237,710

GRAND TOTAL **\$454,890** **\$280,110**

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:16 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk

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**CITY COUNCIL OF THE
City of Annapolis**

Resolution No. R-9-12

Introduced by: Mayor Cohen

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
3/12/12			6/12/12
Referred to	Referral Date	Meeting Date	Action Taken
Finance Committee	3/12/12		
Planning Commission	3/12/12		
Financial Advisory Commission	3/12/12		

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A RESOLUTION concerning

Capital Improvement Budget and Program: FY 2013 to FY 2018

FOR the purposes of adopting a capital improvement budget for the Fiscal Year 2013, and a capital improvement program for the six-year period from July 1, 2012, to June 30, 2018.

WHEREAS, Section 6.16.030 of the Code of the City of Annapolis requires the Annapolis City Council to approve a capital improvement program and budget for each fiscal year on a six-year basis; and

WHEREAS, on _____, the Annapolis City Council shall hold a public hearing on the budget for the City of Annapolis for the Fiscal Year 2013; and

WHEREAS, a capital improvement budget for the Fiscal Year 2013 and a capital improvement program for the six-year period from July 1, 2012, to June 30, 2013, has been prepared and proposed by the Mayor and submitted to the Annapolis City Council for its consideration and approval.

NOW, THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL that pursuant to the provisions of Section 6.16.030 of the Code of the City of Annapolis, it hereby adopts, as the Capital Improvement Program for the City of Annapolis for the six-year period from July 1, 2012, to June 30, 2018, a copy of which is attached to this Resolution and is made a part hereof.

AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the Budget for the Capital Improvement Program for the Fiscal Year 2013, attached to this Resolution and made a part hereof, be and the same is hereby adopted and approved.

ADOPTED this ____ day of _____, ____.

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ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

Regina C. Watkins-Eldridge, MMC, City Clerk

Joshua J. Cohen, Mayor

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Capital Improvement Program

Proposed

**Fiscal Year 2013-2018
City of Annapolis, Maryland**



FY2013 – FY2018
Capital Improvement Program
Proposed

City of Annapolis
Maryland
March, 2012

City of Annapolis
FY13-FY18 Capital Improvement Program

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INTRODUCTION

Authority

The preparation of the Capital Improvement Program (CIP) is done in accordance with Title 6.16.030 of the City Code. As laid out in the Code, the Mayor submits the proposed CIP to City Council and the Planning Commission in March of each year. The Capital Improvement Program consists of a capital budget for the ensuing fiscal year and a capital improvement program for the five fiscal years following. The Planning Commission holds a public hearing on the proposed CIP and submits its recommendations to City Council by May. The budget must be adopted by Resolution of the City Council before June 30, and becomes effective on July 1.

Purpose

The Capital Improvement Program (CIP) is a recommended schedule of improvements to City capital assets, including the planning and design thereof. The CIP is a 6-year plan, of which the first year represents the proposed capital budget for the current fiscal year. The remaining five years of the CIP serve as a financial plan for capital investments. The CIP will be updated annually, at which time the schedule of projects will be re-evaluated, and another fiscal year added with new projects, as appropriate.

Capital assets are comprised of facilities, infrastructure, equipment, and networks that enable or improve the delivery of public sector services. The procurement, construction, and maintenance of capital assets are critical activities in the management of those assets. The threshold for the City's definition of a capital asset is:

- The asset has a gross purchase price equaling \$50,000 or more.
- The asset has a useful life of 5 years or more.
- The asset is owned by the City or will be City-owned when project is complete.

Capital projects are major projects undertaken by the City that fit one or more of the following categories:

1. Construction of new facilities or infrastructure.
2. Non-recurring rehabilitation or major repairs to a capital asset.
3. Acquisition of land for a public purpose.
4. All projects requiring debt obligation or borrowing.
5. Purchase of major equipment and vehicles meeting the threshold definition of a capital asset.
6. Any specific planning, engineering study or design work related to a project that falls in the above categories.

The City's Capital Improvement Program serves as a useful budgeting and managing tool:

- a. It allows the City to balance needed or desired capital investments with available financing, thereby receiving the optimum benefits for the available public revenue.
- b. It allows the City to ensure a clear relationship between capital spending and government service delivery.
- c. It allows the City to align its planning activity, programs, and operating resources with the capital improvement program and facilitate coordination between City departments.
- d. It allows the City to take advantage of government, foundation, and other grant programs and leverage project-specific funding resources.
- e. It provides for a logical process of assigning priorities to projects based on their overall importance to the City.
- f. It allows other government sectors, the community, and the private sector to anticipate when the City will undertake public improvements, and make decisions and plan investments accordingly.

Role of the Comprehensive Plan in the Capital Improvement Program

The Annapolis Comprehensive Plan is the financially unconstrained long-range plan for the City. In accordance with Article 66B of the Annotated Code of Maryland it identifies goals and policies for city land use, economic development, transportation, sensitive environmental resources, housing, community facilities, including parks and recreation, and water resources. It is prepared with a substantial amount of public input and public deliberation and includes review by State and County agencies. As such, it ensures that the City's long-range plan is aligned with the State of Maryland's Planning Visions as determined in 1992 and amended in 2000 and 2006. The Comprehensive Plan is recognized as a key component of the Capital Improvement Program because it determines the strategic goals that the City aims to achieve over the long term via its program of capital investments. The link between the Comprehensive Plan and CIP is supported by various planning documents and studies, including functional master plans that inventory and assess particular types of physical infrastructure, identify deficiencies, and prioritize needed investments.

Relationship of the Capital Improvement Program to the Adequate Public Facilities Ordinance (APFO)

The City's Adequate Public Facilities Ordinance (APFO), codified as Title 22 of the City Code, ensures that when new development is proposed, the impact of that development on public facilities is assessed. Public facilities are defined in the APFO as those provided, managed or within the exclusive control of the City. They include Water and Sewer services; Stormwater Management facilities; Recreational facilities; Non-Auto Transportation Facilities; Public Maintenance Services; Fire, Rescue, Emergency Medical and Fire Inspection Services; and Police Protection. Among the purposes of the APFO is to:

- Assure that development and redevelopment occurs in concert with the CIP and enable the City to provide adequate public facilities in a timely manner and achieve the growth objectives of the Comprehensive Plan;
- Require new or upgraded facilities when existing facilities will not provide or maintain an adequate level of service; and
- Correct deficiencies in providing adequate levels of service within a 6-year timeframe via the annual CIP and based on a "community facilities plan".
- The APFO also provides that if a proposed project is subject to denial or delay under the APFO, the project may provide infrastructure funds to improve the capacity or safety of existing public facilities.

Priority Scoring of Capital Projects

Beginning this year, the City prepared the CIP under the *Capital Planning and Budget Policy* approved by the City Council in June, 2011. Among other things, the policy requires that all projects be scored on nine criteria to receive up to 100 points. This is to provide a measure of objectivity in the assessment of the relative priority of projects and resulting funding commitments. The goal of the project scores is to help rank projects within funding categories. For instance, projects funded via the General Fund are ranked relative to each other, projects funded via the Water Enterprise Fund are ranked relative to other water projects, etc. The evaluation criteria are listed in Table 1. This year's project scores are shown on the Summary of FY13 projects on page 10 and listed in detail in Appendix B. Project scores will be updated annually

Table 1. Evaluation Criteria

<p>1. Health, Safety & Welfare An assessment of the degree to which the project improves health and safety factors associated with the infrastructure asset. For example, projects that result in the reduction of accidents, improved structural integrity, and mitigation of health hazards would score higher.</p>	25
<p>2. Regulatory or legal mandates An assessment of the degree to which the project is under a regulatory order or other legal mandate, or meets a federal, State or local safety requirement. For example, projects that are required by consent decrees, court orders, and other legal mandates would score higher.</p>	25
<p>3. Operational Necessity An assessment of the degree to which the project supports operational efficiency and effective delivery of services. Guidelines: <i>Improves</i> operational functions and services: up to 10 points <i>Sustains</i> operational functions and services: up to 5 points</p>	10
<p>4. Implication of Deferring the Project (opportunity costs) An assessment of the costs associated with deferring the project, such as inflationary construction costs or additional annual operating and maintenance costs for each year the project is not funded. For example, projects that would have significantly higher future costs, negative community aspects, or negative public perception, should they be deferred, would score higher.</p>	10
<p>5. Budget Impact An assessment of the project's budget impact, ie. the degree to which it affects operations and maintenance costs positively or negatively. For example, a roof replacement project that reduces both maintenance requirements and energy consumption or a storm drain that reduces the need for periodic cleaning would score higher. On the other hand, a new facility that increases maintenance, energy and staffing costs would score lower.</p>	5
<p>6. Strategic Goals An assessment of the degree to which the project furthers thirteen (13) City's strategic goals as adopted in the Comprehensive Plan and listed in the section of the policy addressing the Comprehensive Plan.</p>	6
<p>7. Grant Funding Opportunity An assessment of the amount of funding in the project compared to the amount of funding provided by grant funds from outside agencies. This should include an assessment of the amount of funding needed to complete the current project phase and the entire project. For example, a project that would bring grant funds from an outside agency into the City would score higher, while a project that relies only on City funds would score lower.</p>	7
<p>8. Community Demand An assessment of the degree to which the project meets a community need or responds to community demand. How need/demand was assessed, measured, or recorded will be noted.</p>	7
<p>9. Implementation readiness An assessment of the time required for a project to begin. This should include an assessment of: project complexity; internal decisions/commitments that are required; review requirements by boards/commissions; agreements or approvals required by non-City entities; timing considerations with other capital projects (if applicable); the degree to which the project is in compliance with the Comprehensive Plan or other City-adopted plans; and level of public support. Whether a public information strategy is recommended will be noted.</p>	5
Total points possible:	100

Presentation Format

At the beginning of this year's CIP, changes from the last year's Adopted CIP are noted, followed by a listing of all current "live" capital projects. The current "live" projects received funding in prior years and are still underway. If prior year funding is considered adequate to complete the project and no new funding is requested, no further detail is provided in this document. Only prior year budgets are shown, not expenditures or encumbrances.

Capital projects can be categorized by the project's stage in the sequence from project planning to design to construction. The projects proposed to receive funding in FY13 are listed by project stage on page 9. A summary of all capital projects in the 6-year Capital Improvement Program begins on page 10.

An analysis of bond debt for the 6-year capital program is provided on page 12, and repeated on the project detail sheets that follow. This analysis is provided for illustrative purposes and for order of magnitude comparisons across projects, to assist decision-makers to better understand the fiscal impacts of the capital budget. The actual terms of bond debt will not be finalized until the time of a bond issue; the figures shown are illustrative only. The impact of bond debt is expressed in two forms; as average annual debt service, and as average tax rate impact. The average tax rate impact is expressed as the dollar cost per \$1,000 of a property's value. For example, a project shown with an average tax rate impact of .01, would cost \$1 from the annual property tax payment of a property valued at \$100,000. No changes to the tax rate are enacted via the CIP, as the tax rate is determined by separate action of the Annapolis City Council. Further, the projects funded by Enterprise Funds have no real impact on the tax rate, as the Enterprise Funds are self-supporting with fees and other sources of revenue.

Beginning in FY13, costs incurred for construction project management in the Capital Budget will be transferred to the Operating Budget to offset salary costs. These expenditures are itemized on page 13.

Each capital project is described on a project detail sheet, beginning on page 14.

Additional capital needs anticipated over the long term are noted. Those potential projects may be included in the CIP in future years, depending on priorities, funding availability, and other considerations. They are included in this document to convey to City leaders and other interested parties the general parameters and breadth of upcoming capital needs.

Finally, the consistency of capital projects with the Annapolis Comprehensive Plan are noted, as reviewed and scored by the Capital Working Committee.

FUNDS - OVERVIEW

The City considers all forms of public financing when developing its CIP. Sources of financing include operating funds, General Obligation Bonds, Revenue Bonds, government loans and grants, Community Development Block Grant (CDBG) funds, revenue from fees, revenue from Capital Facilities Assessments (CFAs), and contributions. The capital projects presented in the CIP are grouped by the funds which support them – the General Fund and five enterprise funds (Stormwater Management Fund, Dock Fund, Off Street Parking Fund, Water Fund, and Sewer Fund). The Market Fund, Refuse Fund, and Transportation Fund are not included in the CIP, as those funds are dedicated entirely to operating needs and are not currently supporting capital projects.

General Fund

Capital projects supported by the General Fund generally fall into the following categories:

- City Buildings/Facilities
- Information Technology systems and infrastructure
- Roadways, Sidewalks, and infrastructure assets located in the public right of way
- Recreation Facilities and Parks
- Special projects addressing Economic Development, Revitalization, and Redevelopment

Stormwater Management Special Revenue Fund

The Stormwater Management Fund supports capital projects related to drainage and stormwater management. The fund's primary source of revenue is the Stormwater Utility Fee levied on utility customers.

The Stormwater Management Fund also accounts for all financial activity associated with the operation of the City's stormwater facilities. The Stormwater Management division of Public Works is responsible for the maintenance of public storm drainage systems, including pipes, inlets, manholes, drainage ways, and stormwater management facilities. Some restoration work is done by with general operating funds, but larger, more complex projects are done with capital funds.

Planning documents pertaining to stormwater management infrastructure include:

- DPW maintains a prioritized list of storm drainage infrastructure needs
- Watershed Study & Action Plan (Draft/2009)

Water Enterprise Fund

The Water Fund supports capital projects related to the water distribution system and water treatment plant. The fund's primary sources of revenue are user charges levied on water customers and capital facilities assessments (CFAs).

The Water Fund also supports two operational divisions: the Water Supply & Treatment Facility and the Water Distribution division. The Water Supply & Treatment Facility is responsible for the production, treatment, testing, storage, and initial distribution of all potable water for customers of the City. The Water Distribution division is responsible for meter reading and operating, maintaining and repairing the City's 138-mile water distribution system, including service lines, water meters and fire hydrants.

Planning documents pertaining to water infrastructure include:

- City of Annapolis Ten Year Water & Sewerage Plan for water and sewer infrastructure (underway)
- Water Supply Capacity Management Plan (2008)
- Anne Arundel County Master Plan for Water Supply & Sewerage Systems (2007)

Sewer Enterprise Fund

The Sewer Fund supports capital projects related to wastewater collection and treatment. The fund's primary sources of revenue are user charges levied on sewer system customers and capital facilities assessments (CFA).

The Sewer Fund also supports the Wastewater Collection division and a portion of the costs associated with the Wastewater Reclamation Facility, which is owned jointly by Annapolis and Anne Arundel County. The Wastewater Collection division is responsible for operating, maintaining and repairing the City's 127-mile sewage conveyance system, including 25 pumping stations.

Planning documents pertaining to wastewater (sewer) infrastructure include:

- City of Annapolis Ten Year Water & Sewerage Plan for water and sewer infrastructure (underway)
- Anne Arundel County Master Plan for Water Supply & Sewerage Systems (2007)

Off Street Parking Enterprise Fund

The Off Street Parking Fund supports capital projects related to the City's parking garages and off-street parking lots. The fund's primary source of revenue is from parking fees generated by the parking garages.

Planning documents pertaining to off street parking infrastructure include:

- Annapolis Region Transportation Vision and Master Plan (Draft/2006)

Dock Enterprise Fund

The Dock Fund supports capital projects related to harbor and maritime infrastructure. The Dock Fund's primary source of revenue is from fees charged for mooring at City Dock boat slips.

Planning documents pertaining to harbor and maritime infrastructure include:

- City Dock Master Plan (underway)

CHANGES FROM FY12 ADOPTED CAPITAL BUDGET

During the annual update of the Capital Program, project budgets are re-evaluated to reflect the best cost estimates, revised priorities and any new information. Through this update process, the project budgets presented in the prior year's CIP as *planned* budgets for year 2 become the *proposed* budget allocation for year 1 of the current year's CIP.

	FY13 planned budget per FY12-FY17 CIP	FY13 proposed budget per FY13-FY18 CIP	Notes
<i>New Projects</i>			
Truxtun Park Pool	n/a	100,000	Project was on long-term Capital program in prior year CIP.
Fire Station Paving Project	n/a	426,212	
Trail Connections	n/a	1,097,000	Project was on long-term Capital program in prior year CIP.
Kingsport Park	n/a	172,875	Project was on long-term Capital program in prior year CIP.
Stream Restoration	n/a	406,000	
Capital Program Land Acquisition	n/a	2,575,000	
<i>Cost and Scope Changes</i>			
City Hall	1,960,874	1,560,000	Construction budget was revised based on project planning and design.
City Dock Development	0	315,000	City Dock planning initiative has clarified the FY13 implementation phase.
General Sidewalks	500,000	600,000	Project budget was revised to address current conditions.
Sewage Pump Station Rehabilitation	333,500	614,000	Newly identified problems with pump station generators, Belmont Station flow meter and need to install a grinder.
Capital Grants to Non-Profits	0	50,000	
<i>Projects Deferred</i>			
Truxtun Park Improvements	100,000	0	Woodland Trail portion of project expected to be completed with FY12 funds. Ongoing project to be evaluated by new Rec/Parks director.
Landfill Gas Mitigation	360,000	0	Project phasing revised in consultation with MDE.
Stormwater Management Retrofit Projects	100,000	0	Projects benefitting the Weems Creek Watershed underway with prior year funds.

ALL CURRENT CAPITAL PROJECTS

Listed here are all current 'live' capital projects – projects that received funding in prior years and are still underway. Not included on this list are new projects recommended to receive funding in FY13.

<i>Project Name</i>	<i>Project Years</i>	<i>Prior Year Total Project Budget</i>	<i>FY13 Total Project Budget</i>	<i>Project Total Budget</i>
General Fund				
City Hall Restoration	FY11-FY13	1,086,035	1,560,000	2,646,035
General Roadways	recurring	2,800,000*	2,000,000	2,000,000 recurring
General Sidewalks	recurring	0*	600,000	600,000 recurring
City Dock Development	FY11-FY13	190,000	315,000	505,000
Landfill Gas Mitigation	FY11-FY14	1,780,990	0	4,355,990
Maintenance Facilities	FY11, FY12	560,000	-	560,000
Market House	FY11, FY12	950,000	-	950,000
Facility/Infrastructure Asset Mngmt	FY12	200,000	-	200,000
Stanton Center	FY12	150,000	-	150,000
Truxtun Park Improvements	FY12	200,000	-	200,000
Eastport Fire Station: Emergency Equipment Storage	FY11	150,000	-	150,000
Roof Replacement	FY11	100,000	-	100,000
WYRE Tower	FY11	20,000	-	20,000
IT System Implementation	FY11	1,210,000	-	1,210,000
Dam Repair at Waterworks Park	FY11	1,000,000	-	1,000,000
Stormwater Fund				
Stormwater Management Retrofit Projects	FY11, FY12	150,000	0	100,000 recurring
Water Enterprise Fund				
Water Treatment Plant	FY11-FY15	780,000	0	50,747,000
Water Distribution Rehab	recurring	1,820,000*	1,880,000	recurring
SCADA/Radio Upgrade - Water	FY11-FY14	1,203,000	120,000	1,443,000
Sewer Enterprise Fund				
Sewer Pump Station Rehab	FY11-FY14	1,729,743	614,000	3,028,743
Sewer Rehab & Upgrades	recurring	2,250,000*	2,320,000	recurring
SCADA/Radio Upgrade - Sewer	<i>see notes under Water Fund</i>			

* "Prior Year Funding" captures FY11 and FY12 only.

PROJECT STAGES

Capital projects are shown according to the project stage. This allows like projects to be considered together, so as to determine overall City priorities and allow for resources to be allocated accordingly. The activities undertaken within each stage clarify the budget and tasks for the ensuing stage.

- **Project Planning Stage:** includes the development of the project scope, feasibility study, a design budget, and order of magnitude construction budget.
- **Design Stage:** includes the development of any environmental documents, legal documents, construction plans and specifications, and a detailed construction budget.
- **Construction Stage:** includes site preparation, utility and infrastructure placement, equipment installation, construction, and environmental mitigation.

FY13 budget commitment allows Project Stage:	Project Name	FY13 proposed budget per FY13-FY18 CIP	Funding Status*
Planning & Design			
Planning	Truxtun Park Pool	100,000	New
Planning/Design/Construction	Trail Connections	1,097,000	New
Planning/Design	City Dock Development	315,000	Current
Planning/Design	Water Treatment Plant	0	Prior
Design & Construction			
Design/Construction	Landfill Gas Mitigation	0	Prior
Design/Construction	Kingsport Park	172,875	New
Design/Construction	Stream Restoration	406,000	New
Design/Construction	Water Distribution Rehab	1,880,000	Current
Design/Construction	Sewer Rehab & Upgrades	2,320,000	Current
Construction	City Hall Restoration	1,560,000	Current
Construction	Fire Station Paving	426,212	New
Construction	General Roadways	2,000,000	Current
Construction	General Sidewalks	600,000	New
Construction	Sewage Pump Station Rehabilitation	614,000	Current
Construction	SCADA/Radio Upgrade	120,000	Current

*Funding Status Definitions:

Prior – project was funded in prior years and is still underway; no new funds requested in FY13

Current – project was funded in prior years an FY13 funding is requested

New – project is a new proposal; fy13 funding is requested

Capital Improvement Program - Proposed
 FY13 Proposed Projects: Source of Funds

FY13 - FY18

Categories	Acct #		Project Name	FY13 Need	FY 13 Source of Funds				FY13 Project Score	
	T4	MUNIS		Total	Bond funds	Operating funds	Other			
							MDE Grant	MDE Loan		State Capital Funds
GENERAL FUND										
City Buildings	544	20005	City Hall Restoration	1,560,000	1,310,000			250,000		62
	-	tbd	Truxtun Park Pool	100,000	100,000					72
	-	tbd	Fire Station Paving	426,212	426,212					55
Roads/ Sidewalks	477	40001	General Roadways	2,000,000	2,000,000					73
	-	tbd	General Sidewalks	600,000		600,000				*
	-	tbd	Trail Connections	1,097,000	1,097,000					44
Special Projects/ Econ Dev/ Parks	739	74001	City Dock Development	315,000	315,000					48
	122	10001	Landfill Gas Mitigation	0						75
	-	tbd	Kingsport Park	172,875	25,931				146,944	44
	-	tbd	Capital Program Land Acquisition	2,575,000	2,570,000	5,000				*
	531	20006	Capital Grants to Annapolis Non-profits	50,000		50,000				*
General Fund Total:				8,896,087	7,844,143	655,000		250,000	146,944	
ENTERPRISE FUNDS										
Stormwater	735	77002	Stormwater Mgmt Retrofit Projects							*
	-	tbd	Stream Restoration	406,000	406,000					*
Stormwater Fund Total:				406,000	406,000					
Water	724	71001	Water Treatment Plant				230,000	12,300,000		74
	738	71003	Water Distribution Rehab	1,880,000	1,880,000					55
	tbd	tbd	SCADA/Radio Upgrade - Water	120,000		120,000				45
Water Fund Total:				2,000,000	1,880,000	120,000	230,000	12,300,000		
Sewer	706	72002	Sewer Pump Station Rehab	614,000	614,000					59
	743	72004	Sewer Rehab & Upgrades	2,320,000	2,320,000					59
	tbd	tbd	SCADA/Radio Upgrade - Sewer							45
Sewer Fund Total:				2,934,000	2,934,000					
Off Street Parking	732	tbd	Hillman Garage							*
Off Street Parking Total:										
Dock	717	tbd	Bulkhead Replacement, Phase 2							*
	731	tbd	Harbormaster Building							*
Dock Fund Total:										
ALL FUNDS TOTAL				14,236,087	13,064,143	775,000	230,000	12,300,000	250,000	146,944

* project not reviewed by CWC

SUMMARY: FY13 - FY18
CAPITAL PROJECTS: TOTAL PROJECT COST

Categories	Acct #		Project Name	Proposed FY13	5-Year Capital Plan					FY13 - FY18 Total
	T4	MUNIS			FY14	FY15	FY16	FY17	FY18	
GENERAL FUND										
City Buildings	544	20005	City Hall Restoration	1,560,000						1,560,000
	-	tbd	Truxtun Park Pool	100,000						100,000
	-	tbd	Fire Station Paving	426,212						426,212
Roads/ Sidewalks	477	40001	General Roadways	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	12,000,000
	-	tbd	General Sidewalks	600,000	600,000	600,000	600,000	600,000	600,000	3,600,000
	-	tbd	Trail Connections	1,097,000	87,000	170,000	1,291,200			2,645,200
Special Projects/ Econ Dev/ Parks	739	74001	City Dock Development	315,000						315,000
	122	10001	Landfill Gas Mitigation	0	2,575,000					2,575,000
	-	tbd	Kingsport Park	172,875						172,875
	-	tbd	Capital Program Land Acquisition	2,575,000						
	531	20006	Capital Grants to Annapolis Non-profits	50,000	50,000	25,000	25,000	25,000		175,000
General Fund Total:				8,896,087	5,312,000	2,795,000	3,916,200	2,625,000	2,600,000	23,569,287
ENTERPRISE FUNDS										
Stormwater	735	77002	Stormwater Mgmt Retrofit Projects		100,000	100,000	100,000	100,000	100,000	500,000
	-	tbd	Stream Restoration	406,000						406,000
Stormwater Fund Total:				406,000	100,000	100,000	100,000	100,000	100,000	906,000
Water	724	71001	Water Treatment Plant							
	738	71003	Water Distribution Rehab	1,880,000	1,930,000	1,990,000	2,050,000	2,110,000	2,170,000	12,130,000
	-	tbd	SCADA/Radio Upgrade - Water	120,000	120,000					240,000
Water Fund Total:				2,000,000	2,050,000	1,990,000	2,050,000	2,110,000	2,170,000	12,370,000
Sewer	706	72002	Sewer Pump Station Rehab	614,000	685,000					1,299,000
	743	72004	Sewer Rehab & Upgrades	2,320,000	2,390,000	2,460,000	2,530,000	2,600,000	2,680,000	14,980,000
	tbd	-	SCADA/Radio Upgrade - Sewer							0
Sewer Fund Total:				2,934,000	3,075,000	2,460,000	2,530,000	2,600,000	2,680,000	16,279,000
Off Street Parking	732	tbd	Hillman Garage			300,000	765,190	20,787,970		21,853,160
Off Street Parking Total:						300,000	765,190	20,787,970		
Dock	717	tbd	Bulkhead Replacement, Phase 2		130,000	6,000,000				6,130,000
	731	tbd	Harbormaster Building		130,000	2,000,000				2,130,000
Dock Fund Total:					260,000	8,000,000				8,260,000
ALL FUNDS TOTAL				14,236,087	10,797,000	15,645,000	9,361,390	28,222,970	7,550,000	61,384,287

Capital Improvement Program - Proposed

FY13 - FY18

Assumption: \$660,000 in annual debt service = \$0.01 raise on the tax rate.

Categories	CIP #	Project Name	Borrowing Term	FY13	FY14	FY15	FY16	FY17	FY13-FY17 Total	Average Annual	Average Tax Rate
										Debt Service	Impact
GENERAL FUND											
	122	Landfill Gas Mitigation	25	0.00	2,575,000.00	0.00	0.00	0.00	2,575,000.00	168,662.50	0.26
	544	City Hall Restoration	20	1,310,000.00					1,310,000.00	99,068.75	0.15
	477	General Roadways	10	2,000,000.00	2,000,000.00	2,000,000.00	2,000,000.00	2,000,000.00	10,000,000.00	1,262,500.00	1.91
	tbd	Fire Station Paving	10	462,212.00					462,212.00	58,354.27	0.09
	358	Truxtun Park Pool	5	100,000.00					100,000.00	22,750.00	0.03
	739	City Dock Development	5	315,000.00					315,000.00	71,662.50	0.11
	tbd	Kingsport Park*	5	26,000.00					26,000.00	5,915.00	0.01
	tbd	Trail Connectors	5	1,097,000.00					1,097,000.00	249,567.50	0.38
		Total		5,310,212.00	4,575,000.00	2,000,000.00	2,000,000.00	2,000,000.00	15,885,212.00	1,938,480.52	2.94
		<i>crossfoot error / source test</i>							-	-	Debt Service if expressed as Tax Rate Impact **
ENTERPRISE FUNDS**											
Stormwater	735	Stormwater Mgmt Retrofit Projects	Fees	0.00	100,000.00	100,000.00	100,000.00	100,000.00	400,000.00	0.00	0.00
	tbd	Stream Restoration***	10	406,000.00					406,000.00	51,257.50	0.08
	tbd	Stormwater Best Management Practices							0.00	0.00	0.00
		Total		406,000.00	100,000.00	100,000.00	100,000.00	100,000.00	806,000.00	51,257.50	0.08
		<i>crossfoot error / source test</i>							-	-	
Water	724	Water Treatment Plant	30						0.00	0.00	0.00
	738	Water Distribution Rehab	30	1,880,000.00	1,930,000.00	1,990,000.00	2,050,000.00	2,110,000.00	9,960,000.00	585,150.00	0.89
	tbd	SCADA/Radio Upgrade - Water	Operating Funds	120,000.00	120,000.00			0.00	240,000.00	0.00	0.00
		Total		2,000,000.00	2,050,000.00	1,990,000.00	2,050,000.00	2,110,000.00	10,200,000.00	585,150.00	0.89
		<i>crossfoot error / source test</i>							-	-	
Sewer	706	Sewer Pump Station Rehab	30	614,000.00					614,000.00	36,072.50	0.05
	743	Sewer Rehab & Upgrades	30	2,320,000.00	2,390,000.00	2,460,000.00	2,530,000.00	2,600,000.00	12,300,000.00	722,625.00	1.09
	tbd	SCADA/Radio Upgrade - Sewer	10				0.00	0.00	0.00	0.00	0.00
		Total		2,934,000.00	2,390,000.00	2,460,000.00	2,530,000.00	2,600,000.00	12,914,000.00	758,697.50	1.15
		<i>crossfoot error / source test</i>							-	-	
Off Street Parki	732	Hillman Garage	30			300,000.00	765,190.00	20,787,970.00	21,853,160.00	1,283,873.15	1.95
		Total		0.00	0.00	300,000.00	765,190.00	20,787,970.00	21,853,160.00	1,283,873.15	1.95
		<i>crossfoot error / source test</i>							-	-	
Dock	717	Bulkhead Replacement, Phase 2	20		130,000.00	6,000,000.00			6,130,000.00	463,581.25	0.70
	731	Harbormaster Building	20		130,000.00	2,000,000.00			2,130,000.00	161,081.25	0.24
		Total		0.00	260,000.00	8,000,000.00	0.00	0.00	8,260,000.00	624,662.50	0.95
		<i>crossfoot error / source test</i>							-	-	
Sidewalk Revolving Fund											
Sidewalk	tbd	Sidewalk Repairs	Tax Rate Increase\$.01	600,000.00	600,000.00	600,000.00	600,000.00	600,000.00	3,000,000.00	0.00	0.00
		Total		600,000.00	600,000.00	600,000.00	600,000.00	600,000.00	3,000,000.00	0.00	0.00
		<i>crossfoot error / source test</i>							-	-	
		Project Cost TOTAL:		11,250,212.00	9,975,000.00	15,450,000.00	8,045,190.00	28,197,970.00	72,918,372.00	5,242,121.17	7.94
		<i>crossfoot error / source test</i>							-	-	
		*This project may be deferred: It is dependent on grant funds which were anticipated by the former Recs. and Parks Director. Director transition may impact the acquiring of the grant.									
		**No impact to the tax rate from projects funded by enterprise funds.									
		***This project may be partially funded by stormwater fees.									

TRANSFER TO FY13 OPERATING BUDGET: CONSTRUCTION MANAGEMENT COSTS

Categories	Project Name	Total	FY13 Need			Const Mngmt %
			sub-totals			
			Non-Construction budget	Construction budget	Construction Mngmt budget	
GENERAL FUND						
City Buildings	City Hall Restoration	1,560,000		1,500,000	60,000	4.0%
	Truxtun Park Pool	100,000	100,000	0		
	Fire Station Paving	426,212	83,900	335,600	6,712	2.0%
Roads/ Sidewalks	General Roadways	2,000,000		1,981,000	19,000	1.0%
	General Sidewalks	600,000	10,000	584,000	6,000	1.0%
	Trail Connections	1,097,000	815,000	272,000	10,000	3.7%
Special Projects/ Econ Dev/ Parks	City Dock Development	315,000	315,000	0		
	Landfill Gas Mitigation	0				
	Kingsport Park	172,875	20,625	145,000	7,250	5.0%
Transfer to Operating Budget - Salaries - Total:					108,962	
ENTERPRISE FUNDS						
Stormwater	Stormwater Mgmt Retrofit Projects					
	Stream Restoration	406,000	101,000	300,000	5,000	1.7%
Transfer to Operating Budget - Salaries - Total:					5,000	
Water	Water Treatment Plant					
	Water Distribution Rehab	1,880,000	275,000	1,531,000	74,000	4.8%
	SCADA/Radio Upgrade - Water	120,000	20,000	95,500	4,500	4.7%
Transfer to Operating Budget - Salaries - Total:					78,500	
Sewer	Sewer Pump Station Rehab	614,000	22,000	564,000	28,000	5.0%
	Sewer Rehab & Upgrades	2,320,000	355,000	1,875,000	90,000	4.8%
	SCADA/Radio Upgrade - Sewer					
Transfer to Operating Budget - Salaries - Total:					118,000	
Off Street Parking	Hillman Garage				n/a	
Dock	Bulkhead Replacement, Phase 2				n/a	
	Harbormaster Building				n/a	

Project Title City Hall Restoration	Project Number: T4/MUNIS 544 / 20005	Initiating Department Public Works
Asset Category City Facility	Asset Number 50138	Priority Score 62
Project Description Renovation of City Hall and restoration of the City Council Chambers. The complete scope of the project includes new roofing, HVAC system, and complete interior restoration consistent with the 1868 design. Much of the interior renovation is funded, however additional project funding is needed to complete mechanical and energy improvements to City Hall. Remaining project tasks include the installation of new storm windows, roof repairs, the installation of a new mechanical system, and replacement of City Hall's water heaters. The goal of these tasks is improvement of the HVAC system's efficiency, reduced building maintenance costs, and increased comfort for City residents, meeting attendees, and City employees.		
Regulatory or Legal Mandates Possible OSHA requirements.		Operational Necessity Energy efficiency and improved working environment will result from improvements to mechanical and HVAC systems.
Prior Funding FY11: \$1,386,035 budgeted; reduced by \$300,000 per GT46-12 in February, 2012. FY09, FY10: Non-capital planning funds (~\$180,000).		Non-City sources of funding \$250,000 from State (reprogrammed 2011 funds); City match required.
FY13 Budget commitment allows project stage: Construction		Project Years FY11-FY13
		Total Project Budget 2,646,035

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Design Costs							
Construction Costs	1,500,000						1,500,000
Construction Project Mgmt	60,000						60,000
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees							
Contingencies							
Total	1,560,000						1,560,000

Funding Schedule							
Bond funds	1,310,000						1,310,000
Operating funds							
Other	250,000						250,000
Total	1,560,000						1,560,000

Debt Analysis			
FY13-FY18 Total	Borrowing Term (Years)	Average Annual Debt Service	Average Tax Rate Impact
1,310,000	20	99,069	0.15

Project Title Truxtun Park Pool	Project Number TBD	Initiating Department Recreation & Parks
Asset Category Parks/Rec. facilities/Open Space	Asset Number TBD	Priority Score 72
Project Description The project will replace and update the outdoor swimming pool, bath house and office area with a modern community aquatics center. The pool structure has undergone numerous “band-aid” repairs. The age of the structures are causing the operations systems to slowly fail. Updated ADA and safety requirements will also be addressed with this replacement. Year 1 will include a feasibility/assessment study which will determine subsequent design and construction budgets. Year 2 will include the design phase, and year 3 will include construction.		
Regulatory or Legal Mandates More stringent ADA requirements take effect within a few years.		Operational Necessity Due to increasing maintenance needs to this aging facility, this improvement is essential to ensure this service. Improvements to the facility will result in higher revenues. Exact improvement costs and revenue potential will be discovered during Phase 1 feasibility study.
Prior Funding None		Non-City sources of funding
FY13 Budget commitment allows project stage: Planning		Project Years FY13-FY15
		Total Project Budget 2,375,000

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Design Costs	100,000	150,000					250,000
Construction Costs			2,000,000				2,000,000
Construction Project Mgmt			50,000				50,000
IT Costs							0
Furniture/Fixtures/Equipment			50,000				50,000
Legal Fees			25,000				25,000
Contingencies							0
Total	100,000	150,000	2,125,000	0	0	0	2,375,000

Funding Schedule							
Bond funds	100,000	150,000	2,125,000				2,375,000
Operating funds							
Other							
Total	100,000	150,000	2,125,000	0	0	0	2,375,000

Debt Analysis			
FY13 Total	Borrowing Term (Years)	Average Annual Debt Service	Average Tax Rate Impact
100,000	5	22,750	0.03

Project Title Fire Station Paving	Project Number TBD	Initiating Department Public Works with Fire Department	
Asset Category City Facility	Asset Number 50218 (Forest), 50220 (Eastport), 50688 (Taylor)	Priority Score 55	
Project Description Paving of traffic areas at all three Annapolis Fire Stations (27,000 square feet in total). This project will enable safe and efficient passage of emergency vehicles to and from facilities and provide safe pavement conditions for employee and public parking.			
Regulatory or Legal Mandates None		Operational Necessity Project sustains an existing asset.	
Prior Funding None		Non-City sources of funding	
FY13 Budget commitment allows project stage: Construction		Project Years FY13	Total Project Budget 426,212

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Design Costs							
Construction Costs	335,600						335,600
Construction Project Mgmt	6,712						6,712
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees							
Contingencies	83,900						83,900
Total	426,212						426,212

Funding Schedule							
Bond funds	426,212						426,212
Operating funds							
Other							
Total	426,212						426,212

Debt Analysis			
FY13-FY18 Total	Borrowing Term (Years)	Average Annual Debt Service	Average Tax Rate Impact
426,212	10	58,354	0.09

Project Title General Roadways	Project Number: T4/MUNIS 477 / 40001	Initiating Department Public Works
Asset Category Roadways/Sidewalks	Asset Number Numerous asset numbers are assigned to road segments	Priority Score 73
Project Description This project is a consolidation of annual efforts to resurface and reconstruct the City's streets, curbs, and gutters. The City continually analyzes each area to develop a list based on conditions. Resurfacing activities include pavement milling and patching, utility adjustments, curb and gutter replacement, pavement resurfacing, brick repairs and replacement, and replacement of pavement markings. Traffic calming projects may also be funded through this project. The ADA requires wheelchair accessible ramps at intersections where sidewalks adjoin streets. Although most of the City intersections have a handicapped ramp, funds are used, as deemed necessary to update the existing ramps to the current standard or for additional ramps installed.		
Regulatory or Legal Mandates The Maryland Transportation Code mandates that Highway User Revenue (HUR) be applied to transportation projects.		Operational Necessity Sustains operations of the existing street network.
Prior Funding Project is funded via the capital budget annually		Non-City sources of funding Highway User Revenue 'Safe Routes to School' grant program
FY13 Budget commitment allows project stage: Construction		Project Years Recurring
		Total Project Budget 2,000,000 annually

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Design Costs							
Construction Costs	1,981,000	1,981,000	1,981,000	1,981,000	1,981,000	1,981,000	11,886,000
Construction Project Mgmt	19,000	19,000	19,000	19,000	19,000	19,000	114,000
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees							
Contingencies							
Total	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	12,000,000

Funding Schedule							
Bond funds	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000		10,000,000
Operating funds						2,000,000	2,000,000
Other							
Total	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	12,000,000

Debt Analysis			
FY13-FY17 Total	Borrowing Term (Years)	Average Annual Debt Service	Average Tax Rate Impact
10,000,000	10	1,262,500	1.91

Project Title General Sidewalks	Project Number TBD	Initiating Department Public Works	
Asset Category Roadways/Sidewalks	Asset Number Numerous asset numbers are assigned to sidewalks	Priority Score Project not scored to date	
<p>Project Description Project is designed as an ongoing infrastructure repair program for the sidewalks in Annapolis. In the summer of 2009, DPW conducted a comprehensive city-wide sidewalk condition assessment. Sidewalks were inspected for cracking, faulting and scaling. Based upon this first inspection, a list of priorities for repair and reconstruction was developed taking into account not only sidewalk condition, but location of sidewalk in terms of its importance to citywide pedestrian traffic. In 2004, a three-tier sidewalk hierarchy was developed with resident and business participation. This hierarchy and the condition rating of individual sidewalk segments will determine the sequence of specific replacement projects.</p> <p>Funding for this project is contingent on the identification of a funding source for sidewalk repairs.</p>			
Regulatory or Legal Mandates		Operational Necessity Allows continued safe use of the existing sidewalk network.	
Prior Funding None		Non-City sources of funding	
FY13 Budget commitment allows project stage: Construction		Project Years Recurring	Total Project Budget \$600,000 annually

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Design Costs	10,000	10,000	10,000	10,000	10,000	10,000	60,000
Construction Costs	584,000	584,000	584,000	584,000	584,000	584,000	3,504,000
Construction Project Mgmt	6,000	6,000	6,000	6,000	6,000	6,000	36,000
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees							
Contingencies							
Total	600,000	600,000	600,000	600,000	600,000	600,000	3,600,000

Funding Schedule							
Bond funds							
Operating funds	600,000	600,000	600,000	600,000	600,000	600,000	3,600,000
Other							
Total	600,000	600,000	600,000	600,000	600,000	600,000	3,600,000

Debt analysis: no debt to be incurred for this project.

Project Title Trail Connections	Project Number TBD	Initiating Department Transportation	
Asset Category Roadways/Sidewalks	Asset Number TBD	Priority Score 44	
Project Description As recommended in the Comprehensive Plan (2009), Team Ped Initiative (2006) and Bicycle Master Plan (2012), this project consists of several components to create a more cohesive trail system in the City. This project improves the safety of bike travel and supports City policy to encourage alternative transportation options. Year 1: Connect the Poplar Trail to the Spa Creek Trail with pavement markings and signage. For trail segment from Taylor Ave. to West Washington St., planning, land acquisition, design, and begin construction. Year 2-4: Trail segment between Admiral Drive and Gibraltar Ave.			
Regulatory or Legal Mandates No		Operational Necessity	
Prior Funding None		Non-City sources of funding Grant funding is expected to offset design and construction costs, for which various State and Federal grants are available for up to 100% funding.	
FY13 Budget commitment allows project stage: Planning through Construction (first trail segment)		Project Years FY13-FY16	Total Project Budget 2,645,200

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition	750,000			954,000			1,704,000
Planning	15,000	55,000					70,000
Design Costs	45,000		128,000				173,000
Construction Costs	272,000	32,000		327,200			631,200
Construction Project Mgmt	10,000			10,000			20,000
IT Costs							0
Legal Fees	5,000		42,000				47,000
Contingencies							0
Total	1,097,000	87,000	170,000	1,291,200	0	0	2,645,200

Funding Schedule							
Bond funds	1,097,000	87,000	42,000	964,000			2,190,000
Operating funds							
Other			128,000	327,200			455,200
Total	1,097,000	87,000	170,000	1,291,200	0	0	2,645,200

Debt Analysis			
FY13 Total	Borrowing Term (Years)	Average Annual Debt Service	Average Tax Rate Impact
1,097,000	5	249,567	0.38

Project Title City Dock Development	Project Number: T4/MUNIS 739 / 74001	Initiating Department Planning & Zoning		
Asset Category Roadways/Sidewalks, City Facilities	Asset Number Numerous asset numbers	Priority Score 48		
Project Description Revitalization and renewal of the City Dock area. Project involves master planning of public space and public access to the waterfront, circulation, parking, land use and redevelopment, real property acquisition, wayfinding, drainage and stormwater management, and construction phasing. The master planning is coordinated with other capital projects (Market House, Harbormaster Building, Bulkhead Replacement). Project encompasses the following City assets: · Susan Campbell park, Kunta Kinte park, Hopkins Plaza, Newman Street playground & park · Sidewalks, Roadways - approx. 5,611 linear feet (4.99 acres) · 307 parking spaces at: Donner Lot, Market Plaza, Dock Street, City Dock surface lot, area between Fawcett's and Fleet Reserve properties, and on-street. · Former Rec Center/Community Service building, Harbormaster building, Market House				
Regulatory or Legal Mandates			Operational Necessity Project aligns City policy, plans, and management of City facilities, City parking lots, and circulation infrastructure.	
Prior Funding FY12: \$140,000. FY11: \$50,000. Additional non-capital planning funds in FY11, FY12.		Non-City sources of funding Various grant opportunities are under investigation.		
FY13 Budget commitment allows project stage: Planning, Design		Project Years FY11-FY13 <table border="1" style="float: right; margin-left: 20px;"> <tr> <td>Total Project Budget</td> <td>505,000</td> </tr> </table>	Total Project Budget	505,000
Total Project Budget	505,000			

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Design Costs	300,000						300,000
Construction Costs							
Construction Project Mgmt							
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees	15,000						15,000
Contingencies							
Total	315,000						315,000

Funding Schedule							
Bond funds	315,000						315,000
Operating funds							
Other							
Total	315,000						315,000

Debt Analysis			
FY13 Total	Borrowing Term (Years)	Average Annual Debt Service	Average Tax Rate Impact
315,000	5	71,662	0.11

Project Title Landfill Gas Mitigation	Project Number: T4/MUNIS 122 / 10001	Initiating Department Public Works
Asset Category Landfill	Asset Number 50240	Priority Score 75
Project Description MDE policy requires groundwater between the Annapolis Landfill and down-gradient streams to comply with maximum contaminant levels (MCLs). The volatile organic compound (VOC) groundwater plume emanating from the unlined Annapolis Landfill has reached down gradient streams; therefore the landfill does not comply with the MDE's policy. This is a multi-phase project with Phase 1, the Nature & Extent Study (NES), underway and expected to be completed by the beginning of the 2013 calendar year. Phase 2 and 3, the Alternative Corrective Measures Study (ACM) and Corrective Measures Implementation (CMI), will be dependant on the results of the Nature & Extents Study and may cost up to \$2,500,000. Additional property remediation costs associated with corrective measures could be \$350,000 annually for 10 years.		
Regulatory or Legal Mandates Project is under a Draft Consent Order with the Maryland Department of the Environment (MDE).		Operational Necessity The work must be done to comply with the Draft Consent Order.
Prior Funding FY12: \$989,990 budgeted. FY11: \$1,910,000 budgeted. Reduced to \$772,000 per GT 24-12 in November, 2011.		Non-City sources of funding
FY13 Budget commitment allows project stage: Construction	Project Years FY11-FY14	Total Project Budget 4,355,990

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Design Costs		1,000,000					1,000,000
Construction Costs		1,500,000					1,500,000
Construction Project Mgmt		75,000					75,000
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees							
Contingencies							
Total	0	2,575,000	0	0	0	0	2,575,000

Funding Schedule							
Bond funds		2,575,000					2,575,000
Operating funds							
Other							
Total	0	2,575,000	0	0	0	0	2,575,000

Debt Analysis			
FY14 Total	Borrowing Term (Years)	Average Annual Debt Service	Average Tax Rate Impact
2,575,000	25	168,662	0.26

Project Title Kingsport Park	Project Number TBD	Initiating Department Recreation & Parks
Asset Category Parks/Rec. facilities/Open Space	Asset Number	Priority Score 44
Project Description This project will complete the development of the Kingsport Park, a 3-acre parcel donated as part of the Kingsport residential development. The project will include a 10-car off street parking area, pathway, small linear field, community garden plots, security lighting, water, landscaping and a park sign. Some preliminary design has been completed, but will need to be updated.		
Regulatory or Legal Mandates No	Operational Necessity Meets the essential recreation and park services for the community. Anticipate small increase in operating costs (~\$500 annually) after project is completed.	
Prior Funding None	Non-City sources of funding Application to DNR will be made in summer of 2012 (Community Parks and Playground program). Match of \$25,000 (15% of total) is factored into project budget.	
FY13 Budget commitment allows project stage: Design, Construction	Project Years FY13	Total Project Budget 172,875

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Design Costs	2,500						2,500
Construction Costs	145,000						145,000
Construction Project Mgmt	7,250						7,250
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees							
Contingencies	18,125						18,125
Total	172,875	0	0	0	0	0	172,875

Funding Schedule							
Bond funds	25,931						25,931
Operating funds							
Other	146,944						146,944
Total	172,875						172,875

Debt Analysis			
FY13 Total	Borrowing Term (Years)	Average Annual Debt Service	Average Tax Rate Impact
25,931	5	5,915	0.01

Project Title Capital Program Land Acquisition	Project Number: T4/MUNIS TBD	Initiating Department Mayor's Office
Asset Category Real Property, Right of Way	Asset Number TBD	Priority Score Project not scored to date
Project Description Opportunities for acquiring land for capital projects arise, and the City can respond in a timely fashion if funds are available. Opportunities may be related to roadway, trail, facility and park projects that are in the conceptual planning stage, many of which are noted in the City's Comprehensive Plan. Funds may be used to provide matching funds for non-City sources of funding. Legal expenses associated with land acquisition are included in this project budget for the purposes of real property title research, appraisals, and related legal advice.		
Regulatory or Legal Mandates	Operational Necessity Opportunity cost savings.	
Prior Funding None	Non-City sources of funding	
FY13 Budget commitment allows project stage: Project planning	Project Years	Total Project Budget

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition	2,550,000						2,550,000
Design Costs							
Construction Costs							
Construction Project Mgmt							
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees	25,000						25,000
Contingencies							
Total	2,575,000						2,575,000

Funding Schedule							
Bond funds	2,570,000						2,570,000
Operating funds	5,000						5,000
Other							
Total	2,575,000						2,575,000

Debt analysis to be completed as projects progress.

Project Title Capital Grants to Annapolis non-profit organizations	Project Number: T4/MUNIS 531 / 20006	Initiating Department Mayor's Office	
Asset Category Community Assets	Asset Number n/a	Priority Score Project not scored	
Project Description The City supports the Capital Campaigns of two organizations important to the Annapolis community; Maryland Hall for the Creative Arts, and the planned National Sailing Hall of Fame. Funds will support Maryland Hall's Auditorium Renovation project and development of the Sailing Hall of Fame's facility and site (shown).			
Regulatory or Legal Mandates		Operational Necessity	
Prior Funding Maryland Hall granted \$250,000 FY09 through FY12. National Sailing Hall of Fame granted \$250,000 FY07 through FY12.		Non-City sources of funding	
FY13 Budget commitment allows project stage: n/a		Project Years	Total Project Budget n/a

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Maryland Hall	25,000	25,000	25,000	25,000	25,000		125,000
Nat'l Sailing Hall of Fame	25,000	25,000					50,000
Total	50,000	50,000	25,000	25,000	25,000		175,000

Funding Schedule							
Bond funds							
Operating funds	50,000	50,000	25,000	25,000	25,000		175,000
Other							
Total	50,000	50,000	25,000	25,000	25,000		175,000

Debt analysis: no debt incurred for this expenditure.

Project Title Stormwater Management Retrofit Projects	Project Number: T4/MUNIS 735 / 77002	Initiating Department Public Works
Asset Category Drainage/Stormwater	Asset Number	Priority Score Project not scored to date
Project Description Storm drains, inlets and other stormwater facilities are in need of repair due to age. Some corrugated metal pipes have fallen apart in the ground, and many concrete pipe joints have failed and need replacement. Some manholes and inlets need rebricking. This project also maintains 32 major outfalls 15" or greater in diameter. This is an ongoing infrastructure project; sections will be replaced, repaired, or retrofitted based on field inspections by utility crews on an annual basis.		
Regulatory or Legal Mandates		Operational Necessity Sustains operations of existing stormwater conveyance infrastructure.
Prior Funding FY12: 100,000 budgeted FY11: 50,000 budgeted		Non-City sources of funding
FY13 Budget commitment allows project stage: No funds requested in FY13		Project Years Recurring
		Total Project Budget 100,000 annually

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Design Costs		6,500	6,500	6,500	6,500	6,500	32,500
Construction Costs		90,000	90,000	90,000	90,000	90,000	450,000
Construction Project Mgmt		3,500	3,500	3,500	3,500	3,500	17,500
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees							
Contingencies							
Total	0	100,000	100,000	100,000	100,000	100,000	500,000

Funding Schedule							
Bond funds							
Operating funds - Stormwater		100,000	100,000	100,000	100,000	100,000	500,000
Other							
Total	0	100,000	100,000	100,000	100,000	100,000	500,000

Debt analysis: Project is funded by fees. No debt is incurred for this project.

Project Title Stream Restoration	Project Number TBD	Initiating Department DNEP
Asset Category Drainage/Stormwater	Asset Number	Priority Score Project not scored to date
Project Description Restoration of 1,000 linear feet of streams eroded by stormwater. The EPA-mandated Chesapeake Bay 'pollution diet' requires that all jurisdictions in the Chesapeake Bay watershed reduce the amount of nitrogen, phosphorus and sediment that is discharged into the bay. One way to reduce nutrient pollution is to restore stormwater-scoured urban streams. Stream restoration projects slow the stormwater velocity in the stream and re-vegetate eroded stream banks, thus reducing the nutrient laden sediment load distributed into receiving waters. Several miles of Annapolis' streams have been degraded by excessive stormwater flow and this project will begin to rectify that degradation.		
Regulatory or Legal Mandates EPA mandates related to Chesapeake Bay 'pollution diet'.		Operational Necessity
Prior Funding None		Non-City sources of funding No
FY13 Budget commitment allows project stage: Design, Construction		Project Years FY13
		Total Project Budget 406,000

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Design Costs	100,000						100,000
Construction Costs	300,000						300,000
Construction Project Mgmt	5,000						5,000
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees	1,000						1,000
Contingencies							
Total	406,000	0	0	0	0	0	406,000

Funding Schedule							
Bond funds	406,000						406,000
Operating funds - Stormwater							
Other							
Total	406,000						406,000

Debt Analysis			
FY13 Total	Borrowing Term (Years)	Average Annual Debt Service	Average Tax Rate Impact
406,000	10	51,257	0*

* No tax rate impact: project is funded from Stormwater Fund. If expressed as a tax rate impact, debt service would equate to .08.

Project Title Water Treatment Plant	Project Number: T4/MUNIS 724 / 71001	Initiating Department Public Works
Asset Category Water Infrastructure	Asset Number	Priority Score 74
Project Description The Water Treatment Plant is at the end of its useful life and in need of replacement. It has significant operational and structural constraints. The existing facility has regulatory and safety issues. Hydraulic issues limit the production capacity of the plant to below its design capacity. A Facility Plan Report (2009) showed that operational and structural constraints result in less than efficient and economical production of drinking water. Replacement parts for most of the mechanical equipment are difficult to find; some parts are no longer being made. The results of the life-cycle cost and qualitative analyses in the report showed that a new water treatment plant was the better alternative, as compared to major upgrades. The possibility of a partnership with Anne Arundel County and the ultimate location of new water treatment facilities is under consideration, but regardless of the outcome, new water treatment capacity for the City is necessary.		
Regulatory or Legal Mandates		Operational Necessity The water treatment plant is the only source of water for the City and therefore, a critical operation.
Prior Funding FY12: \$277,000 budgeted FY11: \$503,000 budgeted		Non-City sources of funding The City has been approved for a low-interest loan and grant from MD Department of the Environment (MDE) for federal Fiscal Year 2013 (funds available November 2012).
FY13 Budget commitment allows project stage: Planning, Design		Project Years FY11-FY15
		Total Project Budget 50,747,000

Appropriation Schedule	Budget Proposed FY13	5-Year Capital Plan					FY13 - FY18 Total
		Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Design Costs							
Construction Costs							0
Construction Project Mgmt							0
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees							
Contingencies							
Total	0	0	0	0	0	0	0

Funding Schedule							
Bond funds		8,000,000	7,970,000				15,970,000
Operating funds - Water Fund							
MDE Loan	12,300,000	10,100,000	10,000,000				32,400,000
MDE Grant	230,000	1,200,000	680,000				2,110,000
Total	12,530,000	19,300,000	18,650,000				50,480,000

Debt analysis to be completed as project planning and design progresses.

* Note: Appropriation Schedule is shown in FY12 and represents anticipated total project appropriation needs. Funding Schedule represents cash flow expectations. Temporary funds will be needed to cover D/B Contractor costs prior to MDE reimbursement.

Project Title Water Distribution Rehab	Project Number: T4/MUNIS 738 / 71003	Initiating Department Public Works
Asset Category Water Infrastructure	Asset Number Numerous asset numbers are assigned	Priority Score 55
Project Description The existing water distribution grid is aging, as is evidenced by the frequent failures. Based on a useful life of 80 years, the financial consultant has calculated the required water distribution system rehabilitation capital needs for the next 20 years to address the pipes, valves, and hydrants that have exceeded or will reach the end of their useful life. Addressing the capital needs will minimize the potential for a major failure. The water distribution infrastructure replacement plan was developed based on priorities identified by DPW Operations in areas where multiple failures have occurred in the last several years.		
Regulatory or Legal Mandates		
Prior Funding FY12: 1,718,000 budgeted FY11: 102,000 budgeted		Non-City sources of funding
FY13 Budget commitment allows project stage: Design, Construction		Project Years Recurring
		Total Project Budget Annual range 1.8M to 2.1M

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Design Costs	210,000	225,000	240,000	250,000	260,000	265,000	1,450,000
Construction Costs	1,531,000	1,555,000	1,595,000	1,630,000	1,680,000	1,730,000	9,721,000
Construction Project Mgmt	74,000	75,000	80,000	85,000	85,000	85,000	484,000
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees	25,000	30,000	30,000	35,000	35,000	35,000	190,000
Contingencies	40,000	45,000	45,000	50,000	50,000	55,000	285,000
Total	1,880,000	1,930,000	1,990,000	2,050,000	2,110,000	2,170,000	12,130,000

Funding Schedule

Bond funds	1,880,000	1,930,000	1,990,000	2,050,000	2,110,000		9,960,000
Operating funds - Water Fund							
Capital Reserve - Water Fund						2,170,000	2,170,000
Total	1,880,000	1,930,000	1,990,000	2,050,000	2,110,000	2,170,000	12,130,000

Debt Analysis

FY13-FY17 Total	Borrowing Term (Years)	Average Annual Debt Service	Average Tax Rate Impact
9,960,000	30	585,150	0*

* No tax rate impact due to 2011 adjustment in water rates. If expressed as a tax rate impact, debt service would equate to .89.

Project Title SCADA/Radio Upgrade	Project Number: T4/MUNIS TBD	Initiating Department Public Works
Asset Category Wastewater & Water Infrastructure	Asset Number	Priority Score 45
Project Description This project continues the replacement of obsolete controls and communications system of Supervisory Controls And Data Acquisition (SCADA) information from the City’s sewage pump stations to the central system at 935 Spa Road and from the water tanks to the WTP chart recorders. The new wastewater collection SCADA system project is underway. The new water tank SCADA system will include LC3000 master telemetry system at the Water Treatment Plant and LC2000 remote telemetry units at each tank site. Communication will be using VHF radio (licensed through FCC), which after the original licensing process, has only a small annual relicensing fee (which may be waived for local governments), allowing the City to eliminate the costly monthly telephone lease lines.		
Regulatory or Legal Mandates No		
Prior Funding FY12: 413,000 budgeted. FY11: 790,000 budgeted		Non-City sources of funding
FY13 Budget commitment allows project stage: Construction		Project Years FY11-FY14
		Total Project Budget 1,443,000

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Equipment/Programming	15,000	15,000					30,000
Construction Costs	90,000	90,000					180,000
Construction Project Mgmt	10,000	10,000					20,000
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees	2,000	2,000					4,000
Contingencies	3,000	3,000					6,000
Total	120,000	120,000	0	0	0	0	240,000

Funding Schedule							
Bond funds							
Operating funds-Water Fund	120,000	120,000					240,000
Other							
Total	120,000	120,000	0	0	0	0	240,000

Debt analysis: FY13-FY18 no debt will be incurred.

Project Title Sewer Pump Station Rehab	Project Number: T4/MUNIS 706 / 72002	Initiating Department Public Works
Asset Category Wastewater Infrastructure	Asset Number	Priority Score 59
Project Description Replacement of sewage pump stations, pump station components and/or pumps. There are 25 pump stations in the City and most have aging pumps and other components that pose an imminent threat of failure, and thus a threat to the health and safety of the citizens. Several pumps have failed, requiring immediate dispatch of emergency pumps to prevent sewage spill, and having an adverse impact on the cost of operation. Some of the pumps are so old that parts have to be specially made for them. Pump Station generator failures have also occurred resulting in no back-up power in the event of a power failure. One of the pump stations, Whitton Ct., requires complete replacement. This pre-fabricated "Tin Can" pumping station consists of an underground steel shell containing the pumps and controls. This station is in excess of 30 years old and the steel containment vessel is at the end of its design life. In all cases, new high efficiency or variable speed drive pumps result in longer pump life, reduced energy consumption, and more constant flow in down stream pipes.		
Regulatory or Legal Mandates Sewage spills or overflows that can result from pump failure, which are more likely with older pumps and stations, are regulated and usually require payment of a fine.		Operational Necessity Continuous operation of sewage pump stations is critical to providing sewer service to most customers.
Prior Funding FY12: \$1,239,000 budgeted FY11: \$490,743 budgeted		Non-City sources of funding Low interest loan and grant funding may be available for a portion of the project in future fiscal years.
FY13 Budget commitment allows project stage Construction		Project Years FY11-FY14
		Total Project Budget 3,028,743

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Design Costs							
Construction Costs	564,000	630,000					1,194,000
Construction Project Mgmt	28,000	31,000					59,000
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees	11,000	12,000					23,000
Contingencies	11,000	12,000					23,000
Total	614,000	685,000	0	0	0	0	1,299,000

Funding Schedule							
Bond funds	614,000	685,000					1,299,000
Operating funds - Sewer Fund							
Other							
Total	614,000	685,000					1,299,000

Debt Analysis			
FY13 Total	Borrowing Term (Years)	Average Annual Debt Service	Average Tax Rate Impact
614,000	30	36,072	0*

* No tax rate impact due to 2011 adjustment in sewer rates. If expressed as a tax rate impact, debt service would equate to .05.

Project Title Sewer Rehabilitation & Upgrades	Project Number: T4/MUNIS 743 / 72004	Initiating Department Public Works	
Asset Category Wastewater Infrastructure	Asset Number	Priority Score 59	
<p>Project Description Over half of the City’s sewers are greater than 50 years old and many are over 80 years old and require repair. Based on a useful life of 80 years, our financial consultant has calculated the required sewer rehabilitation capital needs for the next 20 years to address the sewers that have exceeded or will reach the end of their useful life.</p> <p>Most of the pipes needing rehabilitation can be lined using trenchless methods. Others will need replacement. The decision is made based on site investigation. This project is expected to be multi-year and is expected to be focused on the oldest pipes, such as those in the Eastport and Historic District areas. The majority of the pipes are either vitrified clay (terracotta) pipes, which notoriously have joint failures, or concrete pipes, which deteriorate due to the sewer gases. Pipe joint failures and other leaks due to deterioration typically cause excessive infiltration and increased pumping and treatment needs and costs. In addition, the environmental impact of pipe failure is of concern.</p>			
<p>Regulatory or Legal Mandates Sewage spills require reporting to MDE and often result in fines. Sewer system industry/professional standards related to materials, methods of construction, etc. change regularly. Likely most of the City’s sewer collection system would not meet current standards.</p>			<p>Operational Necessity Each component of the sewer collection system is necessary. Interceptors and trunk lines are particularly important to remain in operation since they serve many customers. Addressing the capital needs minimizes the potential for a major failure.</p>
<p>Prior Funding FY11: \$1,200,000. FY12: \$1,050,000</p>		<p>Non-City sources of funding</p>	
<p>FY13 Budget commitment allows project stage: Design, Construction</p>		<p>Project Years Recurring</p>	<p>Total Project Budget Annual range 2.3 to 2.7M</p>

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Planning/Design Costs	270,000	275,000	285,000	300,000	310,000	315,000	1,755,000
Construction Costs	1,875,000	1,936,000	1,979,000	2,040,000	2,095,000	2,160,000	12,085,000
Construction Project Mgmt	90,000	94,000	96,000	100,000	105,000	105,000	590,000
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees	35,000	35,000	40,000	40,000	40,000	50,000	240,000
Contingencies	50,000	50,000	60,000	50,000	50,000	50,000	310,000
Total	2,320,000	2,390,000	2,460,000	2,530,000	2,600,000	2,680,000	14,980,000

Funding Schedule							
Bond funds	2,320,000	2,390,000	2,460,000	2,530,000	2,600,000		12,300,000
Operating funds - Sewer Fund							
Capital Reserve - Sewer Fund						2,680,000	2,680,000
Total	2,320,000	2,390,000	2,460,000	2,530,000	2,600,000	2,680,000	14,980,000

Debt Analysis			
FY13-FY17 Total	Borrowing Term (Years)	Average Annual Debt Service	Average Tax Rate Impact
12,300,000	30	722,625	0*

* No tax rate impact due to 2011 adjustment in sewer rates. If expressed as a tax rate impact, debt service would equate to 1.09.

Project Title Hillman Garage	Project Number: T4/MUNIS 732 /	Initiating Department Central Services
Asset Category Off Street Parking Facility	Asset Number 50026	Priority Score Project not scored to date
Project Description Replacement of the deteriorating 435-space garage with a new facility, with state of the art controls, ADA compliant pedestrian access, elevators, and appearance more compatible with the surrounding community. Structural repairs completed in 2010 extended the life of this facility. Project planning & design is recommended to begin in 2015. (per Department of Central Services, 2009)		
Regulatory or Legal Mandates		Operational Necessity
Prior Funding Approximately \$700,000 spent in 2009 and 2010 on structural repairs.		Non-City sources of funding
FY13 Budget commitment allows project stage: No funds requested in FY13		Project Years FY15-FY17 anticipated
		Total Project Budget

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Design Costs			300,000	765,190	1,530,360		2,595,550
Construction Costs					16,723,150		16,723,150
Construction Project Mgmt							0
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees					334,460		334,460
Contingencies					2,200,000		2,200,000
Total	0	0	300,000	765,190	20,787,970	0	21,853,160

Funding Schedule							
Bond funds			300,000	765,190	20,787,970		21,853,160
Operating funds - O.S. Parking							
Other							
Total	0		300,000	765,190	20,787,970	0	21,853,160

Debt Analysis			
FY13-FY18 Total	Borrowing Term (Years)	Average Annual Debt Service	Average Tax Rate Impact
21,853,160	30	1,283,873	0*

*No tax rate impact: project is funded from Off Street Parking Fund. If expressed as a tax rate impact, debt service would equate to 1.95.

Project Title Bulkhead Replacement, Phase 2	Project Number TBD	Initiating Department Harbormaster
Asset Category Harbor and Maritime Infrastructure	Asset Number	Priority Score Project not scored to date
Project Description The existing bulkhead is showing signs of failure which are noticeable at low tides. This section of the bulkhead, referred to as Phase 2, extends ~700 feet from the Harbormaster building, wraps around Ego Alley in front of the market place and ends at the Chandler (former Fawcetts) property line. The scope of work will include, but not be limited to, steel bulkhead, drainage, and resurfacing of the parking around the Harbormaster office where a sinkhole keeps developing. Includes the installation of 14' wide walkways. This project is recommended for funding in FY14, to allow completion of the City Dock Plan (currently underway).		
Regulatory or Legal Mandates		Operational Necessity
Prior Funding Project cost for Phase 1, completed in 2008: 9M. With assistance from federal and State partners, City share of project cost: ~ 4M.		Non-City sources of funding Phase 2 may be able to leverage approx. half of total project cost via same federal and State partners that assisted with Phase 1.
FY13 Budget commitment allows project stage: No funds requested in FY13.		Project Years FY14-FY15 anticipated
		Total Project Budget

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Design Costs		130,000					130,000
Construction Costs			6,000,000				6,000,000
Construction Project Mgmt							
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees							
Contingencies							
Total	0	130,000	6,000,000	0	0	0	6,130,000

Funding Schedule							
Bond funds		130,000	3,000,000				3,130,000
Operating funds - Dock Fund							
Other			3,000,000				3,000,000
Total	0	130,000	6,000,000	0	0	0	6,130,000

Debt Analysis			
FY13-FY18 Total	Borrowing Term (Years)	Average Annual Debt Service	Average Tax Rate Impact
6,130,000	20	463,581	0*

* No tax rate impact: project is funded from Dock Fund. If expressed as a tax rate impact, debt service would equate to .70.

Project Title Harbormaster Building	Project Number TBD	Initiating Department Harbormaster with Central Services
Asset Category Harbor and Maritime Infrastructure/ City Facility	Asset Number 50137 (Johnson Building) 50593 (Welcome Center)	Priority Score Project not scored to date
Project Description The Visitor Information Booth, Maritime Welcome Center, and public restrooms at the Johnson Harbormaster Building serve more visitors every year than any other City building. The existing Harbormaster building is in need of repair and expansion, as well as updating to provide appropriate access compliant with the ADA. The current offices are cramped and noisy due to new data and homeland security systems in place, and there are no meeting facilities. The work will include enlarged public restrooms on the ground floor, a new roof, refinishing the interior office space and customer counter, sprinklers, enlarged boater shower facilities, a new visitors' center window, and IT enhancements. All work is intended to include new security and access controls to allow for higher security of the public restroom facilities. Project is recommended for funding in FY14, to allow completion of the City Dock Plan, currently underway, and coordination with the Facility Asset Management Program.		
Regulatory or Legal Mandates		Operational Necessity
Prior Funding		Non-City sources of funding State and federal funds (Waterways Improvement Fund and Boating Infrastructure grant program) may cover up to 65% of the components of the project providing boater facilities.
FY13 Budget commitment allows project stage: No funds requested in FY13.		Project Years FY14-FY15 anticipated
		Total Project Budget

Appropriation Schedule	Budget	5-Year Capital Plan					FY13 - FY18 Total
	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	Proposed FY18	
Land Acquisition							
Design Costs		130,000					130,000
Construction Costs			2,000,000				2,000,000
Construction Project Mgmt							0
IT Costs							
Furniture/Fixtures/Equipment							
Legal Fees							
Contingencies							
Total	0	130,000	2,000,000	0	0	0	2,130,000

Funding Schedule							
Bond funds		130,000	2,000,000				2,130,000
Operating funds - Dock Fund							
Other							
Total	0	130,000	2,000,000	0	0	0	2,130,000

Debt Analysis			
FY13-FY18 Total	Borrowing Term (Years)	Average Annual Debt Service	Average Tax Rate Impact
2,130,000	20	161,081	0*

* No tax rate impact: project is funded from Dock Fund. If expressed as a tax rate impact, debt service would equate to .24.

LONG-TERM CAPITAL PROGRAM

The projects listed in this section represent upcoming capital needs that are subject to more careful scope definition. They are included in this section to convey to City leaders and other interested parties the general parameters and breadth of those capital needs. These projects, generally identified via area plans or other planning activity, may be included in the CIP in future years, depending on priorities, funding availability, and other considerations. They are listed in no particular order.

Taylor Avenue (#462)

Planning for this project was begun in prior years, and it is recommended in the Comprehensive Plan. With the completion of Park Place, this project will improve safety along this arterial route. Included in the project are curb and gutter, sidewalks, and a traffic signal at the Police Station and Poplar Trail. Construction documents and right of way plats are prepared, and right of way acquisition may begin upon funding.

Barbud Lane (#476)

Planning for this project was begun in prior years. Reconstruction of the street from Forest Drive to Janwall Street will include storm drains, curb and gutter, sidewalks and road paving. Additional right-of-way width will be required to establish a uniform width to support the desired improvements. This street currently lacks curbs and sidewalks and has stormwater ponding at the roadway edges.

Chinquapin-Admiral Intersection Realignment

This project was studied and recommended in the Outer West Land Use Analysis report (2003), West Street Transit Study (2009), and Comprehensive Plan. The Chinquapin Round Road and Admiral Drive intersections with West Street are offset, which inhibits continuous cross town movements and contributes to local and system-wide traffic congestion. This project should move forward in concert with the Outer West Street Opportunity Area Sector Plan, recommended to guide the transformation of the Outer West Street corridor from an automobile oriented suburban commercial character to an urban character focused on residential development and commercial uses.

Outer West Street Gateway & Corridor (#457)

This project should proceed in coordination with the Chinquapin-Admiral Intersection Realignment project. Outer West Street, with its multiple and uncoordinated commercial driveways, poor pedestrian safety record, high vehicle collision rates, congestion, and inefficient carrying capacity, is obsolete in its current configuration. The route needs to be improved, deserving of its role as a major gateway street. Pedestrian amenities, bicycle lanes, and modern and efficient transit operations will be featured prominently on the new Outer West Street. This project is recommended in the Comprehensive Plan and West Street Transit Study (2009) and should move forward in concert with the Outer West Street Opportunity Area Sector Plan.

Multi-Modal Transportation Hub

A Multi-Modal Transportation Hub is recommended in the vicinity of the intersection of Old Solomons Island Road and West Street per the Comprehensive Plan and the West Street Transit Study (2009). The Hub should serve as the primary terminal for regional and local transit, taxis, and airport shuttles. In addition to serving as the Hub for public transit, it should provide intercept parking for vehicles, a bicycle rental facility, and be connected to the developing bicycle network. A partnership of public agencies and the private sector is recommended to implement this project.

Fleet and Cornhill Street Reconstruction (#454)

Planning for this project was begun in prior years, and it is part of the City's commitment to underground utilities in the Historic District. The project is proposed for the Design stage and value engineering. Original project scope included total reconstruction of water, sewer, and storm drains, undergrounding of overhead wires, installation of granite curbs, brick sidewalk replacement, new roadway surface, and street lights. The original scope included street lights and brick sidewalk along Market Place. These streets are among the major streets in the vista of Maryland's State Capital Building.

Maryland Avenue Improvements (#472)

This project is part of the City's commitment to underground utilities in the Historic District. The project will replace existing water, sewer, gas and storm drains, and construct new brick roadway and sidewalks with granite curbs. This project should not proceed without funds from the State of Maryland.

Sixth Street Improvements (#471)

This project is an outcome of the Eastport Streetscape Plan (2005). The project would replace underground infrastructure, place overhead utilities underground, and create a sense of arrival to Eastport with paving, widened sidewalks, and other streetscape treatments.

Smithville and Russell Street Improvements (#455)

This project is recommended in the Bates Neighborhood Community Legacy Plan (2005). The project improves the roads and sidewalks on Smithville and Russell streets, and supports the Wiley Bates Heritage Complex, specifically the Senior Center, Boys & Girls Club, and residences.

West Annapolis Improvements

This project should proceed with the West Annapolis Sector Study as recommended in the Comprehensive Plan. The project will implement features important to the area's future character and identity, circulation, and economic viability. This could include measures to enhance pedestrian and bicycle safety, a parking strategy, signage, road alignment, access management, urban design amenities, and connections to the bicycle network.

Flood Control Infrastructure (#728)

The study, "Flood Mitigation Strategies for the City of Annapolis: City Dock and Eastport Area" will be completed during 2011. The goals of the study include the identification of structural options for protecting property in flood threatened areas and estimating design and construction costs associated with the structural protection measures. This study will be the basis for future capital projects.

CONSISTENCY OF CAPITAL PROJECTS WITH COMPREHENSIVE PLAN

Beginning this year, capital projects were scored on nine evaluation criteria, as described in the *Capital Planning and Budget Policy*. One evaluation criteria is consistency of the project with the Comprehensive Plan. An assessment of the degree to which the project furthers any of Comprehensive Plan’s strategic goals, as adopted in the Comprehensive Plan, was provided by the department proposing the project and reviewed by the Capital Working Committee. Projects may be consistent with more than one Strategic Goal, but can receive no more than the 6-point maximum.

<i>Comprehensive Plan Strategic Goal</i>	<i>Project Name</i>	<i>Score (of 6 points possible)</i>
Economic Development: Improve the city's property tax base by investing in projects that will spur new private investment to redevelop vacant and/or underutilized properties.	City Dock Development	6
Buildings/Facilities: Shrink the City's carbon footprint and become a community of green buildings to combat climate change.	City Hall Restoration	5
Roads: Specific and targeted improvements to the local street system should be made with priority to those that improve cross-town circulation, route continuity for public transit, and intersection capacities.	General Roadways City Dock Development	2 6
Roads: Street improvements should be made to support the implementation of the Opportunity Areas.		
Roads: The City will invest in system-wide improvements to convert main streets and avenues into "complete streets" - that is, streets which serve the full needs of the community.		
Recreation/Parks: Enhance existing parks and facilities with the objective of supporting structured and informal recreation, protecting the natural environment, and encouraging human health and fitness.	Truxtun Park Pool	5
Recreation/Parks: Expansion of the parks system should be undertaken selectively and strategically, with the objective of taking advantage of rare opportunities, providing parks and recreation services to underserved areas, allowing public access to the waterfront, and furthering environmental goals.	Kingsport Park	4
Trails: Complete the network of pedestrian and bicycle pathways.	Trail Connections	5

Transportation: Pursue the creation of a regional transit system serving the needs of Annapolis commuters, residents, and visitors.		
Buildings/Facilities and Roads: Protect and enhance Annapolis' rich cultural history and wealth of historic resources.	City Hall Restoration	5
	City Dock Development	6
Stormwater: Reduce the polluting effects of stormwater runoff into the Chesapeake Bay and its tributaries.	City Dock Development	6
	Landfill	4
Water: Protect and conserve the existing water supply and distribution systems by modernizing the existing treatment, storage and distribution system.	Water Treatment Plant	6
	Water Distribution System	6
	SCADA/ Radio Upgrade	6
Sewer: Enhance the Wastewater collection and treatment systems by modernizing the existing collection system	Sewer Pump Station Rehab	6
	Sewer Rehab & Upgrades	6
	SCADA/ Radio Upgrade	6

Appendix

**CITY OF ANNAPOLIS
CAPITAL PLANNING AND BUDGET POLICY**

Sections:**Overview****Threshold Definition****Organization & Process****Capital Programming Committee****Capital Working Committee****Annual Submission & Assessment Components****Evaluation Process****Evaluation Criteria****Presentation & Project Categories****Annual Reporting****Annual Inventory****Role of Comprehensive Plan/Master Plans in Capital Improvement Planning****OVERVIEW**

Capital infrastructure is the cornerstone to providing core City services. The procurement, construction, and maintenance of capital assets are critical activities performed by the municipality. Capital assets are comprised of facilities, infrastructure, and the equipment and networks that enable, or improve the delivery of public sector services. Examples of capital assets include, but are not limited to: streets and public rights-of-way, supporting road infrastructure such as sidewalks and lighting; storm water and drainage systems; water and sewer systems; public buildings; recreation and community centers; public safety facilities; certain types of rolling stock/vehicles; and computer technology, information systems and technology infrastructure.

The City meets its current and long-term needs with a sound long-term capital plan that clearly identifies capital and major equipment needs, maintenance requirements, funding options, and operating budget impacts. A properly prepared capital plan is essential to the future financial viability of the City. Recognizing that budgetary pressures make capital program investments difficult, it is imperative that the City's annual budget and capital improvement plan ensures the continuing investment necessary to avoid functional obsolescence and preclude the negative impact of deferring capital investments.

When considering funding solutions for its capital program, the City considers all forms of public financing and not only general obligation bonds or general fund revenues. By minimizing the burden on general revenues and the reliance on general fund debt, the City will be able to maximize the city's future fiscal flexibility. Other funding sources include, but are

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not limited to; general fund receipts, debt proceeds, grant funds, special revenue fund revenues and transfers from other available funds including fund balance and/or retained earnings. Additionally, one time revenues should be restricted to one time uses. One time revenue sources should not be used to augment operating budgets; rather, one time revenues should be used to fund one-time capital projects and expenditures, or to increase fund balance. Other capital planning objectives include:

- compliance with arbitrage regulations, bond covenants, and/or bond referenda requirements related to long-term debt;
- compliance with state and local laws, including debt capacity limits, public bidding and reporting requirements;
- ensuring a relationship between capital projects and the City's planning processes;
- the alignment of external and internal stakeholder information needs, such as project engineers, contractors, finance staff, executive management, elected officials, and constituents;
- meeting the business needs of key participants, including timing, cost activity, and project scope;
- reporting of project performance measures based on legal and fiduciary requirements and stakeholder needs; and
- compliance with the City's contracting procedures and requirements.

Finally, the quality and continued utilization of existing and new capital assets are essential to the health, safety, economic development and quality of life for the citizens of Annapolis. A vibrant local economy is integral to the community's vitality and the financial health of surrounding regional jurisdictions. Regional economic development may require the financial participation of the City. For these reasons, capital planning is not only an important component of fiscal planning, it is equally important to the vitality of the local economy.

The City shall adopt an annual long-term Capital Improvement Program as part of the annual capital budget. Furthermore, depending upon changes in project scope, funding requirements, or other issues and modifications, it may be necessary to amend the long-term capital plan annually to update the City's long-term capital plan to reflect these changes. The City will annually reconsider the impacts these may have on the long-term capital improvement plan and the City's pro-forma budgets and re-prioritize projects as necessary.

THRESHOLD DEFINITION

The City shall define a capital asset as an asset meeting the following criteria.

- The asset shall have a gross purchase price equaling \$50,000 or more.
- The asset shall have a useful life equaling 5 years or more.

ORGANIZATION AND PROCESS

Capital Programming Committee:

The City shall establish a Capital Programming Committee (CPC). In addition to insuring overall compliance with the City's Capital Policy, the core responsibility of the CPC is to

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objectively evaluate departmental requests, and to submit an annual capital budget and an updated twenty-year capital plan to the Mayor and City Council. These submissions shall be based upon the Capital Working Committee's (CWC) recommendations. ~~Prior to submitting the annual capital budget and the twenty year capital plan, the CPC shall hold a public hearing for the purpose of receiving public input.~~

The Capital Programming Committee shall consist of seven members and be comprised of the following people; the Chairman of the Finance Committee, the Chairman of the Financial Advisory Committee, the Chairman of the Planning Commission and/or a member at large, the City Manager, the City's Director of Planning and Zoning, the City's Public Works Director, and the City's Finance Director.

Capital Working Committee

The Capital Working Committee (CWC) shall be comprised of the City's department directors and any additional members the City Manager shall appoint at his discretion. The Chairman of the Working Committee shall be appointed by the City Manager. The Working Committee shall be charged with annually compiling departmental requests and assuring supplemental information is current and timely, such as vehicle replacement and inventory schedules. Additionally, the CWC may assist the CPC with updating the City's long-term Capital Improvement Plan. The long-term capital plan will be revised based on departmental requests and current City priorities as outlined in the Mayor's Budget.

Annual Submission and Assessment Components

When submitting capital projects for consideration, managers shall provide the information outlined below for each project. This information will be sufficiently documented in the early stages of the planning and development stage since the quality of the documentation may significantly impact the deliberative decision making process. It is the responsibility of the Working Committee to assure that required documentation accompanies each capital request that is forwarded to the CPC. If this information is not complete or if it is otherwise lacking, funding decisions may be deferred.

- **Project Scope;** a complete description of the project's scope.
- **Useful Life;** the capital asset's anticipated useful life and the project's maximum bonding period.
- **Residual Value;** the expected value of the asset at the end of its useful life.
- **Financial Components**
 - **Total project cost:** The asset's total project and/or acquisition cost based on timely and accurate source documentation. This estimate shall include all cost components, including but not limited to; land acquisition, design, construction, project management, technology and communication costs, long-term and/or temporary financing debt service costs, furniture/fixtures/equipment, moving, legal fees and project contingencies.
 - **Funding plan:** recommended funding sources, including; grants, loans, operating funds, general revenues, debt, an allocated source or earmarked revenue streams, and transfers from other available funds.

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- Grant Funding: the amount of funding to be provided by grant funds from outside agencies. This should also address:
 - status of the grant application and key dates or timelines;
 - grant matching fund requirements;
 - the amount of grant funding compared to the project cost: both for the current project stage and for the entire project;
 - if/when associated operating grant offsets will cease.
- Budget impact analysis: an analysis of the capital asset's annual operating costs before and after construction/purchase. This should include; operating expenses, repair and maintenance budget, and insurance costs. These costs should be detailed for the duration of the asset's useful life and adjusted for anticipated inflation for the asset's useful life.
- Implication of deferring the project (opportunity costs): costs associated with deferring the project, such as inflationary construction costs or additional annual operating and maintenance costs for each year the project is not funded.
- Preparation of analytical modeling, including;
 - Net present value
 - Payback period
 - Cost-benefit analysis
 - Life cycle costing
 - Cash flow modeling
 - Cost Benefit analysis
- **Health, safety and welfare**; an assessment of the degree to which the project improves public health, safety, and welfare.
- **Regulatory or legal mandates**; legal mandates associated the project - compliance with court orders, consent orders or other legal mandates; compliance with federal/state/local safety requirements or mandates; requirements to meet industry best practices and/or professional standards; and/or addresses a deficiency in providing adequate levels of service as determined during the Adequate Public Facilities review process.
- **Operational necessity**; improved productivity and/or efficiencies that are supported or enabled by the asset.
- **Strategic Goals**; an assessment of the degree to which the project furthers the City's strategic goals as adopted in the Comprehensive Plan and listed in the section of this policy that addresses the role of the Comprehensive Plan.
- **Community Demand**; an assessment of the degree to which the project meets a community need or responds to community demand. How need/demand was assessed, measured, or recorded will be noted.
- **Implementation readiness**; an assessment of the time required for a project to begin. This should include an assessment of: project complexity; internal decisions/commitments that are required; review requirements by boards/commissions; agreements or approvals required by non-City entities; timing considerations with other capital projects (if applicable); the degree to which the project is in compliance with the Comprehensive Plan and/or other City-adopted plans; and level of public support. Whether a public information strategy is recommended will be noted.

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- **Departmental Prioritization;** departments should provide a score for each of their capital requests based on the evaluation criteria in this policy. This score will be reviewed by the CWC during the annual CIP process.

Evaluation Process

It shall be the responsibility of the Capital Programming Committee to review the Working Committee’s recommendations and scores for each of the projects based on the criteria outlined below. The initiating department shall score the capital project, with full justification provided for the assigned scores. The Capital Working Committee will review the assigned scores for each submitted project, and will recommend changes in order to maintain consistent scoring across all projects. The scores will then be reviewed by the CPC. If the CPC does not agree with the assigned scores, it can either make changes or send the project back to the Working Committee for re-evaluation. When the CPC completes the review of project scoring, the resulting rank ordering will determine the prioritization of the projects.

Evaluation Criteria

Criteria are described more fully in the Assessment Components section.

<p>1. Health, Safety & Welfare An assessment of the degree to which the project improves health and safety factors associated with the infrastructure asset. For example, projects that result in the reduction of accidents, improved structural integrity, and mitigation of health hazards would score higher.</p>	25
<p>2. Regulatory or legal mandates An assessment of the degree to which the project is under a regulatory order or other legal mandate, or meets a federal, State or local safety requirement.. For example, projects that are required by consent decrees, court orders, and other legal mandates would score higher.</p>	25
<p>3. Operational Necessity An assessment of the degree to which the project supports operational efficiency and effective delivery of services. Guidelines: <i>Improves</i> operational functions and services: up to 10 points <i>Sustains</i> operational functions and services: up to 5 points</p>	10
<p>4. Implication of Deferring the Project (opportunity costs) An assessment of the consequences of delaying a project. For example, projects that would have significantly higher future costs, negative community aspects, or negative public perception, should they be deferred, would score higher.</p>	10
<p>5. Budget Impact An assessment of the project’s budget impact, ie. the degree to which it affects operations and maintenance costs positively or negatively. For example, a roof replacement project that reduces both maintenance requirements and energy consumption or a storm drain that reduces the need for periodic cleaning would score higher. On the other hand, a new facility that increases maintenance, energy and staffing costs would score lower.</p>	5
<p>6. Strategic Goals An assessment of the degree to which the project furthers the City’s strategic goals as adopted in the Comprehensive Plan. (These are listed in the section of this policy</p>	6

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addressing the Comprehensive Plan.)	
7. Grant Funding Opportunity An assessment of the amount of funding in the project compared to the amount of funding provided by grant funds from outside agencies. This should include an assessment of the amount of funding needed to complete the current project phase and the entire project. For example, a project that would bring grant funds from an outside agency into the City would score higher, while a project that relies only on City funds would score lower.	7
8. Community Demand An assessment of the degree to which the project meets a community need or responds to community demand.	7
9. Implementation readiness An assessment of the time required for a project to begin.	5
Total points possible:	100

Presentation and Project Categories

Capital projects and the capital plan should be categorized using the asset classifications outlined below.

- Buildings/Facilities
- Information Technology Systems and Technology Infrastructure
- Roads, Sidewalks, and assets located in the public right of way
- Parks/Recreation Facilities/ Open Space
- Drainage/Stormwater
- Harbor and Maritime Infrastructure
- Off-Street Parking Facilities
- Water
- Wastewater
- Rolling Stock/Vehicles
- Transportation
- Landfill

In order to maintain project oversight during each development phase, to ensure accurate and timely data is being used in the deliberative evaluative process, and to ensure that projects are being compared and ranked at each step during the develop phases; projects shall be categorized into the following stages.

- The Planning Stage; includes development of a feasibility study, the scope and a construction budget including the financial criteria outlined above.
- The Design Stage; includes development of the environmental document, construction plans and specifications, and a cost estimate per above criteria.
- The Construction Stage; includes site preparation, utility and infrastructure placement, equipment installation, construction and environmental mitigation.

Additionally, annual capital budgets should be submitted for the following time periods.

City of Annapolis - Capital Planning and Budget Policy

- Years 1-5; separate submissions for each request by year, year 1 being the budget year being submitted.
- Year 6-10, 11-15 and 16-20; separate submissions for each request by year range.

Example
City of Annapolis
Capital Plan
Fiscal Year 20XX

Project Category / Stage / Project	Current Year	Year 2	Year 3	Year 4	Year 5	Years 6-10	Years 11-15	Years 16-20	Total
<u>Building</u>									
<i>Planning Stage</i>	<hr/>								
Subtotal	<hr/>								
<i>Design Stage</i>	<hr/>								
Subtotal	<hr/>								
<i>Construction Stage</i>	<hr/>								
Subtotal	<hr/>								
Total	<hr/>								
<u>Roads</u>									
<i>Planning Stage</i>	<hr/>								
Subtotal	<hr/>								
<i>Design Stage</i>	<hr/>								
Subtotal	<hr/>								
<i>Construction Stage</i>	<hr/>								
Subtotal	<hr/>								
Total	<hr/>								
<u>Water</u>									
<i>Planning Stage</i>	<hr/>								
Subtotal	<hr/>								
<i>Design Stage</i>	<hr/>								
Subtotal	<hr/>								
<i>Construction Stage</i>	<hr/>								
Subtotal	<hr/>								
Total	<hr/>								
Total Capital	<hr/> <hr/>								

ANNUAL REPORTING

The financial management and oversight of the City's capital assets reflect a substantial commitment of the City's resources. Given this materiality, capital projects represent a significant risk to the City if proper management and oversight functions are not in place. Consequently, one purpose of this policy is to implement procedures to support effective project monitoring and reporting, thereby mitigating such risks. Further, it is the intent of the policy to insure financial accountability, enhance operational effectiveness and promote transparency in the City's financial reporting. Finally, an objective of annual reporting is to facilitate compliance with auditing and financial reporting requirements, consistent with generally accepted accounting principles and jurisdictional reporting and grant requirements. .

Annual Inventory

It shall be the responsibility of the City's Finance Office to assure that departments are maintaining a complete inventory of the City's capital assets. This inventory shall be updated and reconciled to the City's Financial Records; e.g., general ledger/fixed asset module on a quarterly basis. To facilitate the process, database, project management and geographic information technologies should be employed. This inventory shall contain the following information.

- Purchase date
- Purchase price
- Asset number
- Description of the asset
- Asset location
- Department
- Accumulated Depreciation
- Useful Life
- Book Value
- Replacement Cost, if obtainable
- Annual operating and maintenance costs
- The physical condition

On an annual basis, by September 30st, the Department Director shall verify the inventory of assets under their respective department's responsibility, including the physical condition of all existing capital assets.

Since executive leadership, legislators, and citizens should have the ability to review the status and expected completion of approved capital projects, as part of the annual capital budget process, the Finance department shall report on non-completed capital projects funded in prior years. The reports shall compare actual expenditures to the original budget, identify level of completion of the project, enumerate any changes in the scope of the project, and alert management to any concerns with completion of the project on time or on schedule.

THE ROLE OF THE COMPREHENSIVE PLAN AND MASTER PLANS IN CAPITAL IMPROVEMENT PLANNING

In its Comprehensive Plan, the City establishes long-range strategies focused on community development and sustainability. As a blueprint for the future, and in accordance with Article 66B of the Annotated Code of Maryland, this plan identifies economic, land use, and transportation policies, and includes policies guiding infrastructure, housing, sensitive environmental resources, and community facilities. Regular updates to this plan will ascertain development or infrastructure needs as local conditions change.

The City's Comprehensive Plan should be the foundation for the following.

- The development of physical plans for sub-areas of the jurisdiction.
- The study of subdivision regulations, zoning standards and maps.
- The location and design of thoroughfares and other major transportation facilities.
- The identification of areas in need of utility development or extensions.
- The acquisition and development of community facility sites.
- The acquisition and protection of open space.
- The identification of economic development areas.
- The incorporation of environmental conservation and green technologies.
- The evaluation of short-range plans (zoning requests, subdivision review, site plan analysis) and day-to-day decisions with regard to long-range jurisdictional benefit; and the alignment of local jurisdictional plans with regional plans.
- The development of a capital plan to facilitate the City's Comprehensive Plan.

The Comprehensive Plan also adopts Strategic Goals, which are referenced in the evaluation of capital projects, and these are incorporated into this policy. When the Comprehensive Plan is updated, the update shall formulate new strategic goals. The Strategic Goals per the 2009 Comprehensive Plan are as follows:

1. Economic Development: Improve the city's property tax base by investing in projects that will spur new private investment to redevelop vacant and/or underutilized properties.
2. Buildings/Facilities: Shrink the City's carbon footprint and become a community of green buildings to combat climate change.
3. Roads: Specific and targeted improvements to the local street system should be made with priority to those that improve cross-town circulation, route continuity for public transit, and intersection capacities.
4. Roads: Street improvements should be made to support the implementation of the Opportunity Areas.
5. Roads: The City will invest in system-wide improvements to convert main streets and avenues into "complete streets" - that is, streets which serve the full needs of the community.
6. Recreation/Parks: Enhance existing parks and facilities with the objective of supporting structured and informal recreation, protecting the natural environment, and encouraging human health and fitness.
7. Recreation/Parks: Expansion of the parks system should be undertaken selectively and strategically, with the objective of taking advantage of rare opportunities, providing parks and recreation services to underserved areas, allowing public access to the waterfront, and furthering environmental goals.
8. Trails: Complete the network of pedestrian and bicycle pathways.

City of Annapolis - Capital Planning and Budget Policy

9. Transportation: Pursue the creation of a regional transit system serving the needs of Annapolis commuters, residents, and visitors.
10. Buildings/Facilities and Roads: Protect and enhance Annapolis' rich cultural history and wealth of historic resources.
11. Stormwater: Reduce the polluting effects of stormwater runoff into the Chesapeake Bay and its tributaries.
12. Water: Protect and conserve the existing water supply and distribution systems by modernizing the existing treatment, storage and distribution system.
13. Sewer: Enhance the Wastewater collection and treatment systems by modernizing the existing collection system

Functional Master Plans may be developed to inventory and assess particular types of physical infrastructure, identify deficiencies, and prioritize needed investments. Functional (topic) areas include, but are not limited to:

- City Facilities
- Parks, Recreation, and Open Space
- Transportation, including Bicycle and Pedestrian Facilities
- Water and Sewer Infrastructure
- Information Technology Systems and Technology Infrastructure

The City recognizes the role of the Comprehensive Plan and master plans as key components of the City's long-term Capital Improvement Plan. Therefore, the Comprehensive Plan should help identify capital projects and investments. Accordingly, the Comprehensive Plan should be supported by realistic planning documents, solid financial policies targeted for the implementation of stated goals, and trends on the City's accomplishments and progress toward these goals. Such plans forecast the outlook for the City, underscoring the alignment between demand generators, capital improvement programs, and funding policies.

Appendix B

Scoring of Capital Projects – Summary

This is the first year that the City is preparing its Capital Improvement Program (CIP) under the *Capital Planning and Budget Policy* approved by the City Council in June, 2011. Among other things, the policy requires that all projects be scored on nine criteria to receive up to 100 points. This is to provide a measure of objectivity and help determine the relative priority of projects and resulting funding commitments. The project scores will help rank projects within funding categories. For instance, projects funded via the General Fund are ranked relative to each other, projects funded via the Water Enterprise Fund are ranked relative to other water projects, etc. The evaluation criteria are listed on page 2.

This year, a total of thirteen capital projects were scored using the new criteria. Four are existing projects recommended for continued funding from the General Fund; four are new projects via the General Fund; and five are existing water and sewer projects.

For each project, the department submitting the project provided a score based on the evaluation criteria. Project scores were then reviewed by the Capital Working Committee (CWC) and the CWC recommended changes in order to maintain consistent scoring across all projects. The departmental and CWC scores are presented on pages 3 – 5.

The project scores were then submitted to the Capital Programming Committee (CPC) for review. Per the policy, if the CPC does not agree with the assigned scores, it can either make changes or send the project back to the CWC for re-evaluation. When the CPC completes the review of project scoring, the resulting rank ordering helps determine the prioritization of projects. The ranking of projects should help determine funding recommendations for the FY13-FY18 CIP.

Evaluation Criteria

<p>1. Health, Safety & Welfare An assessment of the degree to which the project improves health and safety factors associated with the infrastructure asset. For example, projects that result in the reduction of accidents, improved structural integrity, and mitigation of health hazards would score higher.</p>	25
<p>2. Regulatory or legal mandates An assessment of the degree to which the project is under a regulatory order or other legal mandate, or meets a federal, State or local safety requirement. For example, projects that are required by consent decrees, court orders, and other legal mandates would score higher.</p>	25
<p>3. Operational Necessity An assessment of the degree to which the project supports operational efficiency and effective delivery of services. Guidelines: <i>Improves</i> operational functions and services: up to 10 points <i>Sustains</i> operational functions and services: up to 5 points</p>	10
<p>4. Implication of Deferring the Project (opportunity costs) An assessment of the costs associated with deferring the project, such as inflationary construction costs or additional annual operating and maintenance costs for each year the project is not funded. For example, projects that would have significantly higher future costs, negative community aspects, or negative public perception, should they be deferred, would score higher.</p>	10
<p>5. Budget Impact An assessment of the project's budget impact, ie. the degree to which it affects operations and maintenance costs positively or negatively. For example, a roof replacement project that reduces both maintenance requirements and energy consumption or a storm drain that reduces the need for periodic cleaning would score higher. On the other hand, a new facility that increases maintenance, energy and staffing costs would score lower.</p>	5
<p>6. Strategic Goals An assessment of the degree to which the project furthers thirteen (13) City's strategic goals as adopted in the Comprehensive Plan and listed in the section of the policy addressing the Comprehensive Plan.</p>	6
<p>7. Grant Funding Opportunity An assessment of the amount of funding in the project compared to the amount of funding provided by grant funds from outside agencies. This should include an assessment of the amount of funding needed to complete the current project phase and the entire project. For example, a project that would bring grant funds from an outside agency into the City would score higher, while a project that relies only on City funds would score lower.</p>	7
<p>8. Community Demand An assessment of the degree to which the project meets a community need or responds to community demand. How need/demand was assessed, measured, or recorded will be noted.</p>	7
<p>9. Implementation readiness An assessment of the time required for a project to begin. This should include an assessment of: project complexity; internal decisions/commitments that are required; review requirements by boards/commissions; agreements or approvals required by non-City entities; timing considerations with other capital projects (if applicable); the degree to which the project is in compliance with the Comprehensive Plan or other City-adopted plans; and level of public support. Whether a public information strategy is recommended will be noted.</p>	5
Total points possible:	100

General Fund – Existing Projects (scored at 11/9/11 CWC meeting)

		Roadways #477		Landfill #122		City Hall Restoration #544		City Dock Development #739	
Stage (in FY13)		Construction		Design/ Construction		Design/ Construction		Planning/ Design	
Evaluation Criteria	Total possible	Dept.	CWC	Dept.	CWC	Dept.	CWC	Dept.	CWC
Health Safety & Welfare	25	20	20	22	22	15	14	15	15
Regulatory or legal mandates	25	20	18	22	24	10	9	10	8
Operational Necessity	10	5	5	9	7	10	9	5	5
Implication of deferring (financial component #3)	10	7	7	9	9	10	10	0	0
Budget impact (financial component #2)	5	5	4	0	0	5	4	0	0
Strategic goals (Comp Plan)	6	2	2	4	4	5	5	6	6
Grant funding (financial component #1)	7	7	5	1	1	5	4	4	4
Community demand	7	7	7	5	3	5	4	7	6
Implementation readiness	5	5	5	5	5	2	3	5	4
	100	78	73	77	75	67	62	52	48

General Fund - New Projects (scored at 11/3/11 CWC meeting)

		Truxtun Park Pool		Trail Connections		Kingsport Park		AFD Paving	
Stage (in Year 1)		Planning		Design/Construct		Design/ Construction		Construction	
Evaluation Criteria	Total possible	Dept.	CWC	Dept.	CWC	Dept.	CWC	Dept.	Dept.
Health Safety & Welfare	25	20	17	20	14	20	13	20	18
Regulatory or legal mandates	25	22	19	0	0	0	0	12	12
Operational Necessity	10	8	8	5	5	7	6	5	8
Implication of deferring (financial component #3)	10	8	8	5	3	5	3	3	7
Budget impact (financial component #2)	5	4	3	4	3	4	3	0	1
Strategic goals (Comp Plan)	6	5	5	4	5	4	4	0	1
Grant funding (financial component #1)	7	4	2	5	5	6	6	0	0
Community demand	7	6	6	5	5	6	5	5	3
Implementation readiness	5	5	4	4	4	4	4	5	5
	100	82	72	52	44	56	44	50	55

Water Projects (Enterprise Fund) - scored at 10/20/11 CWC meeting

Evaluation Criteria	Total possible	Water Treatment Plant (#724)		Water Distribution System (#738)		SCADA Also shown with sewer projects	
		Dept.	CWC	Dept.	CWC	Dept.	CWC
Health Safety & Welfare	25	22	21	18	19	19	19
Regulatory or legal mandates	25	15	13	12	12	0	0
Operational Necessity	10	10	10	8	6	10	10
Implication of deferring (financial component #3)	10	10	10	3	3	3	3
Budget impact (financial component #2)	5	4	4	2	2	1	1
Strategic goals (Comp. Plan)	6	6	6	6	6	6	6
Grant funding (financial component #1)	7	5	5	2	1	0	0
Community demand	7	2	2	2	2	1	1
Implementation readiness	5	3	3	4	4	5	5
	100	77	74	57	55	45	45

Sewer Projects (Enterprise Fund)

Evaluation Criteria	Total possible	Sewer Pump Station Rehab (#706)		Sewer Rehab Upgrades (#743)		SCADA Also shown with water projects	
		Dept.	CWC	Dept.	CWC	Dept.	CWC
Health Safety & Welfare	25	18	18	18	18	19	19
Regulatory or legal mandates	25	15	14	15	14	0	0
Operational Necessity	10	8	7	8	8	10	10
Implication of deferring (financial component #3)	10	4	4	5	5	3	3
Budget impact (financial component #2)	5	1	2	1	1	1	1
Strategic goals (Comp. Plan)	6	6	6	6	6	6	6
Grant funding (financial component #1)	7	1	1	1	1	0	0
Community demand	7	1	2	1	2	1	1
Implementation readiness	5	4	5	4	4	5	5
	100	58	59	59	59	45	45

SCADA Project ranked at 10/20/11 CWC meeting. #706 and #743 ranked at 11/9/11 CWC meeting.

Summary of all scores:

	Dept Score	CWC Score
General Fund - Existing Projects		
City Hall	67	62
Roadways	78	73
City Dock	52	48
Landfill	77	75
General Fund - New Projects		
Truxtun Park Pool	82	72
AFD Paving	50	55
Trail Connections	52	44
Kingsport Park	56	44
Water Projects		
Water Treatment Plant	77	74
Water Distribution System	57	55
SCADA	45	45
Sewer Projects		
Sewer Pump Station Rehab	58	59
Sewer Rehab Upgrades	59	59



City of Annapolis

Chartered 1708

PLANNING COMMISSION

(410) 263-7961

MUNICIPAL BUILDING
ANNAPOLIS, MARYLAND 21401

May 3, 2012

MEMORANDUM

To: City Council

From: Planning Commission

Re: Capital Improvement Plan, FY 2013-2018

At its regularly scheduled meeting on April 5, 2012, the Planning Commission held a public hearing on the City's Capital Improvement Plan (CIP) for fiscal years 2013 through 2018. City officials representing Planning & Zoning and Public Works presented the plan and Planning Commission members questioned them about its contents. The Commission then invited members of the public in attendance to speak regarding the plan. Two of them did so. One of the individuals who spoke presently serves as Vice Chair of the Transportation Board. The other previously worked for the City in a senior management role. They both acknowledged the P & Z and Public Works staff members for continuing to improve the plan with respect to clarity, project details and organization. They also raised concerns regarding the identification of funding sources for specific projects such as the Hillman Garage Improvements.

The Commission then closed the public hearing, deliberated and agreed that Commissioners would to review the printed copies of the plan in time to discuss their views and vote on a set of comments and recommendations in accordance with the City's legislative timetable for the CIP.

At its regularly scheduled meeting on May 3, 2012, the Planning Commission voted unanimously to make the comments and recommendations that appear on the following page regarding the City's FY 2013 – 2018 CIP.


Eleanor M. Harris, Ed.D., Chair

A. CAPITAL PLANNING & BUDGET POLICY & PROCESS

- Planning Commission acknowledges the City for continuing to improve the transparency, organization and legibility of its capital planning process over the past several years
- Planning Commission reiterates its strong support for including Comprehensive Plan conformance as one of the criteria for evaluating projects in Criterion #6 – Strategic Goals
- Planning Commission concurs with the idea of various City departments scoring each project and consolidating the scores to arrive at a consensus view of the relative importance of each project which appears in the CIP for the first time this year. However, based on the results, the Commission recommends reviewing and refining the methods, weighting, criteria, etc. by which the City arrives at these scores. For example, the Commission questions how the Truxtun Park Pool Replacement could score higher than all but one of the Water/Wastewater infrastructure projects that the pool depends upon
- Planning Commission recommends including project close-out reports in future CIP's that would address budget/schedule conformance, fulfillment of project objectives, etc.

B. RECOMMENDATIONS REGARDING SPECIFIC PROJECTS

1. Hillman Garage, #732

- Subject to the concurrence of the Transportation Board and the Parking Committee, Planning Commission reiterates its recommendation for deferring reconstruction of the Hillman Garage to the extent feasible and diverting the proposed funding to transit and parking information system improvements. This recommendation is based, in part, on concerns that the City's other parking facilities may be underutilized – particularly during special events that draw large numbers of visitors – and that one of the reasons for this is lack of awareness that spaces are available in these other facilities. The Commission further recommends surveying garage facility utilization during special events and on weekends to ascertain the extent to which available spaces remain unused.
- The Commission notes that the Annapolis Region Transportation Vision & Master Plan of 2006 included recommendations for placing automated parking information signs alongside major thoroughfares at key entry points to the City using readily available technology. The Commission supports implementing these recommendations in order to assure that existing parking facilities are well-utilized prior to adding capacity;
- Subject to the concurrence of the Transportation Board and the Parking Committee, the Planning Commission recommends adopting best practices in the emerging field of automated, dynamic, demand-based, time-varying on-street and garage space pricing and price notification systems in light of successful deployments of these methods in other cities where they have been proven to reduce congestion, increase transit use and improve overall parking availability

2. Capital Grants to Non-Profits, #531 – The Planning Commission supports these grants with the suggestion that some description of the economic returns to the City resulting from these expenditures be included in the CIP, such as increased restaurant and retail sales to visitors attracted by events held by these non-profits, increased opportunities to promote the City, etc.
3. General Roadways, #477 – The Planning Commission recommends assuring that all roadway improvement projects are carried out in a manner that respects and coordinates with the City's Bicycle Master Plan to the extent feasible.
4. City Dock, #739 – The Planning Commission has concerns that the amount budgeted for the City Dock design may not be sufficient to produce a design that takes into account the needs and concerns of the many stakeholders who have been participating in the work of the City Dock Advisory Committee

FISCAL IMPACT NOTE

Legislation No: R-9-12

First Reader Date: 3-12-12

Note Date: 3-16-12

Legislation Title: **Capital Improvement Budget and Program: FY 2013 to FY 2018**

Description: For the purpose adopting a capital improvement budget for the Fiscal Year 2013, and a capital improvement program for the six-year period from July 1, 2012 to June 30, 2018.

Analysis of Fiscal Impact:

The fiscal impact is described in detail in the budget document.

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

2
3 **CHARTER AMENDMENT NO. CA-01-10**

4
5 **Introduced by Alderman Israel**

LEGISLATIVE HISTORY			
First Reading:	Public Hearing:	Fiscal Impact Note:	120 Day Rule:
01/11/10	02/08/10	02/03/10	05/11/10
Referred to:	Meeting Date:	Action Taken:	
Civil Service Board	6/21/10	Favorable w/ comments	
Rules and City Gov't	5/18/10	Favorable w/ Amd	
			Postponed 4/11/11

7
8
9 **A RESOLUTION concerning**

10
11 **Deputy Department Directors**

12
13 **FOR** the purpose of requiring department directors, subject to mayoral approval, to
14 designate a full-time employee as deputy director.

15
16 * * * * *

17 **BY** repealing and re-enacting with amendments the following portion of the City
18 Charter:
19 Article VI, Section 2

20
21 * * * * *

22
23 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
24 **COUNCIL** that the Charter of the City of Annapolis shall be amended as follows:

25
26 **Article VI OPERATIONS**

27
28 **Sec. 2. - Department directors—Duties generally, appointment; removal;**
29 **compensation.**

30
31 A. Each department shall be administered by a director who shall be the appointing
32 authority for that department, shall be responsible for the execution of the duties and
33 responsibilities of the department and shall perform such other functions as are
34 delegated from time to time by this Charter, by ordinance, or by the mayor. Each
35 director shall be confirmed by the city council. In referring a nominee for confirmation,
36 the mayor shall describe the manner in which the nominee fulfills the qualification for the

1 position as enumerated in this article and as may be established by ordinance not
2 inconsistent therewith. A director may be removed from office by the mayor. The
3 compensation of each director shall be fixed by the mayor according to the provisions of
4 an executive pay plan adopted by ordinance.

5
6 B. Each department director shall, with the approval of the mayor, designate a full-time
7 employee as deputy director. In the event of a temporary absence or disability of the
8 director, the deputy director shall serve as acting director. During time of service as
9 acting director, the deputy director shall receive the same compensation paid to the
10 director.

11
12 ~~B.~~ C. Upon the occurrence of a vacancy in the directorship of a department, the Mayor
13 shall promptly designate a qualified person to serve as acting director. An acting
14 director may exercise all the powers of the director and enjoy the immunity accorded to
15 the director. An acting director shall receive such compensation as determined by the
16 Mayor. However, if a directorship remains vacant for six months, no compensation may
17 be paid to an acting director without the express consent of the Council. If a directorship
18 remains vacant for an additional period of six months or more, further compensation for
19 an acting director must be approved by the Council at every six month interval.

20
21 **SECTION II: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**
22 **COUNCIL** that the date of adoption of this Resolution is _____, and the
23 amendments of the Charter of the City of Annapolis, hereby enacted shall become
24 effective on _____, unless a proper petition for referendum hereon shall
25 be filed as permitted by law within 40 days of adoption, provided a complete and exact
26 copy of this Resolution shall be continuously posted on the bulletin board in the City Hall
27 until _____, and provided further that a copy of the title of this Resolution
28 shall be published in "The Capital", a newspaper of general circulation in the City of
29 Annapolis, or in any other newspaper of such general circulation, once in each of the
30 weeks on _____, _____, _____, and
31 _____.

32
33 **SECTION III: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**
34 **COUNCIL** that the Mayor is hereby specifically commanded to carry out the provisions
35 of Section II hereof, and, as evidence of such compliance, the Mayor shall cause to be
36 maintained appropriate certificates of publication of the newspaper or newspapers in
37 which the title of the Resolution shall have been published and if a favorable
38 referendum is held on the Charter change, shall declare the Charter change hereby
39 enacted to be effective on _____, by affixing his signature hereto in the
40 space provided on the effective date of change.

41
42 **SECTION IV: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**
43 **COUNCIL** that as soon as the Charter Amendment hereby enacted shall become

1 effective, either as provided herein or following a referendum, the Mayor shall send to
2 the Maryland Department of Legislative Services a copy of this Resolution showing the
3 number of Aldermen voting for and against it and a report on the votes cast for or
4 against the amendment hereby enacted at any referendum thereon and the date of
5 such referendum.
6

7 The above Charter Amendment was enacted by the foregoing Resolution which
8 was passed at a _____ meeting of the Annapolis City Council on _____, 2010;
9 _____ voting in the affirmative, _____ voting in the negative, _____ abstaining and _____
10 absent and the said Resolution becomes effective in accordance with law on the
11 _____ day of _____.
12

13
14 **ADOPTED** this _____ day of _____, 2010.
15

16
17 **ATTEST:**

THE ANNAPOLIS CITY COUNCIL

18
19
20
21 _____
22 **Regina C. Watkins-Eldridge, MMC**
23 **City Clerk**

BY: _____
JOSHUA J. COHEN, MAYOR

EXPLANATION:

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

Policy Report

CA-01-10, Deputy Department Directors

As provided by Art. VI, § 2B of the Annapolis Charter, the Mayor appoints acting department directors in the event of a vacancy. This individual enjoys all the powers and immunities of a director, and his or her compensation is determined by the Mayor. See ANNAPOLIS, MD., CHARTER Art. VI, § 2 (2010). Short-term absences and disabilities, however, are not provided for, and are currently addressed on an ad hoc basis by each department.

The proposed charter amendment would require each department director, subject to mayoral approval, to designate a full-time employee as deputy director. This designee would serve as director during short-term absences and disabilities and, during service, would receive the same compensation paid to the director.

Prepared by Seth B. Zirkle, City of Annapolis Office of Law, (410) 263-1184

**Mayor Cohen's
Amendment to CA-01-10**

On page 2, in line 5, strike the word "Mayor" and insert "City Manager"



City of Annapolis City Council
Standing Committee Referral Action Report

Date: 5/18/2010

To: Seth B. Zirkle,
City of Annapolis Office of Law,
Legislative and Policy Analyst

The Rules and City Government Committee has reviewed CA-01-10 and has taken the following action:

Favorable

Favorable with amendments

Unfavorable

No Action

Other

Comments:

*amend to remove the last line
Page 2 Line 7 - 9*

Roll Call Vote:

Ald. Arnett, Chair YES

Ald. Hoyle _____

Ald. Israel YES

Meeting Date 18 May 10

Signature of Chair Cass H. Arnett, III

**THE CITY OF ANNAPOLIS, MARYLAND
CIVIL SERVICE BOARD MINUTES**

June 28, 2010

MEMBERS PRESENT:

Anthony F. **CHRISTHILF**, Acting Chair
Clifton A. **JOHNSON**
Roberto L. **VELOSO**

EXCUSED:

Robert R. **PENALOZA**

STAFF PRESENT:

Kimla T. **MILBURN**, Director of Human Resources
Rose Mary **BLOUIN**, Human Resources

A quorum being present, the Acting Chairperson, Mr. Christhilf, called the meeting to order at 8:05 a.m.

ISSUE BEFORE THE BOARD: Appeal Hearing – Shelly L. Parker

The Board submitted its Decision on the Appeal Hearing of Shelly L. Parker. A copy of the decision is attached. Ms. Milburn will contact Ms. Parker regarding the decision.

ISSUE BEFORE THE BOARD: Charter Amendment No. CA-01-10 – Deputy

Department Directors

This amendment would require the designation of a deputy director in each department during the absence of a director.

After discussion, the Board had the following comments/recommendations:

Overall, the Board believes that it is a good idea to have a Deputy Director in each department. When the Deputy Director serves in the temporary absence of a Department Director, the Board believes this should occur for a short period of time. This situation is different than having an Acting Director appointed pursuant to provisions in the City Code. The current language is confusing on this issue. A distinction should be made between Acting Director that serves until the Mayor appoints a Director, and a Deputy Director filling in for a Director during a short absence, with the Director returning at a defined point in the future.

Also, the Board feels that a Deputy Director should not receive additional pay when serving as a temporary Director in the short absence of a Director. The Board questions why the Deputy designee must be approved by the Mayor if the Deputy is filling in for the Director for a short period of time. The Board believes that the Director should designate the Deputy Director that will serve as the Director during his/her short absence.

To clarify the Boards concerns, the following language changes are offered as a

suggestion.

“B. Each department director shall designate a full-time employee as deputy director to serve in the temporary absence or disability of the director.”

The Board has determined that this is the only language necessary to accomplish what it believes are the concerns which give rise to the creation of CA-01-10. If this is not the case, the Board request clarification from the City Council on their specific reason for the creation of this legislation.

ISSUE BEFORE THE BOARD: Closed Sessions

Discussion by the Board regarding meeting in closed session to reach a decision.

The Board will await a written decision from the Office of Law on its authority to meet in closed session.

The Board is also awaiting a response from the Office of Law regarding the section of the City Code that requires the City to maintain a balanced budget.

The next meeting of the Civil Service Board is scheduled for Monday, August 16, 2010 at 8:00 am in the Council Chambers.

The meeting adjourned approximately at 8:40 am.

FOR THE BOARD:


Anthony F. Christhill
Acting Chairperson

cc: Board Members
Mayor
Aldermen



MEMORANDUM

DATE: June 10, 2010
TO: Civil Service Board
FROM : Kimla T. Milburn, Human Resources Director 
RE: Charter Amendment – Deputy Department Directors

During a recent City Council Work Session, Alderman Richard Israel requested that I submit his legislation (CA-01-10) on the designation of a Deputy Department Director, to the Civil Service Board for review and comments.

It is my understanding that Ald. Israel feels it is important to ensure that a deputy director is in place during the absence of a director to maintain the continuity of department operations and to make critical, management decisions when necessary. Therefore, it is his desire to sponsor this charter amendment to require the designation of a deputy director in each department during the absence of a director.

As the City's designated oversight of civil service actions, Ald. Israel would like for the members of the Civil Service Board to review his legislation and provide comments to the City Council. Your comments and suggestions will be sent to the Rules Committee and the City Council for review.

With your consent, we can discuss this matter at 8:00 am on June 21, 2010, and begin the employee appeal hearing previously scheduled immediately thereafter.

Thank you.



City of Annapolis
Charter Revision Commission
Referral Action Report

Date: 10/6/11

To: Jessica Cowles,
City of Annapolis Office of Law,
Legislative and Policy Analyst

The Charter Revision Commission has reviewed **CA-01-11** and has taken the following action:

Favorable

Favorable with amendments *on page 2, line 7 between "service" and "as acting" add ", after two consecutive weeks"*

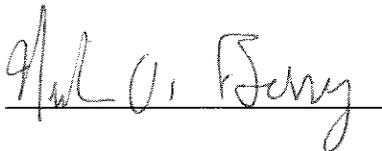
Unfavorable

No Action

Other

Comments:

Meeting Date 10/20/11

Signature of Chair 

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7

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance No. O-32-11

Introduced by: Mayor Cohen

LEGISLATIVE HISTORY			
First Reading	Public Hearing	Fiscal Impact Note	180 Day Rule
7/11/11			1/13/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't Planning Commission	7/11/11 7/11/11		

8
9 **A ORDINANCE** concerning

10 **Outdoor Dining in the B1 and B2 Zoning Districts**

11 **FOR** the purpose of clarifying the contradiction in use standards related to outdoor dining in the
12 B1 and B2 zoning districts in Chapters 21.64 and specific provisions in 21.42 of the Code of
13 the City of Annapolis.

14 **BY** repealing and reenacting with amendments the following portions of the Code of the City of
15 Annapolis, 2010 Edition
16 Section 21.64.540

17
18
19 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
20 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

21 **21.64.540 - Restaurants, standard.**

22 Standard restaurants are subject to the general standards for food and beverage-related uses. The
23 following additional standards apply:

- 24 A. Drive-through service is not permitted.
25 B. Catering or delivery service may be permitted as an accessory use.
26 C. B1, B2, B3, B3-CD, and PM Districts. In the B1, B2, B3, B3-CD, and PM districts the following
27 standards apply:
- 28 1. Where the use is permitted subject to standards:
 - 29 a. No more than fifty seats are permitted,
 - 30 b. Alcohol is permitted with the service of food,
 - 31 c. Hours of operation are limited to midnight seven days a week,
 - 32 d. Outdoor dining may be permitted, and
 - 33 e. No bar, dancing, or live entertainment is permitted, except in the PM district
34 where indoor, live, non-amplified acoustical musical entertainment may be
35 permitted.
 - 36 f. Recorded music shall be limited to background variety only.
 - 37 2. In the B1 district, more than fifty seats may be permitted by special exception.
 - 38 3. In the B1 and B2 districts, notwithstanding provisions in Section 21.42.020 D.2. and
39 Section 21.42.030 D.1., outdoor dining may be permitted by special exception in
40 accordance with Table 21.48.020.

- 1
- 2 3 4. In the B2, B3, B3-CD, and PM districts, the following may be permitted by special
- 3 exception:
- 4 a. More than fifty seats, and
- 5 b. Bar, dancing, and live entertainment.
- 6 c. Hours of operation extending past midnight.
- 7 D. BCE and BR Districts. In the BCE and BR districts the following may be permitted:
- 8 1. More than fifty seats,
- 9 2. Outdoor dining, and
- 10 3. Bar, dancing, and live entertainment.
- 11 E. MX District. In the MX district:
- 12 1. The following are permitted by right:
- 13 a. Any number of seats,
- 14 b. Alcohol with the service of food,
- 15 c. Outdoor dining, and
- 16 d. Accessory bars.
- 17 2. Dancing and live entertainment may be permitted by special exception.
- 18 F. WMC District. In the WMC district the following standards apply:
- 19 1. The use may only be provided in combination with a principal permitted use.
- 20 2. The use may occupy no more than thirty percent of the total gross floor area on the lot.
- 21 3. In conjunction with approval of this use the applicant shall construct and maintain a
- 22 public pedestrian walkway in accordance with the standards set forth in Section 21.62.020
- 23 G. WMM District. In the WMM district the following standards apply:
- 24 1. This use is permitted only in combination with one of the following:
- 25 a. A working boatyard of at least twenty thousand square feet and a thirty-ton boat
- 26 lift,
- 27 b. Seafood processing of at least nine thousand square feet,
- 28 c. On-land boat storage of at least twenty-five thousand square feet, or
- 29 d. Yacht and sailing clubs providing in-water and on-land boat storage to their
- 30 members.
- 31 2. In structures in existence as of August 24, 1987 this use may not exceed thirty percent
- 32 of the total gross floor area of development on the lot.
- 33

34 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
 35 **ANNAPOLIS CITY COUNCIL** that this Ordinance shall take effect from the date of its passage.

36
 37 **ADOPTED** this _____ day of _____, _____.

38
 39
 ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY _____

 Regina C. Watkins-Eldridge, MMC, City Clerk

 Joshua J. Cohen, Mayor

40
 41
 42 **EXPLANATION:**

43 Highlighting indicates matter added to existing law.
 44 Strikeout indicates matter deleted from existing law.
 45 Underlining indicates amendments.

Rules Committee Amendments (from the Planning Commission) to O-32-11

Outdoor Dining in the B1 and B2 Zoning Districts

Amendment Package Considered on April 23, 2012

21.64.540 - Restaurants, standard.

Standard restaurants are subject to the general standards for food and beverage-related uses. The following additional standards apply:

A. Drive-through service is not permitted.

B. Catering or delivery service may be permitted as an accessory use.

C. B1, B2, B3, B3-CD, and PM Districts. In the B1, B2, B3, B3-CD, and PM districts the following standards apply:

1. Where the use is permitted subject to standards:

a. No more than fifty seats are permitted,

b. Alcohol is permitted with the service of food,

c. Hours of operation are limited to midnight seven days a week,

d. Outdoor dining with the exception of rooftop dining may be permitted subject to the following: ~~and~~

1. Alcoholic beverages shall be served only in conjunction with the service of food.

2. Hours of operation shall be limited to 10 p.m., seven days a week.

3. No speakers or public address system shall be allowed.

e. No bar, dancing, or live entertainment is permitted, except in the PM district where indoor, live, non-amplified acoustical musical entertainment may be permitted.

f. Recorded music shall be limited to background variety only indoors.

2. In the B1 district, more than fifty seats may be permitted by special exception.

~~3. In the B1 and B2 districts, notwithstanding provisions in Section 21.42.020 D.2. and Section 21.42.030 D.1., outdoor dining may be permitted by special exception in accordance with Table 21.48.020.~~

~~3-4~~ **3.** In the B2, B3, B3-CD, and PM districts, the following may be permitted by special exception:

a. More than fifty seats, and

b. Bar, dancing, and live entertainment indoors.

c. Hours of operation extending past midnight.

d. Rooftop dining, subject to the following:

1. Alcoholic beverages shall be served only in conjunction with the service of food.

2. Hours of operation shall be limited to 10 p.m., seven days a week.
3. No bar, dancing or live entertainment and no speakers or public address system shall be allowed.
4. No portion of a rooftop dining area may be located any closer than 100 feet from a residential zone, measured horizontally at grade.
5. The rooftop dining area may not exceed 25 percent of the floor area of the indoor restaurant area and may not have more than 25 percent of the number of seats in the indoor restaurant area.
6. Access to the rooftop dining area shall be through the interior of the restaurant. An exterior access shall be allowed only as an emergency access for fire and life safety purposes.
7. Lighting shall be directed away from adjoining properties and streets and designed to minimize glare. All lighting shall be at or below railing level.
8. The design of the rooftop dining area shall include noise mitigation measures that will minimize adverse impacts on adjoining properties.

E. MX District. In the MX district:

1. The following are permitted by right:
 - a. Any number of seats,
 - b. Alcohol with the service of food,
 - c. Outdoor dining with the exception of rooftop dining, subject to the standards enumerated in Section 21.64.540 C.1.d., and
 - d. Accessory bars.
2. Dancing and live entertainment may be permitted by special exception.
3. Rooftop dining may be permitted by special exception subject to the standards enumerated in Section 21.64.C.3.d.

F. WMC District. In the WMC district the following standards apply:

1. The use may only be provided in combination with a principal permitted use.
2. The use may occupy no more than thirty percent of the total gross floor area on the lot.
3. In conjunction with approval of this use the applicant shall construct and maintain a public pedestrian walkway in accordance with the standards set forth in Section 21.62.020

G. WMM District. In the WMM district the following standards apply:

1. This use is permitted only in combination with one of the following:
 - a. A working boatyard of at least twenty thousand square feet and a thirty-ton boat lift,

- b. Seafood processing of at least nine thousand square feet,
 - c. On-land boat storage of at least twenty-five thousand square feet, or
 - d. Yacht and sailing clubs providing in-water and on-land boat storage to their members.
2. In structures in existence as of August 24, 1987 this use may not exceed thirty percent of the total gross floor area of development on the lot.

Additional amendment from the Rules Committee and Planning

Commission

D. BCE and BR Districts. In the BCE and BR districts the following may be permitted:

1. More than fifty seats,
2. Outdoor dining with the exception of rooftop dining, subject to the standards enumerated in Section 21.64.540 C.1.d., and
3. Bar, dancing, and live entertainment,-
4. Rooftop dining may be permitted by special exception subject to the standards enumerated in Section 21.64.540 C.3.d.



City of Annapolis City Council
Standing Committee Referral Action Report

Date: 3/13/12

To: Jessica Cowles,
City of Annapolis Office of Law,
Legislative and Policy Analyst

The Rules and City Government Committee has reviewed O-32-11 and
has taken the following action:

Favorable

Favorable with amendments *Planning Commission amendments*

Unfavorable

No Action

Other

Comments:

Roll Call Vote:

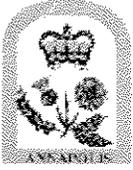
Ald. Israel, Chair yes

Ald. Hoyle yes

Ald. Arnett yes

Meeting Date 3/13/12

Signature of Chair Richard Israel



City of Annapolis
Committee Referral Action

Date: 11/18/11

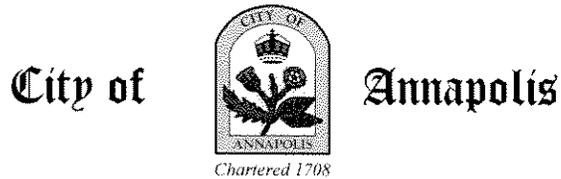
To: Jessica Cowles, Legislative & Policy Analyst

From: Jacquelyn Rouse, Planning Administrator *JR*

The Planning Commission has reviewed Ordinance O-32-11 and has taken the following action:

FAVORABLE WITH AMENDMENTS

Meeting Date: 11/17/11



PLANNING COMMISSION

(410)263-7961

145 GORMAN STREET, 3RD FLOOR
ANNAPOLIS, MARYLAND 21401

November 17, 2011

To: Annapolis City Council
From: Planning Commission
Re: Findings - O-32-11: Outdoor Dining

SUMMARY

O-32-11 proposes a modification to Chapter 21.64 Standards for Uses Subject to Standards to clarify that outdoor dining is allowed in the B1, Convenience Shopping, and B2, Community Shopping districts.

STAFF RECOMMENDATION

At a regularly scheduled meeting on October 6, 2011, the Planning and Zoning staff presented their analysis and recommendation for the approval of the legislation in a staff report dated September 26, 2011 and a supplementary addendum dated October 3, 2011.

One of the provisions of Chapter 21.42.020 and Chapter 21.42.030 is a restriction which states that *"all business, servicing and processing...shall be conducted within a completely enclosed building."* Staff explained that this standard has been present in the zoning code since its adoption in 1970, but until 2007 it had been interpreted not to include any restriction on outdoor dining. Over this period, many restaurants were approved with outdoor dining. Indeed, new legislation for sidewalk cafes was also approved. Then in 2007, as a result of a court case involving an appeal of the approval of a restaurant at 4 Dock Street, the court ruled that outdoor dining violated the above-referenced code restriction. This legislation seeks to rectify this anomaly with regard to the B1 and B2 districts. It, however, does not include the C2, Conservation Business District; C2A, Expanded Conservation Business District or the B3, General Commercial District. The C2 and C2A districts contain the same restrictive language cited above with regard to outdoor uses. The B3 allows an exception for drive-in facilities and outdoor display.

Staff recommended the inclusion of the B3 General Commercial District and an additional amendment created by the conflicting language in Chapter 21.42, Base District regulations. A restriction in section 21.42.020 D.2. (Which applies to the B1 District); section 21.42.030 D.1. (which applies to the B2 District) and section 21.42.030 D (which applies to the B3 District) states that all *"business, servicing or processing... shall be conducted within a completely enclosed building"*. This language

needs to be modified by adding "*with the exception of outdoor dining in accordance with the provisions of section 21.64.540.*"

PUBLIC HEARING AND DELIBERATION

In accordance with the Annapolis City Code, a public hearing was held on October 6, 2011 and the public was invited to comment on the proposed text amendment. Several persons from the public spoke on the legislation and discussed adding additional standards for outdoor dining and rooftop dining.

The Planning Commission entered into deliberations and after discussion, requested staff draft amendments identifying additional standards for outdoor and rooftop dining. At the October 20, 2011 meeting, the Planning Commission reviewed an addendum to the Staff Report dated October 19, 2011 that identified separate and additional standards and review processes for outdoor dining and rooftop dining. Rooftop dining is proposed as a special exception only in designated districts (B2, B3, B3CD, PM, BCE, BR, and MX) with new enumerated conditions. **All amendments recommended by Planning Commission are in bold typeface.**

21.64.540 - Restaurants. standard.

Standard restaurants are subject to the general standards for food and beverage-related uses. The following additional standards apply:

- A. Drive-through service is not permitted.
- B. Catering or delivery service may be permitted as an accessory use.
- C. B1, B2, B3, B3-CD, and PM Districts. In the B1, B2, B3, B3-CD, and PM districts the following standards apply:
 1. Where the use is permitted subject to standards:
 - a. No more than fifty seats are permitted,
 - b. Alcohol is permitted with the service of food,
 - c. Hours of operation are limited to midnight seven days a week,
 - d. Outdoor dining **with the exception of rooftop dining** may be permitted subject to the following:
 1. **Alcoholic beverages shall be served only in conjunction with the service of food.**
 2. **Hours of operation shall be limited to 10 pm, seven days per week.**
 3. **No speakers or public address system shall be allowed.**
 - e. No bar, dancing, or live entertainment is permitted, except in the PM district where indoor, live, non-amplified acoustical musical entertainment may be permitted.
 - f. Recorded music shall be limited to background variety only **indoors.**
 2. In the B1 district, more than fifty seats may be permitted by special exception.
 3. In the B2, B3, B3-CD, and PM districts, the following may be permitted by special exception:
 - a. More than fifty seats, and
 - b. Bar, dancing, and live entertainment **indoors**
 - c. Hours of operation extending past midnight.

d. Rooftop dining, subject to the following:

1. Alcoholic beverages shall be served only in conjunction with the service of food.
2. Hours of operation shall be limited to 10 pm, seven days per week.
3. No bar, dancing or live entertainment and no speakers or public address system shall be allowed.
4. No portion of a rooftop dining area may be located any closer than 100 feet from a residential zone, measured horizontally at grade.
5. The rooftop dining area may not exceed 25 percent of the floor area of the indoor restaurant area and may not have more than 25 percent of the number of seats of the indoor restaurant area.
6. Access to the rooftop dining area shall be thru the interior of the restaurant. An exterior access shall be allowed only as an emergency access for fire and life safety purposes.
7. Lighting shall be directed away from adjoining properties and streets and designed to minimize glare. All lighting shall be at or below railing level.
8. The design of the rooftop dining area shall include noise mitigation measures that will minimize adverse impacts on adjoining properties.

D. BCE and BR Districts. In the BCE and BR districts the following may be permitted:

1. More than fifty seats,
2. Outdoor dining with the exception of rooftop dining, subject to the standards enumerated in section 21.64.540. C. 1. d.
3. Bar, dancing, and live entertainment indoors
4. Rooftop dining may be permitted by special exception subject to the standards enumerated in section 21.64.540 C 3 d.

E. MX District. In the MX district:

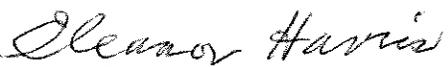
1. The following are permitted by right:
 - a. Any number of seats,
 - b. Alcohol with the service of food,
 - c. Outdoor dining with the exception of rooftop dining, subject to the standards enumerated in section 21.64.540. C. 1. d.
 - d. Accessory bars.
2. Dancing and live entertainment may be permitted by special exception.
3. Rooftop dining may be permitted by special exception subject to subject to the standards enumerated in section 21.64.540. C. 3. d.

The Commission discussed the amendments and voted to approve the legislation with all of the above-amendments. After the October 20, 2011 meeting, a member of the public provided additional comments on the ordinance. At the November 3, 2011 meeting, the Commission acknowledged receiving the comments from the member of the public and it was the consensus of the Commission to not reopen the public hearing.

RECOMMENDATION

By a vote of 5 - 0 the Planning Commission voted to recommend approval of O-32-11 to include all of the amendments identified in the above referenced reports of the planning staff to the Commission, dated September 26, 2011; October 3, 2011; and October 19, 2011.

Adopted this 17th day of November, 2011


Eleanor Harris
Vice-Chair



City of Annapolis

DEPARTMENT OF PLANNING AND ZONING

145 Gorman Street, 3rd Floor, Annapolis, Maryland 21401

Annapolis 410-263-7961 • FAX 410-263-1129 • TDD 410-263-7943

JON ARASON, AICP
DIRECTOR

October 19, 2011

ADDENDUM TO STAFF REPORT

To: Planning Commission
From: Jon Arason, AICP, Director of Planning and Zoning
Re: O-32-11: Outdoor Dining in the BI and B2 Districts

As a result of the Planning Commission public hearing and discussion regarding outdoor dining, staff has prepared the following additional standards to regulate outdoor dining. The code currently provides that outdoor dining is allowed as either a use subject to standards or a special exception depending on other parameters of the Standards for Uses Subject to Standards under chapter 21.64.

21.64.540 - Restaurants, standard.

Standard restaurants are subject to the general standards for food and beverage-related uses. The following additional standards apply:

- A. Drive-through service is not permitted.
- B. Catering or delivery service may be permitted as an accessory use.
- C. B1, B2, B3, B3-CD, and PM Districts. In the B1, B2, B3, B3-CD, and PM districts the following standards apply:
 1. Where the use is permitted subject to standards:
 - a. No more than fifty seats are permitted,
 - b. Alcohol is permitted with the service of food,
 - c. Hours of operation are limited to midnight seven days a week,
 - d. Outdoor dining with the exception of rooftop dining may be permitted subject to the following:
 1. Alcoholic beverages shall be served only in conjunction with the service of food.
 2. Hours of operation shall be limited to 10 pm, seven days per week.
 3. No speakers or public address system shall be allowed.
 - e. No bar, dancing, or live entertainment is permitted, except in the PM district where indoor, live, non-amplified acoustical musical entertainment may be permitted.
 - f. Recorded music shall be limited to background variety only indoors.
 2. In the B1 district, more than fifty seats may be permitted by special exception.
 3. In the B2, B3, B3-CD, and PM districts, the following may be permitted by special exception:
 - a. More than fifty seats, and
 - b. Bar, dancing, and live entertainment indoors
 - c. Hours of operation extending past midnight.
 - d. Rooftop dining, subject to the following:

1. Alcoholic beverages shall be served only in conjunction with the service of food.
2. Hours of operation shall be limited to 10 pm, seven days per week.
3. No bar, dancing or live entertainment and no speakers or public address system shall be allowed.
4. No portion of a rooftop dining area may be located any closer than 100 feet from a residential zone, measured horizontally at grade.
5. The rooftop dining area may not exceed 25 percent of the floor area of the indoor restaurant area and may not have more than 25 percent of the number of seats of the indoor restaurant area.
6. Access to the rooftop dining area shall be thru the interior of the restaurant. An exterior access shall be allowed only as an emergency access for fire and life safety purposes.
7. Lighting shall be directed away from adjoining properties and streets and designed to minimize glare. All lighting shall be at or below railing level.
8. The design of the rooftop dining area shall include noise mitigation measures that will minimize adverse impacts on adjoining properties.

D. BCE and BR Districts. In the BCE and BR districts the following may be permitted:

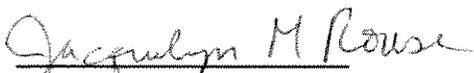
1. More than fifty seats,
2. Outdoor dining with the exception of rooftop dining, subject to the standards enumerated in section 21.64.540. C. 1. d.,
3. Bar, dancing, and live entertainment indoors
4. Rooftop dining may be permitted by special exception subject to the standards enumerated in section 21.64.540 C 3 d.

E. MX District. In the MX district:

1. The following are permitted by right:
 - a. Any number of seats,
 - b. Alcohol with the service of food,
 - c. Outdoor dining with the exception of rooftop dining, subject to the standards enumerated in section 21.64.540. C. 1. d.
 - d. Accessory bars.
2. Dancing and live entertainment may be permitted by special exception.
3. Rooftop dining may be permitted by special exception subject to subject to the standards enumerated in section 21.64.540. C. 3. d.

Staff recommends that the legislation be amended as discussed above. With this modification, staff recommends O-32-11 be APPROVED.

Report Prepared by


Jacquelyn M. Rouse, AICP
Planning Administrator



City of Annapolis

DEPARTMENT OF PLANNING AND ZONING

145 Gorman Street, 3rd Floor, Annapolis, Maryland 21401

Annapolis 410-263-7961 • FAX 410-263-1129 • TDD 410-263-7943

Chartered 1708

JON ARASON, AICP
DIRECTOR

October 3, 2011

ADDENDUM TO STAFF REPORT

To: Planning Commission
From: Jon Arason, AICP, Director of Planning and Zoning
Re: O-32-11: Outdoor Dining in the BI and B2 Districts

The intent of O-32-11 as discussed in the staff report of September 26, 2011 was to allow outdoor dining in the B1, Convenience Shopping District and B2, Community Shopping District. Staff had also recommended including the B3, General Commercial District. The code currently provides that outdoor dining is allowed as either a use subject to standards or a special exception depending on other parameters of the Standards for Uses Subject to Standards under chapter 21.64.

The problem is created by the conflicting language in Chapter 21.42 which is the Base District regulations for the entire different zoning district in the City. A restriction in section 21.42.020 D.2. (Which applies to the B1 District); section 21.42.030 D.1. (which applies to the B2 District) and section 21.42.030 D (which applies to the B3 District) states that "all business, servicing or processing... shall be conducted within a completely enclosed building".

This language as it appears in the three referenced code sections needs to be modified by adding "with the exception of outdoor dining in accordance with the provisions of section 21.64.540."

The intent of the ordinance to allow outdoor dining as it was originally intended would then be insured. A standard restaurant with outdoor dining would be allowed as a use subject to standards if the total number of seats is limited to 50; alcohol is permitted with the service of food; hours of operation are limited to midnight seven days a week, no bar, dancing, or live entertainment is permitted and recorded music shall be limited to background variety only. Special exception approval would be required as it is now under 21.64.540 which states that in the B1 district, more than fifty seats may be permitted by special exception and in the B2 and B3 districts more than fifty seats, bar, dancing, and live entertainment and hours of operation extending past midnight are allowed by special exception.

Staff recommends that the legislation be amended as discussed above. With this modification, staff recommends O-32-11 be APPROVED.

Report Prepared by

Jacquelyn M. Rouse
Jacquelyn M. Rouse, AICP
Planning Administrator



Chartered 1708

City of Annapolis

DEPARTMENT OF PLANNING AND ZONING

145 Gorman Street, 3rd Floor, Annapolis, Maryland 21401

Annapolis 410-263-7961 • FAX 410-263-1129 • TDD 410-263-7943

JON ARASON, AICP
DIRECTOR

September 26, 2011

MEMORANDUM

To: Planning Commission

From: Jon Arason, ^{JUA}AICP, Director of Planning and Zoning

Re: O-32-11: Outdoor Dining in the BI and B2 Districts

Attachment: O-32-11

SUMMARY

O-32-11 proposes a modification to chapter 21.64 Standards for Uses Subject to Standards for a standard restaurant to clarify that outdoor dining is allowed in the B1 and B2 zoning districts notwithstanding any other provision of the zoning code.

BACKGROUND AND ANALYSIS

One of the provisions of both chapters 21.42.020 and chapter 21.42.030 which are the Base District Regulations for the B1, Convenience shopping District and the B2, Community Shopping District respectively is a restriction which states that *"all business, servicing and processing...shall be conducted within a completely enclosed building."*

This standard has been present in the zoning code since 1970, but until 2007 it had been interpreted to not include any restriction on outdoor dining. Many restaurants were approved over this lengthy time period with outdoor dining. New legislation for sidewalk cafes was also approved. Then in 2007, as a result of a court case involving an appeal of the approval of a restaurant at 4 Dock Street, the court ruled that outdoor dining violated the above-referenced code restriction.

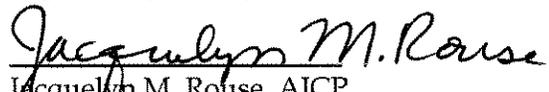
This legislation seeks to rectify this anomaly with regard to the B1 and B2 districts. It, however, does not include the C2, Conservation Business District; C2A, Expanded Conservation Business District or the B3, General Commercial District. The C2 and C2A districts contain the same restrictive language cited above with regard to outdoor uses. The B3 allows an exception for drive-in facilities and outdoor display. Of the thirteen commercial and mixed use districts in the City, these five are the only districts which contain this provision which requires all business to be conducted within a completely enclosed building. None of the commercial and mixed use zoning district added to the code during the 1980's and 1990's have any restriction on outdoor dining.

Staff is recommending that the B3 District be added to this legislation. The C2 and C2A Districts present special concerns and issues that need to be evaluated separately. The City Dock Advisory Committee has formulated guiding principle for development in the downtown area and will be working with a consultant to develop a master plan for the downtown. Staff does not recommend their inclusion at this time.

RECOMMENDATION

Staff recommends that the legislation be amended to include the B3 district. With this modification, staff recommends O-32-11 be APPROVED.

Report Prepared by


Jacquelyn M. Rotuse, AICP
Planning Administrator

Policy Report

Ordinance O-32-11

Outdoor Dining in the B1 and B2 Zoning Districts

Proposed ordinance O-32-11 would allow outdoor dining in the B1 (Convenience Shopping District) and B2 (Community Shopping District) zones. The current zoning code provides that outdoor dining is allowed as either (1) a use subject to standards or (2) a special exception dependant on other parameters of the Standards for Uses Subject to Standards in Chapter 21.64 of the City Code. None of the commercial zones or mixed-use zones added to the zoning code in the 1980s or 1990s have a restriction on outdoor dining.

One of the provisions of both Section 21.42.020 and Section 21.42.030 which are the Base District Regulations for the B1, Convenience shopping District and the B2, Community Shopping District respectively is a restriction which states that “all business, servicing and processing...shall be conducted within a completely enclosed building.” This standard has been present in the zoning code since 1970, but until 2007 it had been interpreted to not include any restriction on outdoor dining. Many restaurants were approved over this lengthy time period with outdoor dining. The proposed legislation seeks to rectify this with regard to the B1 and B2 districts.

Prepared by Jacquelyn Rouse, Planning Administrator at JMR@annapolis.gov and Jessica Cowles, Legislative and Policy Analyst at JCCowles@annapolis.gov.

FISCAL IMPACT NOTE

Legislation No: O-32-11

First Reader Date: 07-11-11

Note Date: 12-09-11

Legislation Title: **Outdoor Dining in the B1 and B2 Zoning Districts.**

Description: For the purpose of clarifying the contradiction in use standards related to outdoor dining in the B1 and B2 zoning districts in Chapters 21.64 and specific provisions in 21.42 of the Code of the City of Annapolis.

Analysis of Fiscal Impact:

This legislation produces no significant fiscal impact.

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**CITY COUNCIL OF THE
City of Annapolis**

Ordinance No. O-9-12

Introduced by: Mayor Cohen

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
3/12/12			6/12/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	3/12/12		

A ORDINANCE concerning

**Exempting Members of the City Central Committees
from Holding More Than One City or City-Connected Position**

FOR the purpose of exempting members of the City Central Committees from holding more than one position as defined in Section 2.04.040 of the City Code.

BY repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2011 Edition
Section 2.04.040

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

CHAPTER 2.04 – GENERAL ADMINISTRATIVE REGULATIONS.

2.04.040 - Holding more than one position.

No person shall hold more than one City or City-connected position of any kind at the same time. This restriction applies to all committees, commissions, authorities, agencies or bodies corporate or politic which are in any way connected with the City, whether autonomous, semiautonomous or nonautonomous. This section does not apply to members of the City Council or to a person who is permitted to hold two positions by virtue of another law. **THIS SECTION DOES NOT APPLY TO MEMBERS OF THE CITY CENTRAL COMMITTEES.** Appointments to Mayoral ad hoc committees shall not be considered under this provision in determining the number of positions held by a person.

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

ADOPTED this _____ day of _____, _____.

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

Regina C. Watkins-Eldridge, MMC, City Clerk

Joshua J. Cohen, Mayor

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EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.

[brackets] indicate matter stricken from existing law.

Underlining indicates amendments.

Policy Report

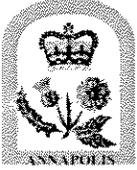
O-9-12

Exempting Members of the City Central Committees from Holding More Than One City or City-Connected Position

The proposed ordinance would exempt members of the City Central Committees from the provisions of Section 2.04.040 of the City Code regarding holding more than one City or City-connected position.

City Central committees are unique among boards and commissions because the members are independently elected. The proposed ordinance would reaffirm that City employees and City board members have the right to participate civically through holding local Party office.

Prepared by Jessica Cowles, Legislative and Policy Analyst in the City of Annapolis Office of Law at JCCowles@annapolis.gov or 410.263.1184.



City of Annapolis City Council
Standing Committee Referral Action Report

Date: 4/11/12

To: Jessica Cowles,
City of Annapolis Office of Law,
Legislative and Policy Analyst

The Rules and City Government Committee has reviewed 0-9-12 and
has taken the following action:

Favorable

Favorable with amendments (*attached*)

Unfavorable

No Action

Other

Comments:

Roll Call Vote:

Ald. Israel, Chair YES

Ald. Hoyle YES

Ald. Arnett YES

Meeting Date 4/11/12

Signature of Chair *Reuben Israel*

Rules committee amendment to O-9-12

“Notwithstanding the prohibition of this section, a member of the central committee can hold another city or city connected position”

FISCAL IMPACT NOTE

Legislation No: O-09-12

First Reader Date: 3-12-12

Note Date: 3-14-12

Legislation Title: **Exempting Members of the City Central Committees from Holding More Than One City or City-Connected Position**

Description: For the purpose of exempting members of the City Central Committees from holding more than one position as defined in Section 2.04.040 of the City Code.

Analysis of Fiscal Impact: This legislation produces no significant fiscal impact.

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**CITY COUNCIL OF THE
City of Annapolis**

Ordinance No. O-19-12

Introduced by: Alderwoman Finlayson and Alderman Arnett

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
5/14/12			8/10/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	5/14/12		

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AN ORDINANCE concerning

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Assistance for Aldermen and Alderwomen

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FOR the purpose of establishing the civil service position of City Council Associate reporting to the City Manager.

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BY repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2011 Edition
Chapter 2.16

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

19

Chapter 2.16 – City Council

20

Article II- Generally.

21

2.16.190 - Standing committees.

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A. There are designated the following standing committees of the City Council, which shall review and make recommendations with regard to matters referred to them and shall perform other general duties and responsibilities:

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1. Finance Committee. The Finance Committee shall handle all matters relating to the review of the budget and continuous surveillance of the budget. The Finance Committee shall have power to review and make recommendations with regard to the Mayor's annual operating budget and shall submit recommendations with regard to the budget to the City Council not later than the second Monday in May of each year. The Finance Committee shall review all proposed amendments to Title 6 (Revenue and Finance) of this code.

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2. Public Safety Committee. The Public Safety Committee shall consider matters affecting public safety in the City. The Public Safety Committee shall review all proposed amendments to Title 11 (Public Peace, Morals and Welfare) and Title 12, (Vehicles and Traffic) of this code.

1 3. Rules and City Government Committee. The Rules and City Government Committee
2 shall review and consider all proposed amendments to the Charter and all proposed
3 amendments to Title 1 (General Provisions), Title 2 (Administration), Title 3 (Personnel),
4 Title 4 (Elections), Title 20 (Subdivisions), Title 21 (Planning and Zoning) and Title 22
5 (Adequate Public Facilities) of this code.

6 4. Economic Matters Committee. The Economic Matters Committee shall consider
7 matters affecting the economy of the City; make recommendations to the City Council on
8 issues relating to the operation of the Markethouse and the regulation of the City Dock;
9 study, independently and with private historic preservation organizations, issues
10 concerning historic structures in the City; and study, consider and make recommendations
11 regarding issues of cable television service to the City of Annapolis and its citizens. The
12 Economic Matters Committee shall review all proposed amendments to Title 7 (Business
13 Licenses, Taxes and Regulations) and Title 17 (Buildings and Construction) of this code.

14 5. Housing and Human Welfare Committee. The Housing and Human Welfare
15 Committee shall consider issues of housing and matters affecting the general health,
16 welfare and quality of life of the residents of the City. The Housing and Human Welfare
17 Committee shall review all proposed amendments to Title 8 (Animals), Title 10 (Health and
18 Safety), and Title 18 (Landlord and Tenant Relations) of this code.

19 6. Environmental Matters Committee. The Environmental Matters Committee shall
20 consider matters affecting the natural environment of the City. The Environmental Matters
21 Committee shall review all proposed amendments to Title 14 (Streets, Sidewalks and
22 Public Places), Title 15 (Harbors and Waterfront Areas), and Title 16 (Public Services) of
23 this code.

24 7. Transportation Committee. The Transportation Committee shall consider matters
25 affecting parking, public transportation, and vehicular traffic. The Transportation Committee
26 shall review all proposed amendments to Title 12 (Vehicles and Traffic), Title 14 (Streets,
27 Sidewalks and Public Places), and Title 22 (Adequate Public Facilities) of this Code.

28 B. Each of the committees as enumerated in this section shall have other and further duties
29 and responsibilities as are designated to them by the City Council. The Mayor may designate
30 any other standing or special committees as the Mayor deems appropriate from time to time.

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33 **2.16.200 - Membership on boards and commissions.**

34 In the capacity of an ex officio, nonvoting member, the Mayor and each Alderman may attend
35 the meetings and participate in the discussions of the following bodies:

- 36 A. Commission on Aging;
- 37 B. Environmental Commission;
- 38 C. Human Relations Commission;
- 39 D. Recreation Advisory Board; and
- 40 E. Transportation Board.

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43 **2.16.210 - Assistance for Alderman.**

44 [Subject to the availability of funds,] CIVIL SERVICE staff may be employed or services
45 engaged by contract to assist aldermen, individually or collectively, with their public
46 responsibilities.

1 A. CIVIL SERVICE ASSISTANCE. THERE SHALL BE ESTABLISHED THE CIVIL SERVICE
2 POSITION OF CITY COUNCIL ASSOCIATE, REPORTING TO THE CITY MANAGER. THE
3 CITY COUNCIL ASSOCIATE SHALL PROVIDE CONTINUITY AND EXPERTISE THAT SPANS
4 ACROSS CITY COUNCIL TERMS OF OFFICE. THE CITY COUNCIL ASSOCIATE SHALL
5 PROVIDE LOGISTICAL AND ADMINISTRATIVE ASSISTANCE TO THE CITY COUNCIL AND
6 SERVE AS RECORDING SECRETARY FOR CITY COUNCIL STANDING COMMITTEES.

7
8 B. CONTRACTUAL ASSISTANCE. The [aldermen] ALDERMAN OR ALDERWOMAN who is
9 senior in service (senior alderman OR ALDERWOMAN) shall, at the direction of a majority of
10 the aldermen AND ALDERWOMEN, advise the Department of Human Resources of the nature
11 of ANY CONTRACTUAL assistance needed. The Department OF HUMAN RESOURCES shall
12 encourage qualified persons to apply. With the approval of a majority of the aldermen AND
13 ALDERWOMEN, the Department shall employ or engage on a contractual basis a qualified
14 person. The person so CONTRACTUALLY employed or engaged shall be subject to the
15 immediate supervision of the [Director of the Department of Human Resources] CITY
16 MANAGER. However, the overall direction of the work shall be determined by a majority of the
17 aldermen AND ALDERWOMEN acting through the senior alderman OR ALDERWOMAN. At the
18 request of a majority of the aldermen AND ALDERWOMEN, acting through the senior alderman
19 OR ALDERWOMAN, the [Director of the Department of Human Resources] CITY MANAGER
20 shall dismiss the person so CONTRACTUALLY employed or engaged. While
21 CONTRACTUALLY employed or engaged to assist the aldermen AND ALDERWOMEN with
22 their public responsibilities, the CONTRACTUAL person is not part of the merit system.

23
24 **2.16.215 - Dedicated office space in City Hall.**

25 In order to execute the public responsibilities of their position, Aldermen and Alderwomen shall
26 be provided with dedicated work and meeting space in City Hall. Such work and meeting space
27 shall include desk(s), and a secure locker and file cabinet for each Alderwoman and Alderman,
28 a conference table and chairs and other similar amenities to make the space functional.
29 Aldermen and Alderwomen shall have access to appropriate information technology such as
30 computers, printers and telephones. The office of any staff provided for Aldermen and
31 Alderwomen assistance in Section 2.16.210 shall be co-located within the office space
32 designated for the Aldermen and Alderwomen.
33

34 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
35 **ANNAPOLIS CITY COUNCIL** that this Ordinance shall take effect from the date of its passage.

36
37 **ADOPTED** this _____ day of _____, _____.

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ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

Regina C. Watkins-Eldridge, MMC, City Clerk

Joshua J. Cohen, Mayor

EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.

[brackets] indicate matter stricken from existing law.

Underlining indicates amendments.

Policy Report

O-19-12

Assistance for Aldermen and Alderwomen

The proposed ordinance would provide for the civil service position of City Council Associate within the City Manager's Office. The proposed ordinance would establish the City Council Associate position to provide logistical and administrative assistance to the City Council and serve as recording secretary for City Council Standing Committees.

Prepared by Jessica Cowles, Legislative and Policy Analyst, Office of Law at JCCowles@annpolis.gov or (410) 263-1184.

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance No. O-20-12

Introduced By: Mayor Cohen

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
5/14/12			8/10/12
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	5/14/12		
Finance	5/14/12		
Financial Advisory Commission	5/14/12		

AN ORDINANCE concerning

Issuance of Bonds

FOR the purpose of authorizing and empowering the City of Annapolis (the "City") to issue and sell, upon its full faith and credit, general obligation bonds in the aggregate principal amount not to exceed Seven Million Six Hundred Ninety Thousand Dollars (\$7,690,000), pursuant to Sections 31 through 39, inclusive, of Article 23A of the Annotated Code of Maryland (2011 Replacement Volume), as amended, and Article VII, Section 11 of the Charter of the City of Annapolis, as amended, to be designated as "Public Improvements Bonds, 2012 Series" and said bonds to be issued and sold for the public purpose of financing and refinancing certain capital projects of the City as provided in this Ordinance; prescribing the form and tenor of said bonds; determining the method of sale of said bonds and other matters relating to the issuance and sale thereof; providing for the disbursement of the proceeds of said bonds; covenanting to levy and collect all taxes necessary to provide for the payment of the principal of and interest on said bonds; and generally providing for and determining various matters relating to the issuance, sale and delivery of all said bonds.

RECITALS

For convenience of reference, the City of Annapolis, a municipal body corporate and politic of the State of Maryland, is hereinafter sometimes referred to as the "City" or as "Annapolis".

The authority for the powers herein exercised is contained in Article VII, Section 11 of the Charter of the City (the "Charter") and in Sections 31 through 39, inclusive, of Article 23A of

1 the Annotated Code of Maryland (2011 Replacement Volume), as amended, such authority
2 being hereinafter sometimes referred to collectively as the “Enabling Act”.

3 The Enabling Act authorizes and empowers the City to borrow money for any proper
4 public purpose and to evidence such borrowing by the issuance and sale of its general
5 obligation bonds in accordance with the procedure prescribed by the Enabling Act, subject to
6 the limitation imposed by the Charter, that no bonds shall be issued by the City if, by the
7 issuance thereof, the total bonded indebtedness of the City incurred, less the amount of sinking
8 funds established for the retirement thereof, would then exceed ten per centum (10%) of the
9 assessed value of all real and personal property in the City taxable for municipal purposes.

10 The Charter further provides that, in computing compliance with such limitation,
11 outstanding bonds or other indebtedness of the City issued pursuant to the authority of any
12 public local law enacted by the General Assembly of Maryland prior to January 1, 1955, or
13 pursuant to the authority of any public general law of the State of Maryland, other than the
14 Enabling Act, together with tax anticipation notes issued pursuant to the Enabling Act, revenue
15 bonds payable as to principal and interest solely from the revenues from revenue-producing
16 projects, and short-term obligations issued pursuant to certain sections of the Charter, shall not
17 be taken into account.

18 Pursuant to the Charter, the City Council of the City (the “City Council”), may in its
19 discretion hold a referendum on any such bond issue or may be required to do so as a result of
20 a proper petition of registered voters filed for the purpose after the giving of notice to the City as
21 prescribed in the Charter.

22 The City proposes to spend the proceeds of the bonds authorized pursuant to this
23 Ordinance to (i) finance and refinance the costs of certain public projects of the City, subject to
24 the provisions of this Ordinance and (ii) pay the costs of issuing such bonds.

25 The Charter contains no limitations upon the rate at which *ad valorem* taxes may be
26 levied by the City for the payment of the principal of and interest on said bonded indebtedness.

27 Since the adoption of Article XI-E as an amendment of the Constitution of Maryland, the
28 General Assembly of Maryland has passed no law proposing a limitation upon the rate at which
29 taxes may be levied by the City or a limitation upon the amount of bonded indebtedness which
30 may be incurred by the City different from that set forth in the Charter.

31 **NOW, THEREFORE, BE IT ESTABLISHED AND ORDAINED BY THE CITY**
32 **COUNCIL, that:**

33 SECTION 1. All terms used herein which are defined in the Recitals hereof shall have
34 the meanings given such terms therein.

1 SECTION 2. It is in the best interest of the City to borrow money and incur indebtedness
 2 and the City is authorized and empowered to issue and sell, upon its full faith and credit, its
 3 general obligation, fully registered bonds in the aggregate principal amount not to exceed Seven
 4 Million Six Hundred Ninety Thousand Dollars (\$7,690,000) to be known as “Public
 5 Improvements Bonds, 2012 Series” (the “Bonds”) or such other designation as deemed
 6 appropriate by the Mayor of Annapolis (the “Mayor”) and City Manager of Annapolis (the “City
 7 Manager”) for the purposes of financing and refinancing the costs of the public projects listed
 8 below (the “Projects”).

<u>FUND</u>	<u>TITLE</u>	<u>BOND FUNDING</u>
General	Maintenance Facilities	\$250,000
	Stanton Center	95,000
	Roadways	1,984,300
	City Dock Development	40,000
	Capital Grants	260,000
	Truxtun Park	113,046
Total General Fund		\$2,742,346
Stormwater Fund	Stormwater Management Retrofit Projects	\$100,000
Water Fund	Water Treatment Plant	277,000
	Water Distribution Upgrades	1,718,000
	SCADA/Radio Upgrade	173,000
Sewer Fund	SCADA/Radio Upgrade	240,000
	Sewer Pump Station Improvements	1,239,000
	Sewer Rehab and Improvements	1,050,000
Total Enterprise Funds		\$4,797,000
Total All Funds		\$7,539,346

9 The costs of the Projects shall include (without limitation) the costs of the planning,
 10 construction, reconstruction, demolition, improvement, refurbishing, renovation, restoration,
 11 extension, alteration, installation, repair, acquisition, conversion and modernization of
 12 structures; the acquisition of structures and sites for structures; the acquisition of rights of way
 13 for roads; architectural and engineering services, including preparation of plans, drawings and

1 specifications; development and restoration of grounds; and all customary and necessary
2 furnishings and fixed permanent equipment for structures.

3 SECTION 3. The City hereby covenants that any Bonds issued hereunder shall comply
4 with all limitations of the Charter and that no Bonds shall be issued by the City if, by the
5 issuance thereof, the total bonded indebtedness of the City incurred, less the amount of sinking
6 funds established for the retirement thereof, would then exceed ten per centum (10%) of the
7 assessed value of all real and personal property in the City taxable for municipal purposes.

8 SECTION 4. The Bonds authorized by this Ordinance shall be dated the date of their
9 delivery, shall be fully registered bonds without coupons in the denomination of Five Thousand
10 Dollars (\$5,000) each or any integral multiple thereof and shall bear interest at the interest rate
11 or rates fixed at the time of the awarding of the Bonds in accordance with an executive order of
12 the Mayor and the provisions of this Ordinance as hereinafter provided. Interest on the Bonds
13 shall be payable semi-annually on the dates and in the years as may be determined by the
14 Mayor in an executive order. The Bonds shall mature, subject to the option of prior redemption,
15 in annual installments, including any mandatory sinking fund installments, in the years as shall
16 be determined by the Mayor pursuant to an executive order; provided however, that the final
17 maturity of the Bonds shall not exceed 30 years from the date of delivery of the Bonds. Each
18 Bond shall bear interest from the interest payment date next preceding the date on which it is
19 authenticated, unless authenticated upon an interest payment date, in which event it shall bear
20 interest from such interest payment date, or unless authenticated prior to the first interest
21 payment date, in which event it shall bear interest from the date of the Bonds; provided,
22 however, that if at the time of authentication of any bond interest is in default, such bond shall
23 bear interest from the date to which interest has been paid.

24 SECTION 5. Certain of the Bonds may be subject to redemption prior to maturity as
25 may be determined by the Mayor in an executive order. With respect to the Bonds subject to
26 redemption, if any, the redemption dates and the redemption prices shall be specified in an
27 executive order by the Mayor.

28 The Bonds shall be redeemed only in integral multiples of \$5,000. If less than all of the
29 Bonds of any one maturity are called for redemption, the particular bonds to be redeemed from
30 such maturity shall be selected by lot by the bond registrar for the Bonds (the "Bond Registrar")
31 in such manner as the Bond Registrar in its sole discretion may determine or under the
32 procedures for book-entry bonds if the Bonds are under a book-entry system.

33 When less than all of a Bond in a denomination in excess of \$5,000 shall be so
34 redeemed, then upon the surrender of such Bond, there shall be issued to the registered owner

1 thereof, without charges, for the unredeemed balance of the principal amount of such Bond, at
2 the option of such owner, Bonds in any of the authorized denominations, the aggregate face
3 amount of such Bonds not to exceed the unredeemed balance of the Bond so surrendered, and
4 to bear the same interest rate and to mature on the same date as said unredeemed balance.

5 If the City elects to redeem all or a portion of the Bonds outstanding, it shall give a
6 redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for
7 redemption to each registered owner appearing on the books kept by the Bond Registrar.
8 Notwithstanding the foregoing, so long as all of the Bonds are registered in the name of Cede &
9 Co., as nominee for the Depository Trust Company, New York, New York ("DTC"), such notice
10 shall be given by a secure means (e.g. legible facsimile transmission, registered or certified mail
11 or overnight express delivery) in a timely manner designed to assure that such notice is in DTC
12 possession no later than the close of business on such 30th day; provided, however, that the
13 failure to mail the redemption notice or any defect in the notice so mailed or in the mailing
14 thereof shall not affect the validity of the redemption proceedings. The redemption notice shall
15 state (i) whether the Bonds are to be redeemed in whole or in part and, if in part, the maturities
16 and numbers of the Bonds to be redeemed, (ii) the date fixed for redemption and the
17 redemption price or prices, (iii) that the Bonds to be redeemed shall be presented for
18 redemption at the office of the Bond Registrar and (iv) that interest on the Bonds called for
19 redemption shall cease to accrue on the date fixed for redemption.

20 From and after the date fixed for redemption, if notice has been duly and properly given
21 and if funds sufficient for the payment of the redemption price of the Bonds called for
22 redemption plus accrued interest due thereon are available on such date, the Bonds so called
23 for redemption shall become due and payable at the redemption price or prices provided for
24 redemption of such Bonds on such date, interest on the Bonds shall cease to accrue and the
25 registered owners of the Bonds so called for redemption shall have no rights in respect thereof
26 except to receive payment of the redemption price plus accrued interest to the date fixed for
27 redemption. Upon presentation and surrender of a Bond called for redemption in compliance
28 with the redemption notice, the Bond Registrar shall pay the redemption price of such bond plus
29 accrued interest thereon to the date fixed for redemption. If bonds so called for redemption are
30 not paid upon presentation and surrender as described above, such bonds shall continue to
31 bear interest at the rates stated therein until paid.

32 SECTION 6. The Bonds shall be executed in the name of the City and on its behalf by
33 the Mayor. Such signature of the Mayor shall be imprinted on such Bonds by manual or
34 facsimile and a facsimile of the corporate seal of Annapolis shall also be imprinted thereon,

1 attested by the manual or facsimile signature of the City Clerk of Annapolis, all in accordance
2 with and pursuant to the authority of the Maryland Uniform Facsimile Signature of Public
3 Officials Act, being Sections 2-301 through 2-306 of the State Finance and Procurement Article
4 of the Annotated Code of Maryland.

5 In the event any official whose signature shall appear on such Bonds shall cease to be
6 such official prior to the delivery of the Bonds, or in the event any such official whose signature
7 shall appear on the Bonds shall have become such after the date of issue thereof, the Bonds
8 shall nevertheless be valid and legally binding obligations of Annapolis in accordance with their
9 terms.

10 All Bonds shall be issued as fully registered bonds without coupons and shall be
11 registered in the name or names of the owner or owners thereof; on books kept for such
12 purpose at the principal office of the Bond Registrar. The Bonds initially will be issued in book-
13 entry form without any physical distribution of certificates made to the public. DTC will act as
14 securities depository for the Bonds and the Bonds will be registered in the name of DTC's
15 partnership nominee, Cede & Co. The City reserves the right to terminate maintenance of the
16 Bonds in a book-entry only system and to issue fully certificated bonds. The Mayor or his
17 designee is hereby authorized to appoint a financial institution to act as the Bond Registrar and
18 as paying agent (the "Paying Agent") for the Bonds, unless the Mayor determines after
19 consulting with the financial advisor to the City (the "Financial Adviser") that the City shall act as
20 the Bond Registrar or the Paying Agent or both. Payment of the principal of and interest on the
21 Bonds shall be made to the person appearing on the registration books maintained by the Bond
22 Registrar as the registered owner thereof, such principal to be payable at the principal office of
23 the Paying Agent upon presentation and surrender of such bonds as the same become due and
24 payable, and such interest to be payable by check mailed by the Paying Agent to the persons in
25 whose names the bonds are registered on the regular record date which shall be the fifteenth
26 day of the month immediately preceding each regular interest payment date, or such other day
27 specified in the bond (the "Regular Record Date"), at the registered owner's address as shown
28 on the registration books maintained by the Bond Registrar.

29 SECTION 7. Any interest on any Bond which is payable but is not punctually paid or
30 provision for the payment of which has not been made ("Defaulted Interest") shall forthwith
31 cease to be payable to the registered owner on the relevant Regular Record Date solely by
32 virtue of such registered owner having been such registered owner; and such Defaulted Interest
33 may be paid by the City, at its election in each case, as provided in paragraph (1) or (2) below:

1 (1) The City may elect to make payment of any Defaulted Interest on the Bonds to
2 the persons in whose names such Bond is registered at the close of business on a record date
3 for the payment of such Defaulted Interest (the "Special Record Date"), which shall be fixed in
4 the following manner. The City shall notify the Paying Agent in writing of the amount of
5 Defaulted Interest proposed to be paid on the Bonds and the date of the proposed payment
6 (which date shall be such as will enable the Paying Agent to comply with the next sentence
7 hereof), and at the same time the City shall deposit or cause to be deposited with the Paying
8 Agent an amount of money equal to the aggregate amount proposed to be paid in respect of
9 such Defaulted Interest or shall make arrangements satisfactory to the Paying Agent for such
10 deposit prior to the date of the proposed payment, such money when deposited to be held in
11 trust for the benefit of the persons entitled to such Defaulted Interest as provided in this
12 paragraph. Thereupon the Paying Agent shall fix a Special Record Date for the payment of
13 such Defaulted Interest which shall be not more than fifteen (15) nor less than ten (10) days
14 prior to the date of the proposed payment after the receipt by the Paying Agent of the notice of
15 the proposed payment. The Paying Agent shall promptly notify the City of such Special Record
16 Date and, in the name of the City, shall cause notice of the proposed payment of such Defaulted
17 Interest and the Special Record Date therefor to be mailed, first-class postage prepaid, to each
18 registered owner at his address as it appears in the registration books maintained by the Bond
19 Registrar not less than ten (10) days prior to such Special Record Date. The Paying Agent
20 may, in its discretion, in the name of the City, cause a similar notice to be published at least
21 once in a newspaper of general circulation in Annapolis, Maryland but such publication shall not
22 be a condition precedent to the establishment of such Special Record Date. Notice of the
23 proposed payment of such Defaulted Interest and the Special Record Date therefor having been
24 mailed as aforesaid, such Defaulted Interest shall be paid to the registered owners of the Bonds
25 as of the close of business on such Special Record Date.

26 (2) The City may make payment of any Defaulted Interest in any other lawful manner
27 not inconsistent with the requirements of any securities exchange on which the Bonds may be
28 listed, and upon such notice as may be required by such exchange, if, after notice given by the
29 City to the Paying Agent of the proposed payment pursuant to this paragraph, such payment
30 shall be deemed practicable, and approved in writing, by the Paying Agent.

31 Except as provided hereinafter or in ordinances of the Mayor and Aldermen of the City of
32 Annapolis adopted prior to the issuance and delivery of the Bonds, all Bonds shall be
33 substantially in the following form, with appropriate insertions as therein indicated and such
34 other modifications as shall be approved by the Mayor, which form and all of the covenants

1 therein contained are hereby adopted by Annapolis as and for the form of obligation to be
2 incurred by Annapolis, and said covenants and conditions are hereby made binding upon
3 Annapolis, including the promise to pay therein contained:

No. R-_____
\$ _____

(Form of Bond)

UNITED STATES OF AMERICA
STATE OF MARYLAND
CITY OF ANNAPOLIS, MARYLAND

GENERAL OBLIGATION BOND

PUBLIC IMPROVEMENTS BOND
2012 SERIES

Interest Rate Per Annum Maturity Date Date of Original Issue CUSIP

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT DOLLARS

CITY OF ANNAPOLIS (the "City"), a municipal corporation created and existing under the laws of the State of Maryland, hereby acknowledges itself indebted, and, for value received, promises to pay to the Registered Owner shown above or registered assigns or legal representatives on the Maturity Date shown above (unless this bond shall be redeemable, shall have been called for prior redemption and payment of the redemption price made or provided for), the Principal Amount shown above or so much thereof as shall not have been paid upon prior redemption in any coin or currency which, at the time of payment, is legal tender for the payment of public and private debts upon presentation and surrender of this bond on the date such principal is payable or if such date is not a Business Day (hereinafter defined) then on the next succeeding Business Day at the principal office of the Paying Agent, and to pay to the registered owner hereof by check or draft, mailed to such registered owner at his address as it appears on said registration books (the "Bond Register") maintained by the Bond Registrar interest on said principal amount at the Interest Rate shown above until payment of such principal amount, or until the prior redemption hereof, such interest being payable semi-annually on the first days of February and August in each year, in like coin or currency to the registered owner in whose name this bond is registered on the Bond Register as of the close of business on the regular record date, which shall be the fifteenth day of the month immediately preceding each regular interest payment date (the "Regular Record Date"). Any such interest not so punctually paid or duly provided for shall forthwith cease to be payable to the registered owner on the Regular Record Date, and may be paid to the person in whose name this bond is registered at the close of business on a date fixed by the Paying Agent for such defaulted interest payment (the "Special Record Date"), notice of which is given to the registered owner hereof not less than ten (10) days prior to such Special Record Date, or may be paid at any time in any other lawful manner not inconsistent with the requirement of any securities exchange on which the bonds of this series may be listed and upon such notice as may be required by such exchange.

"Business Day" means a day other than a Saturday, Sunday or day on which banking institutions under the laws of the State governing the Paying Agent are authorized or obligated by law or required by executive order to remain closed.

1
2 This bond shall not be valid or become obligatory for any purpose, until this bond shall have
3 been authenticated by an authorized officer of the Bond Registrar.
4

5 This bond is one of a duly authorized issue of general obligation bonds of the City aggregating
6 _____ Dollars (\$_____) in principal amount, which are in
7 denominations of \$5,000 or any integral multiple thereof, mature serially in installments on the
8 first day of August in each of the years 20_ to 20_, inclusive, and bear interest per annum as
9 follows:

10	Year of	Principal	Interest	Year of	Principal	Interest
11						
12	<u>Maturity</u>	<u>Amount</u>	<u>Rate</u>	<u>Maturity</u>	<u>Amount</u>	<u>Rate</u>

13
14
15
16
17
18
19 The bonds are numbered from one consecutively upwards prefixed by the letter "R" and are of
20 like tenor and effect except as to maturity, number, interest rate, denomination and redemption
21 provisions, and are issued pursuant to and in full conformity with the provisions of Sections 31
22 to 39, inclusive, of Article 23A of the Annotated Code of Maryland (2011 Replacement Volume),
23 as amended, and Article VII, Section 11 of the Annapolis City Charter, and by virtue of due
24 proceedings had and taken by the Mayor and Aldermen of the City of Annapolis particularly an
25 Ordinance adopted on the _____ day of _____, 2012 (approved _____ 2012)
26 (the "Ordinance").
27

28 The bonds which mature on or before August 1, 2020 are not subject to redemption prior to their
29 maturities. The bonds which mature on or after August 1, 2021 are subject to redemption prior
30 to their maturities on or after August 1, 2020 at the option of the City either as a whole or in part
31 at any time, in any order of maturities, at a redemption price expressed as a percentage of the
32 principal amount of the bonds to be redeemed, set forth in the table below, together with interest
33 accrued to the date fixed for redemption:
34

35	<u>Redemption Period (both dates inclusive)</u>	<u>Redemption Price</u>
----	---	-------------------------

36
37
38
39 If less than all of the bonds of any one maturity of this issue shall be called for redemption, the
40 bonds to be redeemed shall be selected by lot by the Bond Registrar in such manner as, in its
41 discretion, it shall determine.
42

43 When less than all of a bond in a denomination in excess of \$5,000 shall be so redeemed, then,
44 upon the surrender of such bond, there shall be issued to the registered owner thereof, without
45 charge, for the unredeemed balance of the principal amount of such bond, at the option of such
46 owner, bonds in any of the authorized denominations, the aggregate face amount of such bonds
47 not to exceed the unredeemed balance of the bond so surrendered, and to bear the same
48 interest rate and to mature on the same date as said unredeemed balance.
49

50 If the City elects to redeem all or a portion of the bonds outstanding, it shall give a redemption
51 notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption

1 to each registered owner appearing on the books kept by the Bond Registrar. Notwithstanding
2 the foregoing, so long as all of the Bonds are registered in the name of Cede & Co., as nominee
3 for the Depository Trust Company, New York, New York ("DTC"), such notice shall be given by
4 a secure means (e.g. legible facsimile transmission, registered or certified mail or overnight
5 express delivery) in a timely manner designed to assure that such notice is in DTC possession
6 no later than the close of business on such 30th day; provided, however, that the failure to mail
7 the redemption notice or any defect in the notice so mailed or in the mailing thereof shall not
8 affect the validity of the redemption proceedings. The redemption notice shall state (i) whether
9 the bonds are to be redeemed in whole or in part and, if in part, the maturities and numbers of
10 the bonds to be redeemed, (ii) the date fixed for redemption and the redemption price or prices,
11 (iii) that the bonds to be redeemed shall be presented for redemption at the office of the Bond
12 Registrar and (iv) that interest on the bonds called for redemption shall cease to accrue on the
13 date fixed for redemption.

14
15 From and after the date fixed for redemption, if notice has been duly and properly given and if
16 funds sufficient for the payment of the redemption price of the bonds called for redemption plus
17 accrued interest due thereon are available on such date, the bonds so called for redemption
18 shall become due and payable at the redemption price or prices provided for redemption of such
19 bonds on such date interest on the bonds shall cease to accrue and the registered owners of
20 the bonds so called for redemption shall have no rights in respect thereof except to receive
21 payment of the redemption price plus accrued interest to the date fixed for redemption. Upon
22 presentation and surrender of a bond called for redemption in compliance with the redemption
23 notice, the Bond Registrar shall pay the redemption price of such Bond plus accrued interest
24 thereon to the date fixed for redemption. If bonds so called for redemption are not paid upon
25 presentation and surrender as described above, such bonds shall continue to bear interest at
26 the rates stated therein until paid.

27
28 This bond is transferable only upon the registration books kept at the principal office of the Bond
29 Registrar, by the registered owner hereof in person, or by his attorney duly authorized in writing,
30 upon surrender hereof together with a written instrument of transfer in the form attached hereto
31 and satisfactory to the Bond Registrar duly executed by the registered owner or his duly
32 authorized attorney, and thereupon, within a reasonable time, the City shall issue in the name of
33 the transferee a new registered bond or bonds of any authorized denominations in aggregate
34 principal amount equal to the principal amount of this bond or the unredeemed portion hereof,
35 and maturing on the same date and bearing interest at the same rate. Said new bond or bonds
36 shall be delivered to the transferee only after payment of any tax or governmental charge
37 required to be paid with respect to and any shipping expenses or insurance relating to, such
38 transfer and only after due authentication thereof by an authorized officer of the Bond Registrar.
39 The City shall not be required to issue, transfer or exchange any bond during the period
40 beginning fifteen days before any selection of bonds to be redeemed and ending on the day of
41 publication and mailing of the notice of redemption or to transfer or exchange any bond called or
42 being called for redemption in whole or in part. The City may deem and treat the person in
43 whose name this bond is registered as the absolute owner hereof for the purpose of receiving
44 payment of or on account of the principal or redemption price hereof and interest due hereon
45 and for all other purposes.

46
47 The full faith and credit and unlimited taxing power of the City are hereby irrevocably pledged to
48 the prompt payment of the principal of and interest on this bond according to its terms, and the
49 City does hereby covenant and agree to pay the principal of this bond and the interest thereon,
50 at the dates and in the manner mentioned herein, according to the true intent and meaning
51 hereof.

1
2 It is hereby certified and recited that all conditions, acts and things required by the Constitution
3 or statutes of the State of Maryland, the Charter and the Ordinance to exist, to have happened
4 or to have been performed precedent to or in the issuance of this bond, exist, have happened
5 and have been performed, and that the issue of bonds of which this is one, together with all
6 other indebtedness of the City, is within every debt and other limit prescribed by said
7 Constitution or statutes or Charter, and that due provision has been made for the levy and
8 collection of an *ad valorem* tax or taxes upon all legally assessable property within the corporate
9 limits of the City in rate and amount sufficient to provide for the payment, when due, of the
10 principal of and interest on this bond.

11
12 IN WITNESS WHEREOF, this bond has been executed by the facsimile signature of the Mayor
13 of the City, which signature has been imprinted hereon, a facsimile of the corporate seal of the
14 City has been imprinted hereon, attested by the manual or facsimile signature of the City Clerk
15 as of the first day of _____, 2012.

16
17 ATTEST: CITY OF ANNAPOLIS
18
19
20
21 _____ By: _____
22 City Clerk Mayor
23
24

25
26 CERTIFICATION OF AUTHENTICATION

27
28 The undersigned hereby certifies that this bond is one of the registered bonds of the City of
29 Annapolis.
30

31 _____
32 _____
33 [Authorized Officer of Bond Registrar]

34
35 (Form of Assignment)

36
37 FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ the
38 within bond and all rights thereunder, and does hereby constitute and appoint
39 _____ to transfer the within bond on the books kept for the registration thereof,
40 with full power of substitution in the premises.

41
42 Dated: _____

43
44 In the presence of:
45 _____
46

47
48 Notice: The signature to this assignment must correspond with the name as it appears upon the
49 face of the within bond in every particular, without alteration or enlargement or any change
50 whatever.
51

1
2 SECTION 8. All of the Bonds authorized by this Ordinance may be sold by solicitation of
3 competitive sealed proposals at public sale in accordance with the provisions of the following
4 Notice of Sale at the principal office of the City, on such date as may be selected by the Mayor
5 pursuant to an executive order for cash at no less than par, to the bidder therefor whose bid is
6 deemed to be for the best interests of Annapolis. Bids shall be received as provided in the
7 Notice of Sale. The Bonds authorized by this Ordinance may also be sold, if the Mayor
8 determines that it would be in the best interest of the City, at private (negotiated) sale without
9 advertisement, publication, notice of sale, or solicitation of competitive bids. The Mayor shall
10 award the sale of the Bonds by executive order.

11 Unless a referendum petition shall be filed as provided hereinafter or the Bonds are sold
12 at private (negotiated) sale, the City Clerk of Annapolis is authorized and directed to publish a
13 notice of sale at least twice in a daily or weekly newspaper having general circulation in
14 Annapolis. The publication of such notice of sale shall be made once at least ten days prior to
15 the date of sale. The City Clerk may give such other notice of the sale of such Bonds, within or
16 without this State, by publication or otherwise, as the Mayor may deem appropriate.

17 The Director of Finance of Annapolis (the "Finance Director") is hereby authorized and
18 directed to make all necessary arrangements for the tabulation and comparison of the proposals
19 received, including the employment of specially qualified personnel, if necessary, so that he will
20 be able promptly to advise the Mayor as to the proposal which produces the lowest true interest
21 cost for the Bonds sold.

22 The Mayor, City Manager and Finance Director are hereby authorized to prepare and
23 distribute a preliminary official statement and final official statement in connection with the sale
24 of the Bonds.

25 The Notice of Sale if used for the issue of Bonds authorized by this Ordinance shall be in
26 substantially the form hereinafter set forth, with the insertions therein indicated. The terms and
27 conditions stated in such Notice of Sale are hereby adopted and approved as the terms and
28 conditions under which and the manner in which such Bonds shall be sold, issued and delivered
29 at public sale, subject to such insertions, alterations, additions or deletions as the Mayor may
30 deem advisable due to financial or market conditions prevailing at the time based upon the
31 advice of the Financial Advisor.

NOTICE OF SALE

\$ _____
CITY OF ANNAPOLIS, MARYLAND
General Obligation Bonds
Public Improvements Bonds, 2012 Series

Electronic bids via the BiDCOMP/Parity Competitive Bidding System (“PARITY”) will be received until 11:00 a.m., prevailing Eastern time, on July 11, 2012 (unless postponed as described herein) by City of Annapolis (the “City”) for the City’s General Obligation Bonds, Public Improvements Bonds, 2012 Series (the “Bonds”).

Terms of the Bonds

The Bonds shall be dated the date of their delivery.

Interest on the Bonds is payable on February 1, 2013 and semi-annually thereafter on February 1 and August 1 until maturity. The Bonds will mature on August 1 in the following respective years and principal amounts:

<u>Maturing August 1*</u>	<u>Principal Amount*</u>	<u>Maturing August 1*</u>	<u>Principal Amount*</u>
2013		2023	
2014		2024	
2015		2025	
2016		2026	
2017		2027	
2018		2028	
2019		2029	
2020		2030	
2021		2031	
2022		2032	

*Preliminary, subject to change. See “Adjustments of Principal Amounts.”

The proceeds of the Bonds will be used to finance the costs of certain public projects of the City and pay the costs of issuing the Bonds. The Bonds will be fully registered bonds without coupons in the denomination of \$5,000 each or any integral multiple thereof.

Authority

The Bonds are issued pursuant to Sections 31 through 39, inclusive, of Article 23A of the Annotated Code of Maryland (2011 Replacement Volume) and Article VII, Section 11 of the Charter of the City of Annapolis, as amended. The Bonds are authorized pursuant to Ordinance O-20-12.

1 The Bonds are general obligations of the City, and will constitute an irrevocable pledge
2 of its full faith and credit and unlimited taxing power.

3
4 **Book-Entry System**

5
6 One bond representing each maturity of the Bonds will be issued to and registered in the
7 name of Cede & Co., as nominee of The Depository Trust Company, New York, New York
8 (“DTC”), as registered owner of the Bonds and each such bond shall be held in the custody of
9 DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in
10 book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof.
11 Purchasers will not receive physical delivery of certificates representing their interest in the
12 Bonds purchased. The winning bidder, as a condition to delivery of the Bonds, will be required
13 to deposit the bond certificates representing each maturity with DTC.

14
15 Interest on the Bonds will be payable when due and the principal or redemption price of
16 the Bonds will be payable at maturity or upon earlier redemption to DTC or its nominee as
17 registered owner of the Bonds. Transfer of principal and interest payments to beneficial owners of
18 the Bonds by participants of DTC (“Participants”) will be the responsibility of Participants and other
19 nominees of beneficial owners. The City will not be responsible or liable for such transfers of
20 payments or for maintaining, supervising or reviewing the records maintained by DTC,
21 Participants or persons acting through Participants.

22
23 **Optional Redemption**

24
25 Bonds maturing on or before August 1, 2020 are not subject to redemption prior to their
26 stated maturities. Bonds maturing on or after August 1, 2021 are subject to redemption prior to
27 their maturities at the option of the City on or after August 1, 2020 either as a whole or in part at
28 any time in any order of maturity at the option of the City, at par plus accrued interest thereon to
29 the date fixed for redemption.

30
31 **Adjustments of Principal Amounts**

32
33 The preliminary aggregate principal amount of the Bonds and the preliminary principal
34 amount of each annual payment on the Bonds as set forth in this Notice of Sale (the
35 “Preliminary Aggregate Principal Amount” and the “Preliminary Annual Principal Amount”, and
36 collectively the “Preliminary Amounts”) may be revised before the receipt and opening of the
37 bids for their purchase. Such revisions may include the addition or deletion of maturities of the
38 Bonds. **ANY SUCH REVISIONS** made prior to the opening of the bids (the “Revised Aggregate
39 Principal Amount” and the “Revised Annual Principal Amount”, and collectively the “Revised
40 Amounts”) **WILL BE PUBLISHED ON THOMPSON MUNICIPAL MARKET MONITOR (“TM3”)**
41 **(www.tm3.com) NOT LATER THAN 9:30 A.M. (LOCAL BALTIMORE, MARYLAND TIME) ON**
42 **THE ANNOUNCED DATE FOR RECEIPT OF BIDS FOR THE BONDS.**

43
44 In the event that no such revisions are made, the Preliminary Amounts will constitute the
45 Revised Amounts. Bidders shall submit bids based on the Revised Amounts and the Revised
46 Amounts will be used to compare bids and select a winning bidder.

47
48 Such Revised Amounts, among other things, will be used by the City to calculate the final
49 aggregate principal amount of the Bonds and the final principal amount of each annual payment
50 on the Bonds (the “Final Aggregate Principal Amount” and the “Final Principal Amount” of each
51 annual payment, respectively, and collectively, the “Final Amounts”). In determining the Final

1 Amounts the City reserves the right to increase or decrease the aggregate amount of the Bonds
2 by an amount not to exceed twelve percent (12%) and correspondingly adjust the issue size, with
3 all calculations to be rounded to the nearest \$5,000.
4

5 In the event of any such adjustment, no rebidding or recalculation of the bid submitted will
6 be required or permitted. If necessary, the total purchase price of the Bonds will be increased or
7 decreased in direct proportion to the ratio that the adjustment bears to the aggregate principal
8 amount of the Bonds specified herein; and the Bonds of each maturity, as adjusted, will bear
9 interest at the same rate and must have the same initial reoffering yields as specified in the bid of
10 the successful bidder. However, the award will be made to the bidder whose bid produces the
11 lowest true interest cost, calculated as specified in the section entitled "Basis of Award" herein.
12 THE SUCCESSFUL BIDDER MAY NOT WITHDRAW ITS BID OR CHANGE THE INTEREST
13 RATES BID OR THE INITIAL REOFFERING PRICES AS A RESULT OF ANY CHANGES MADE
14 TO THE PRINCIPAL AMOUNTS WITHIN THESE LIMITS. IN READJUSTING THE PRINCIPAL
15 AMOUNT OF THE BONDS FOLLOWING THE AWARD, THE CITY WILL HOLD CONSTANT
16 THE BIDDER'S GROSS SPREAD PER \$1,000 BONDS AS INDICATED IN THE ORIGINAL BID.
17 In this process, however, the City reserves the right to adjust the actual dollar amount of Bidder's
18 gross spread resulting from an upward or downward adjustment of the principal amount of the
19 Bonds.

Change of Bid Date and Closing Date

20 The City reserves the right to postpone, from time to time, the date established for the
21 receipt of bids and will undertake to notify registered prospective bidders via notification published
22 on [TM3](#).
23

24 A postponement of the bid date will be announced via TM3 not later than 4:00 p.m.,
25 prevailing Eastern Time, on the last business day prior to any announced date for receipt of bids,
26 and an alternative sale date and time will be announced via TM3 at that time or at a later date.
27

28 On any such alternative date and time for receipt of bids, the City will accept electronic
29 bids for the purchase of the Bonds, such bids to conform in all respects to the provisions of this
30 Notice of Sale, except for the changes in the date and time for receipt of bids and any other
31 changes announced via TM3.
32

33 The City reserves the right to change the scheduled delivery date for the Bonds.
34

Bid Parameters

35
36
37 No bid of less than 100% of par or more than 112% on an "all-or-none" basis, no oral bid
38 and no bid for less than all of the Bonds described in this Notice of Sale, will be considered.
39 The Bonds are expected to be awarded by approximately 4:00 p.m., prevailing Eastern Time, on
40 July 11, 2012. All proposals shall remain firm until the time of award.
41

42 Bidders are requested to name the interest rate or rates in multiples of 1/8 or 1/20 of 1%,
43 and the highest rate may not exceed the lowest rate by more than 3% and no interest rate may
44 exceed 5.50%. A zero rate may not be named. No Bond shall bear more than one rate of
45 interest which rate shall be uniform for the life of the Bond.
46

1 **Basis of Award**
2

3 The Mayor of the City will not accept and will reject any bid for less than all of the Bonds.
4 The City will award all of the Bonds to one bidder. The City reserves the right to reject any and
5 all bids and to waive any irregularities in any of the bids. The judgment of the City shall be final
6 and binding upon all bidders with respect to the form and adequacy of any proposal received
7 and as to its conformity with the terms of this Notice of Sale.
8

9 The Bonds will be awarded to the bidder naming the lowest true interest cost (TIC) for
10 the Bonds in any legally acceptable proposal and offering to pay not less than par. The lowest
11 true interest cost with respect to the Bonds will be determined by doubling the semiannual
12 interest rate, compounded semiannually, necessary to discount the debt service payments from
13 the payment dates to the date of the Bonds and to the amount bid.
14

15 Where the proposals of two or more bidders result in the same lowest true interest cost
16 for any Bonds, such Bonds may be apportioned between such bidders, but if this shall not be
17 acceptable, the City shall have the right to award all of such Bonds to one bidder. There will be
18 no auction. The right is reserved to the City to reject any or all proposals and to waive any
19 irregularity or informality in any proposal. The City's judgment shall be final and binding upon all
20 bidders with respect to the form and adequacy of any proposal received and as to its conformity
21 to the terms of this Notice of Sale. Any award of the Bonds may be made as late as 4:00 p.m.,
22 prevailing Eastern Time, on the sale date. All bids remain firm until an award is made. Upon
23 notice of such award, the winning bidder shall advise the City of the initial reoffering prices to
24 the public of each maturity of the Bonds and the names of the members of the underwriting
25 groups.
26

27 **Procedures for Electronic Bidding**
28

29 ***Bidders to Submit Bids by PARITY***
30

31 Bids must be submitted electronically via PARITY pursuant to this Notice of Sale until
32 11:00 a.m., prevailing Eastern time, on the sale date but no bid will be received after the time for
33 receiving bids specified above. To the extent any instructions or directions set forth in PARITY
34 conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further
35 information about PARITY, potential bidders may contact i-Deal LLC at 1359 Broadway, 2nd
36 Floor, New York, New York 10018, telephone (212) 849-5021.
37

38 ***Disclaimer***
39

40 Each prospective electronic bidder shall be solely responsible to submit its bid via
41 PARITY as described above. Each prospective electronic bidder shall be solely responsible to
42 make necessary arrangements to access PARITY for the purpose of submitting its bid in a
43 timely manner and in compliance with the requirements of this Notice of Sale. Neither the City
44 nor PARITY shall have any duty or obligation to provide or assure access to PARITY to any
45 prospective bidder, and neither the City nor PARITY shall be responsible for proper operation
46 of, or have any liability for any delays or interruptions of, or any damages caused by PARITY.
47 The City is using PARITY as a communication mechanism, and not as the City's agent, to
48 conduct the electronic bidding for the Bonds. The City is not bound by any advice and
49 determination of PARITY to the effect that any particular bid complies with the terms of this
50 Notice of Sale and in particular the "Bid Parameters" set forth herein. All costs and expenses
51 incurred by prospective bidders in connection with their submission of bids via PARITY are the

1 sole responsibility of the bidders; the City is not responsible, directly or indirectly, for any of such
2 costs or expenses. If a prospective bidder encounters any difficulty in submitting, modifying, or
3 withdrawing a bid for the Bonds, such bidder should telephone i-Deal LLC at (212) 849-5021
4 and notify Davenport & Company LLC by facsimile at (866) 932-6660.

5
6 ***Electronic Bidding Procedures***
7

8 Electronic bids must be submitted for the purchase of the Bonds (all or none) via
9 PARITY. Bids will be communicated electronically to the City at 11:00 a.m., prevailing Eastern
10 time, on July 11, 2012. Prior to that time, a prospective bidder may (1) submit the proposed
11 terms of its bid via PARITY, (2) modify the proposed terms of its bid, in which event the
12 proposed terms as last modified will (unless the bid is withdrawn as described herein) constitute
13 its bid for the Bonds or (3) withdraw its proposed bid. Once the bids are communicated
14 electronically via PARITY to the City, each bid will constitute an irrevocable offer to purchase
15 the Bonds on the terms therein provided. For purposes of the electronic bidding process, the
16 time as maintained on PARITY shall constitute the official time.

17
18 ***Good Faith Deposit***
19

20 A good faith deposit in the amount of \$_____ is required of the winning
21 bidder for the Bonds. The winning bidder for the Bonds is required to submit such good faith
22 deposit payable to the order of the City in the form of a wire transfer in federal funds as
23 instructed by the City's Financial Advisor, Davenport & Company LLC or a financial surety bond.
24 The winning bidder shall submit the good faith deposit not more than two hours after verbal
25 award is made. The winning bidder should provide as quickly as it is available, evidence of wire
26 transfer by providing the City the federal funds reference number. If the winning bidder fails to
27 comply with the good faith deposit requirement as described herein, that bidder is nonetheless
28 obligated to pay to the City the sum of \$_____ as liquidated damages due to the failure
29 of the winning bidder to timely deposit the good faith deposit.
30

31 A bidder may submit a financial surety bond from an insurance company acceptable to
32 the City, the claims paying ability of which is rated AAA by Standard & Poor's, a Division of the
33 McGraw-Hill Companies, Inc., or Aaa by Moody's Investors Service, Inc. and licensed to issue
34 such a bond in the State of Maryland and such surety bond must be submitted to the Director of
35 Finance of the City prior to 11:00 a.m., prevailing Eastern Time, on the date of sale. The financial
36 surety bond must identify each bidder whose good faith deposit is guaranteed by such financial
37 surety bond. If the Bonds are awarded to a bidder utilizing a financial surety bond, then the
38 successful bidder is required to submit its good faith deposit to the Director of Finance of the City
39 not later than 12:00 noon, prevailing Eastern Time, on the next business day following the award
40 either in the form of a wire transfer as described above in accordance with the City's instructions
41 to such successful bidder. If such good faith deposit is not received by that time, the financial
42 surety bond may be drawn by the City to satisfy the good faith deposit requirement.
43

44 ***Submission of a bid to purchase the Bonds serves as acknowledgement and acceptance***
45 ***of the terms of the good faith deposit requirement.***
46

47 The good faith deposit will be retained by the City until the delivery of the Bonds, at which
48 time the good faith deposit will be applied against the purchase price of the Bonds or the good
49 faith deposit will be retained by the City as partial liquidated damages in the event of the failure of
50 the successful bidder to take up and pay for such Bonds in compliance with the terms of this
51 Notice of Sale and of its bid. No interest on the good faith deposit will be paid by the City. The

1 balance of the purchase price must be wired in federal funds to the account detailed in the
2 closing memorandum, simultaneously with delivery of the Bonds.

3 4 **Approving Legal Opinion**

5
6 The approving legal opinion of McKennon Shelton & Henn LLP, Baltimore, Maryland,
7 Bond Counsel, will be furnished to the purchasers without cost. There will also be furnished the
8 usual closing papers and, in addition, a certificate signed by appropriate officers of the City,
9 certifying that there is no litigation pending or, to the knowledge of the signers of such
10 certificate, threatened affecting the validity of the Bonds and that on the date of the Official
11 Statement mentioned below and at the time of delivery of the Bonds the statements and
12 information contained in such Official Statement which are made and provided by the City are
13 and will be true, correct and complete in all material respects and the Official Statement does
14 not and will not omit any statement or information which is required to be stated therein or
15 necessary to make the statements and information therein, in the light of the circumstances
16 under which they were made, not misleading or incomplete in any material respect.

17 18 **Preliminary Official Statement; Continuing Disclosure**

19
20 The City has deemed the Preliminary Official Statement with respect to the Bonds dated
21 _____ (the "Preliminary Official Statement") to be final as of its date for purposes of
22 Rule 15c2-12 of the United States Securities and Exchange Commission (the "SEC"), except for
23 the omission of certain information permitted to be omitted by said Rule. The City agrees to
24 deliver to the successful bidder for its receipt no later than seven business days after the date of
25 sale of the Bonds such quantities of the final official statement as the successful bidder shall
26 request; provided, that the City shall deliver up to 300 copies of such official statement without
27 charge to the successful bidder.

28
29 The City has made certain covenants for the benefit of the holders from time to time of
30 the Bonds to provide certain continuing disclosure, in order to assist bidders for the Bonds in
31 complying with Rule 15c2-12(b)(5) of the SEC. Such covenants are described in the
32 Preliminary Official Statement.

33 34 **Delivery**

35
36 The Bonds will be delivered on or about July 25, 2012 (unless a notice of a change in
37 the delivery date is provided) through the facilities of DTC in New York, New York, against
38 payment therefore in federal or other immediately available funds.

39 **Reoffering Price Certificate**

40 SIMULTANEOUSLY WITH OR BEFORE DELIVERY OF THE BONDS, THE
41 SUCCESSFUL BIDDER SHALL FURNISH TO THE CITY A CERTIFICATE ACCEPTABLE TO
42 BOND COUNSEL TO THE EFFECT THAT (I) THE SUCCESSFUL BIDDER HAS MADE A
43 BONA FIDE PUBLIC OFFERING OF EACH MATURITY OF THE BONDS AT THE INITIAL
44 REOFFERING PRICES, (II) AS OF THE DATE OF THE SALE OF THE BONDS, THE
45 SUCCESSFUL BIDDER REASONABLY EXPECTED TO SELL A SUBSTANTIAL AMOUNT OF
46 EACH MATURITY OF THE BONDS TO THE PUBLIC (EXCLUDING BOND HOUSES,
47 BROKERS AND OTHER INTERMEDIARIES) AT THEIR RESPECTIVE REOFFERING
48 PRICES, AND (III) A SUBSTANTIAL AMOUNT OF EACH MATURITY OF THE BONDS WAS
49 SOLD TO THE PUBLIC (EXCLUDING BOND HOUSES, BROKERS AND OTHER

1 INTERMEDIARIES) AT THEIR RESPECTIVE INITIAL REOFFERING PRICES OR SUCH
2 OTHER FACTS REGARDING THE ACTUAL SALE OF THE BONDS AS BOND COUNSEL
3 SHALL REQUEST, AS DESCRIBED BELOW. Bond Counsel advises that (i) such certificate
4 must be made on the best knowledge, information and belief of the successful bidder, (ii) the
5 sale to the public of 10% or more in par amount of each maturity of the Bonds at the initial
6 reoffering prices would be sufficient to certify as of the sale of a substantial amount of the bonds
7 and (iii) reliance on other facts as a basis for such certification would require evaluation by Bond
8 Counsel to assure compliance with the statutory requirement to avoid the establishment of an
9 artificial price for the Bonds.

10
11 **Miscellaneous**

12
13 It is expected that CUSIP numbers will be printed on the Bonds. However, the validity,
14 sale, delivery or acceptance of the Bonds will not be affected in any manner by any failure to
15 print, or any error in printing, the CUSIP numbers on said Bonds, or any of them.

16
17 The right to reject any or all bids, or to waive any irregularity or informality in any bid, is
18 reserved.

19
20
21
22 CITY OF ANNAPOLIS, MARYLAND

23
24
25 By: /s/ _____
26 Mayor

27
28 By: /s/ _____
29 Director of Finance
30
31

1
2 SECTION 9. If any Bonds are sold pursuant to the foregoing Notice of Sale, the award
3 shall be made by order of the Mayor. Such action of the Mayor shall also fix the interest rate or
4 rates payable on the Bonds in accordance with the accepted proposal. The Mayor shall also be
5 authorized to make all changes necessary to the form of the Bond to comply with a book-entry
6 only system. The Bonds shall thereupon be signed as hereinabove provided and delivered to
7 the successful bidder upon payment of the balance of the purchase price thereof. The proceeds
8 of the Bonds shall be paid to the Finance Director. Upon approval of the appropriate vouchers,
9 in accordance with the established procedure of the City, the Finance Director shall pay, from
10 the proceeds of the Bonds in his hands, all expenses incurred in the issuance of the Bonds,
11 including costs of advertising, printing, document reproduction and counsel fees and expenses.
12 The balance of said proceeds shall be credited by the Finance Director to the several accounts
13 on his books for the Projects described above and the Finance Director shall make
14 disbursements for such Projects in accordance with the established procedure of Annapolis.
15 Prior to expenditure of such proceeds, the same or any part thereof shall be invested by the
16 Finance Director, with the approval of the Mayor, in any authorized investment of the City. If the
17 funds derived from the sale of the Bonds shall exceed the amount needed to finance any of the
18 Projects described in this Ordinance, or if the City Council determines that the public interest
19 requires a change in the capital improvements program of Annapolis, the funds so borrowed
20 and not expended for the public improvements provided by this Ordinance shall be set apart in a
21 separate fund by the Finance Director and applied in payment of the debt service on the Bonds,
22 unless the City Council shall adopt an ordinance allocating such funds to some other public
23 capital improvement project or projects of Annapolis.

24 SECTION 10. In order to provide for the payment of the principal of and interest on the
25 Bonds hereby authorized when due, there shall be appropriated in the next ensuing fiscal year
26 of Annapolis and in each fiscal year thereafter, so long as any of the Bonds are outstanding and
27 unpaid, or until a sufficient funds had been accumulated and irrevocably set aside for the
28 purpose, an amount sufficient to meet the debt service on the Bonds coming due in such fiscal
29 year and there shall be levied ad valorem taxes upon all property within the corporate limits of
30 the City subject to assessment for full City taxes, in rate and amount sufficient in each such year
31 to fund such appropriations and to provide for the payment when due of the principal of and
32 interest on all Bonds maturing in each such fiscal year. In the event the proceeds from the
33 taxes so levied in each such fiscal year shall prove inadequate for the above purposes,
34 additional taxes shall be levied in the subsequent fiscal year to make up any deficiency.

1 Thereafter, prior to each semi-annual interest payment date, the Finance Director shall deposit
2 with the Paying Agent, from the tax proceeds above described, the amounts needed to pay the
3 principal of and interest on the Bonds coming due on each such interest payment date. All
4 moneys so deposited with the Paying Agent shall be deemed and treated by the Paying Agent
5 as trust funds for the use and benefit of the holders from time to time of the Bonds hereby
6 authorized. Any such trust funds so held by the Paying Agent for the payment of particular
7 Bonds for periods of more than two (2) years from the dates of such Bonds, upon the expiration
8 of any such two-year period and the failure of the holders of said Bonds to present the same for
9 payment within such period, shall be returned by the Paying Agent to the City and, therefore,
10 the holders of any such Bonds shall have claims only against the City for payment of the
11 obligations held by them and the Paying Agent shall be relieved of the trust hereby imposed.

12 To assure the performance by the City of the provisions of this Section, the full faith and
13 credit and unlimited taxing power of the City are hereby irrevocably pledged to the payment to
14 maturity of the principal of and interest on the Bonds hereby authorized as and when the same
15 respectively mature and become payable and to the levy and collection of the taxes
16 hereinabove described as and when such taxes may become necessary in order to provide
17 sufficient funds to meet the debt service requirements of the Bonds hereby authorized to be
18 issued. This pledge is made hereby for the benefit of the holders, from time to time, of the
19 Bonds hereby authorized.

20 The City hereby solemnly covenants and agrees with each holder of any of the Bonds
21 hereby authorized to levy and collect the taxes hereinabove described and to take any other
22 action that may be appropriate from time to time during the period that any of such Bonds
23 remain outstanding and unpaid to provide the funds necessary to make principal and interest
24 payments thereon when due.

25 SECTION 11. This Ordinance and the question of the issuance of Bonds hereunder
26 shall not be submitted to a referendum of the registered voters of Annapolis, as permitted by
27 law, unless, within ten (10) days after the passage of this Ordinance, there shall be served upon
28 the Mayor a notice signed by not fewer than two hundred (200) of the registered voters of
29 Annapolis, advising that a petition for a referendum on the issuance of said bonds is being
30 circulated by one or more of the persons signing said notice and unless, within twenty (20) days
31 after the delivery of such notice, there shall also be filed with the Mayor a petition or petitions
32 requesting the holding of such a referendum, properly signed as required by the Charter, by not
33 fewer than twenty-five per centum (25%) of the registered voters of Annapolis, as shown by the

1 registered voters books of Annapolis, maintained by the Board of Supervisors of Elections of the
2 City (the "Board of Supervisors"). In view of the foregoing, no action shall be taken by
3 Annapolis pursuant to this Ordinance for a period of ten (10) days following its passage. If,
4 within such ten (10) day period, the notice above described is filed as aforesaid, then no action
5 shall be taken by Annapolis pursuant to this Ordinance for a period of twenty (20) days following
6 the filing of such notice. If, within such twenty (20) day period, a petition for referendum, as
7 above-described, shall be filed as aforesaid, then no action shall be taken by Annapolis under
8 this Ordinance unless and until the Mayor shall receive written advice from the City Attorney and
9 the Board of Supervisors that such referendum petition does not meet the requirements of the
10 Charter or unless and until the referendum requested in such petition shall be duly held in
11 accordance with law and the Board of Supervisors shall certify to Annapolis that, in the election
12 at which such referendum is held, a majority of the registered voters of Annapolis voting on the
13 question referred duly cast their ballots in favor of the issuance of the Bonds hereby authorized.
14 If this Ordinance shall be ratified or approved on any such referendum, then the Mayor and City
15 Clerk may proceed with the issuance of the Bonds hereby authorized, without further action by
16 Annapolis.

17 SECTION 12. That CUSIP numbers may be printed on the Bonds; provided, however,
18 that the printing of CUSIP numbers on the Bonds (even if incorrect) shall have no legal effect
19 and shall not in any way affect the enforceability or validity of any Bond. Any expenses in
20 relation to the printing of CUSIP numbers on the Bonds, including any CUSIP Service Bureau
21 charge for the assignment of such numbers, in the discretion of the Finance Director, may be
22 paid for by the City from the proceeds of the Bonds.

23 SECTION 13. In addition to the insertions and variations prescribed by this Ordinance,
24 the Mayor is hereby authorized to make such further modifications in such forms as will not alter
25 the substance of such forms. In connection with the issuance of any Bonds pursuant to this
26 Ordinance, the City is hereby authorized to enter into one or more agreements as the Mayor
27 shall deem necessary or appropriate for the issuance, sale, delivery or security of such Bonds,
28 which may include (without limitation) (i) underwriting, purchase or placement agreements for
29 Bonds sold at private (negotiated) sale in accordance with the provisions of this Ordinance; (ii)
30 trust agreements with commercial banks or trust companies providing for the issuance and
31 security of such Bonds; (iii) any dealer, remarketing or similar agreements providing for the
32 placement or remarketing of such Bonds; (iv) agreements providing for any credit or liquidity
33 facilities supporting any Bonds; (v) agreements with commercial banks or trust companies
34 providing for the deposit of proceeds of any Bonds; (vi) agreements with fiscal agents providing

1 for the issuance of Bonds, their authentication, registration, verification of amounts and earnings
2 set aside to pay the Refunded Bonds or payment or other similar services; and (vii) continuing
3 disclosure agreements, including any such agreements required to enable the underwriters of
4 any Bonds to meet the requirements of paragraph (b)(5) of Rule 15c2-12 promulgated by the
5 United States Securities and Exchange Commission. Each such agreement shall be in such
6 form as shall be determined by the Mayor by executive order. The execution and delivery of
7 each such agreement by the Mayor shall be conclusive evidence of the approval of the form of
8 such agreement on behalf of the City.

9 SECTION 14. The Mayor and the Finance Director shall be the officers of the City
10 responsible for the issuance of the Bonds within the meaning of the "Arbitrage Regulations"
11 (defined herein).

12 The Mayor and the Finance Director shall also be the officers of the City responsible for
13 the execution and delivery (on the date of issuance of the Bonds) of a certificate of the City (the
14 "Tax and Section 148 Certificate") which complies with the requirements of Section 148 of the
15 Internal Revenue Code of 1986, as amended ("Section 148"), and the applicable regulations
16 thereunder (the "Arbitrage Regulations"), and such officials are hereby authorized and directed
17 to execute the Tax and Section 148 Certificate and to deliver the same to Bond Counsel on the
18 date of the issuance of the Bonds.

19 The City shall set forth in the Tax and Section 148 Certificate its reasonable
20 expectations as to relevant facts, estimates and circumstances relating to the use of the
21 proceeds of the Bonds, or of any moneys, securities or other obligations to the credit of any
22 account of the City which may be deemed to be proceeds of the Bonds pursuant to Section 148
23 or the Arbitrage Regulations (collectively, "Bond Proceeds"). The City covenants with each of
24 the holders of any of the Bonds that the facts, estimates and circumstances set forth in the Tax
25 and Section 148 Certificate will be based on the City's reasonable expectations on the date of
26 issuance of the Bonds and will be, to the best of the certifying officials' knowledge, true and
27 correct as of that date.

28 In the event that Bonds are issued pursuant to this Ordinance with the expectation that
29 interest on such Bonds will be excludable from gross income for federal income tax purposes,
30 the City covenants with each of the registered owners of any of the Bonds that it will not make,
31 or (to the extent that it exercises control or direction) permit to be made, any use of the Bond
32 Proceeds which would cause the Bonds to be "arbitrage bonds" within the meaning of Section
33 148 and the Arbitrage Regulations. The City further solemnly covenants that it will comply with
34 Section 148 and the regulations thereunder which are applicable to the Bonds on the date of

1 issuance of the Bonds and which may subsequently lawfully be made applicable to the Bonds
2 as long as the Bonds remain outstanding and unpaid. The Mayor, the City Manager, and the
3 Finance Director are hereby authorized and directed to prepare or cause to be prepared and to
4 execute any certification, opinion or other document, including, without limitation, the Tax and
5 Section 148 Certificate, which may be required to assure that the Bonds will not be deemed to
6 be “arbitrage bonds” within the meaning of Section 148 and the regulations thereunder.

7 The City further covenants with each of the registered owners of any of the Bonds (i) that
8 it will not take any action or (to the extent that it exercises control or direction) permit any action
9 to be taken that would cause the Bonds or a portion of the Bonds to be “federally guaranteed”
10 within the meaning of Section 149(b) of the Internal Revenue Code of 1986, as amended, and
11 (ii) that it will not make, or (to the extent that it exercises control or direction) permit to be made,
12 any use of the proceeds of the Bonds or a portion of such proceeds that would cause the Bonds
13 or a portion of the Bonds to be “private activity bonds” within the meaning of Section 141 of the
14 Internal Revenue Code of 1986, as amended.

15 In the event that the Bonds are being issued hereunder with the expectation that interest
16 on such Bonds will be excludable from gross income for federal income tax purposes, the Mayor
17 may make such covenants or agreements in connection with the issuance of such Bonds as he
18 shall deem advisable in order to assure the registered owners of such Bonds that interest
19 thereon shall be and remain excludable from gross income for federal income tax purposes and
20 such covenants or agreements shall be binding on the City so long as the observance by the
21 City of any such covenants or agreements is necessary in connection with the maintenance of
22 the exclusion of the interest on such Bonds from gross income for federal income tax purposes.
23 The foregoing covenants or agreements may include such covenants or agreements on behalf
24 of the City regarding compliance with the provisions of the Internal Revenue Code of 1986, as
25 amended, as the Mayor shall deem advisable in order to assure the registered owners of the
26 Bonds that the interest thereon is and shall remain excludable from gross income for federal
27 income tax purposes, including (without limitation) covenants or agreements relating to the
28 investment of Bond Proceeds, the payment of certain earnings resulting from such investment
29 to the United States, limitations on the times within which, and the purposes for which, Bond
30 Proceeds may be expended, or the use of specified procedures for accounting for and
31 segregating Bond Proceeds. Any covenant or agreement made by the Mayor pursuant to this
32 paragraph may be set forth in or authorized by the Tax and Section 148 Certificate or an order
33 executed by the Mayor.

1 SECTION 14. This Ordinance shall take effect from the date of its approval by the
2 Mayor, on or following the date of its final adoption and, thereafter, within not more than three
3 calendar days of such approval, notice of the adoption of this Ordinance shall be duly given by
4 publication of the title hereof at least once in "The Capital," or another newspaper published and
5 of general circulation in the City.

6 **ADOPTED** this _____ day of _____, 2012.
7
8

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY _____

Regina C. Watkins-Eldridge, MMC, City Clerk

Joshua J. Cohen, Mayor

9
10 **EXPLANATION**

11 CAPITAL LETTERS indicate matter added to existing law.

12 [brackets] indicate matter stricken from existing law.

13 Underlining indicates amendments.

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**CITY COUNCIL OF THE
City of Annapolis**

Ordinance No. O-21-12

Introduced by: Mayor Cohen

LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
5/14/12			8/10/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	5/14/12		
Planning Commission	5/14/12		
Historic Preservation Commission	5/14/12		

8
9

AN ORDINANCE concerning

Tolling Approval and Permit Expiration Dates

10
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15

FOR the purpose of temporarily tolling expiration dates of certain approvals and permits in Title 17 and Title 21 of the Annapolis City Code until June 30, 2014 provided that the zoning approvals and permits are active and valid as of June 30, 2012.

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BY repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2011 Edition
Section 17.04.630
Section 21.08.040
Section 21.08.050
Section 21.56.070

22
23
24

SECTION I: PREAMBLE AND FINDINGS OF FACT

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29

WHEREAS, the City Council of the City of Annapolis authorized Resolution R-66-09 in November 2009, tolling the expiration of certain zoning approvals granted pursuant to Title 21 of the Annapolis City Code until December 31, 2010; and

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31
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33
34

WHEREAS, the City Council of the City of Annapolis authorized Ordinance O-33-10 in December 2010, tolling the expiration of certain zoning approvals granted pursuant to Title 17 and Title 21 of the Annapolis City Code until June 30, 2012; and

1 **WHEREAS,** a nationwide recession continues, which has caused a severe decline in the
2 construction industry and in residential and commercial real estate development;
3 and
4

5 **WHEREAS,** residential and commercial property owners, builders, and developers continue to
6 experience difficulty in obtaining loans and credit required to complete
7 construction and development; and
8

9 **WHEREAS,** a number of residential and commercial property owners, builders, and
10 developers have expended significant funds to obtain zoning approvals,
11 certificates of approvals, and permits, and, in some instances, have exhausted all
12 available extensions of such approvals and permits allowed by the Annapolis City
13 Code, and such approvals and permits are in jeopardy of expiring, which is not in
14 the interests of the City of Annapolis; and
15

16 **WHEREAS,** because of the continuation of the nationwide recession, those who have obtained
17 certain City permits pursuant to Title 17 of the Code of the City of Annapolis
18 related to residential and commercial construction and development are generally
19 experiencing financial difficulties in meeting permit expiration dates; and
20

21 **WHEREAS,** based upon the foregoing, the City Council of the City of Annapolis finds that it is
22 in the interests of the City of Annapolis to extend the tolling period authorized by
23 Ordinance O-33-10, and additionally to toll the expiration dates for certain City
24 construction and development related permits approved pursuant to Title 17 of the
25 Code of the City of Annapolis; and
26

27 **WHEREAS,** based upon the foregoing, the City Council of the City of Annapolis finds that it is
28 in the interests of the City of Annapolis to extend the tolling period authorized by
29 Ordinance O-33-10 through this Ordinance.
30

31 **SECTION II: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
32 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

33 **Chapter 17.04 - Definitions**

34 **17.04.630 - Permit and tolling.**

35 A. "Permit" means written, authorized approval to perform the proposed work.

36 B. Permits [issued] AND ANY PERMIT APPLICATION REVIEWED, APPROVED, AND
37 READY FOR ISSUANCE pursuant to [Sections 17.08.070, 17.10.150, 17.11.270, 17.12.058,
38 17.16.030, 17.18.060, 17.20.070, 17.24,170, 17.28.110, and 17.30.040 of this] Title **17**, and any
39 extensions thereof which are active and valid as of [December 31, 2010] **JUNE 30, 2012**, shall
40 by definition be tolled until June 30, [2012] **2014** so that all such permits, PERMIT
41 APPLICATION APPROVALS, and extensions shall expire on, or any applicable extension
42 request shall have been requested by, June 30, [2012] **2014**.

43 1. THE CITY OF ANNAPOLIS CODE IN FORCE AT THE TIME CONSTRUCTION
44 COMMENCES SHALL APPLY TO ALL SUCH PERMITS AND PERMIT APPLICATION
45 APPROVALS.

46

1 **Chapter 21.08 – Decision Making Bodies and Officials**

2 **21.08.040 - Board of Appeals.**

3 A. Establishment. The Board of Appeals is established pursuant to and has the authority to
4 execute all of the powers granted to Boards of Appeals by Article 66B of the Annotated Code of
5 Maryland.

6 B. Membership. The Board of Appeals shall consist of five members who shall be residents
7 and registered voters of the City of Annapolis and who shall serve without compensation. The
8 regular members and one alternate member shall be appointed by the Mayor and confirmed by
9 the City Council and be removable for cause, upon written charges, and after public hearing.
10 When an alternate member is absent, the Mayor with the confirmation of the City Council may
11 designate a temporary alternate.

12 C. Term. The term of office of each member of the Board of Appeals shall be for three years,
13 as provided in Article 66B of the Annotated Code of Maryland. Vacancies shall be filled for the
14 unexpired term of any member whose term becomes vacant.

15 D. Rules. The Board of Appeals shall adopt rules in accordance with the provisions of this
16 section and in accordance with the provisions of Article 66B of the Annotated Code of Maryland.
17 The Board shall adopt and amend rules as follows:

18 1. After a public session to consider the proposed rules or amendments, the Board shall
19 adopt and periodically amend rules of practice and procedure.

20 2. The Board shall give reasonable notice of the date, time, and place of the public
21 session and the category of rule or amendment to be considered at the session.

22 3. After approval by the Board, the rules of the Board of Appeals shall be published and
23 shall be available to the public through the Department of Planning and Zoning.

24 E. Duties. The Board of Appeals shall have the following powers and duties:

25 1. To hear and decide appeals, pursuant to the provisions of Zoning Code Chapter
26 21.30 where it is alleged there is error in any order, requirement, decision or determination
27 made by an administrative official or body in the enforcement of: (a) this Zoning Code; or
28 (b) any ordinance adopted pursuant to this Zoning Code.

29 2. To hear and decide applications for special exceptions pursuant to Chapter 21.26 of
30 this Zoning Code.

31 3. To hear and decide applications for variances from the terms of this Zoning Code,
32 pursuant to the provisions of Chapter 21.28

33 4. To hear and decide applications for zoning district boundary adjustments pursuant to
34 the provisions of Zoning Code Chapter 21.20

35 5. To hear and decide applications for physical alteration of a nonconforming use
36 pursuant to the provisions of Chapter 21.68

37 6. To hear and decide all matters referred to it or upon which it is required to decide by
38 this Zoning Code, and as prescribed by Article 66B of the Annotated Code of Maryland.

1 F. Tolling of Approvals. Approvals granted by the Board of Appeals pursuant to Section
2 21.08.040E of this Code and extensions thereof which are active and valid as of [December 31,
3 2010] **JUNE 30, 2012**, shall be tolled until June 30, [2012] **2014**, so that all such approvals and
4 extensions shall expire on, or any applicable extension request shall have been requested by,
5 June 30, [2012] **2014**.

6 G. Meetings. The meetings of the Board of Appeals shall be held at the call of the chair and at
7 other time determined by the Board. The Board shall provide public notice of any meeting by
8 publication in at least one newspaper of general circulation in the City not less than seven days
9 prior to the meeting. The chair or the acting chair may administer oaths and compel the
10 attendance of witnesses. All meetings shall be open to the public. The Board shall make a
11 transcript of all proceedings, showing the vote of each member on each question, or the
12 member's absence or failure to vote. The board shall immediately file the transcript of its
13 proceedings in the Office of Planning and Zoning. Each transcript shall be a public record. If a
14 recording or a transcript of a recording is not prepared in the normal course of the Board's
15 proceedings, the party who requests a copy of the recording or its transcript shall pay the cost of
16 preparing the recording or transcript.

17

18 **21.08.050 - Planning and Zoning Director.**

19 A. Establishment. The position of Planning and Zoning Director is established as the manager
20 of the Department of Planning and Zoning, with the authority to administer and enforce this
21 Zoning Code.

22 B. Duties. The Planning and Zoning Director may delegate zoning administration and
23 enforcement responsibilities to any deputy director, assistant director, or staff member of the
24 Department of Planning and Zoning, or other individual designated by the Director. The
25 Planning and Zoning Director has the following powers and duties:

26 1. Decide applications for demolition permits pursuant to the provisions of Chapter 21.14

27 2. Decide applications for administrative interpretations pursuant to the provisions of
28 Chapter 21.16

29 3. Decide applications for administrative adjustments pursuant to the provisions of
30 Chapter 21.18

31 4. Decide applications for major and minor site plan review pursuant to the provisions of
32 Chapter 21.22

33 5. Decide applications for extensions of planned developments pursuant to the
34 provisions of Chapter 21.24

35 6. Decide applications for determinations of nonconforming use status pursuant to the
36 provisions of Chapter 21.68

37 7. Hear and decide applications for change of nonconforming use pursuant to the
38 provisions of Chapter 21.68

39 8. Conduct inspections of buildings, structures and use of land to determine compliance
40 with the terms of this Zoning Code.

1 9. Take appropriate enforcement action with regard to alleged violations of this Zoning
2 Code.

3 10. Maintain permanent and current records made under this Zoning Code, including, but
4 not limited to, all maps, amendments, planned developments, special exceptions,
5 variances, appeals, use permits and applications.

6 11. Provide and maintain public information related to this Zoning Code.

7 12. Initiate or direct from time to time a study of the provisions of this Zoning Code, and
8 make reports or recommendations to the Planning Commission not less frequently than
9 once a year.

10 C. TOLLING OF APPROVALS. APPROVALS GRANTED BY THE PLANNING AND ZONING
11 DIRECTOR PURSUANT TO SECTION 21.08.050B OF THIS CODE AND EXTENSIONS
12 THEREOF WHICH ARE ACTIVE AND VALID AS OF JUNE 30, 2012, SHALL BE TOLLED
13 UNTIL JUNE 30, 2014, SO THAT ALL SUCH APPROVALS AND EXTENSIONS SHALL
14 EXPIRE ON, OR ANY APPLICABLE EXTENSION REQUEST SHALL HAVE BEEN
15 REQUESTED BY, JUNE 30, 2014.
16

17 **Chapter 21.56 – Historic District**

18 **21.56.080 - Certificate of approval—Expiration.**

19 A. A certificate of approval of the Commission shall expire automatically, unless extended by
20 the Commission, if:

21 1. In the case of an application for the demolition, moving or alteration of a structure, the
22 work has not commenced within six months and been completed within one year from the
23 date of issuance of the certificate of approval;

24 2. In the case of an application for the construction of a new structure, the work has not
25 commenced within one year from the date of issuance of the certificate of approval and
26 been completed within three years; or

27 3. For the purposes of this section, application for extension of approval shall be treated
28 and considered as a new application before the Commission.

29
30 B. TOLLING OF CERTIFICATES OF APPROVAL. NOTWITHSTANDING THE
31 PROVISIONS OF SECTION 21.56.080A OF THIS CODE, CERTIFICATES OF APPROVAL
32 GRANTED BY THE HISTORIC PRESERVATION COMMISSION PURSUANT TO SECTIONS
33 21.56.040 THROUGH 21.56.070 OF THIS CODE AND EXTENSIONS THEREOF WHICH ARE
34 ACTIVE AND VALID AS OF JUNE 30, 2012, SHALL BE TOLLED UNTIL JUNE 30, 2014, SO
35 THAT ALL SUCH CERTIFICATES OF APPROVAL AND EXTENSIONS SHALL EXPIRE ON,
36 OR ANY APPLICABLE EXTENSION REQUEST SHALL HAVE BEEN REQUESTED BY, JUNE
37 30, 2014.
38

39 **SECTION III: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
40 **ANNAPOLIS CITY COUNCIL** that this Ordinance shall take effect from the date of its passage.
41

1 **SECTION IV: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
2 **ANNAPOLIS CITY COUNCIL** that Sections 17.04.630B; 21.08.040F; 21.08.050C; and
3 21.56.080B shall be deemed abrogated and of no further effect effective July 1, 2014, and
4 stricken from the Code of the City of Annapolis.

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ADOPTED this _____ day of _____, _____.

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

Regina C. Watkins-Eldridge, MMC, City Clerk

Joshua J. Cohen, Mayor

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EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.

[brackets] indicate matter stricken from existing law.

Underlining indicates amendments.

Policy Report

Ordinance O-21-12

Tolling Approval and Permit Expiration Dates

The proposed ordinance would temporarily toll expiration dates of certain approvals and permits in Title 17 and Title 21 of the Annapolis City Code until June 30, 2014 provided that the zoning approvals and permits are active and valid as of June 30, 2012. Section 17.04.630 B.1. of the proposed ordinance states that the City of Annapolis Code in force at the time construction commences shall apply to all such permits and permit application approvals.

Prepared by Jessica Cowles, Legislative and Policy Analyst, Office of Law;
JCCowles@annapolis.gov and 410-263-1184.

1 CITY COUNCIL OF THE
2 City of Annapolis

3 Resolution No. R-20-12

4 Introduced by: Mayor Cohen
5
6
7

LEGISLATIVE HISTORY			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
5/14/12			8/10/12
Referred to	Referral Date	Meeting Date	Action Taken
Finance	5/14/12		
Economic Matters	5/14/12		

8
9 A RESOLUTION concerning

10 Paint Annapolis 2012

11 FOR the purpose of designating June 7-10, 2012 as dates for the sale of arts-related
12 merchandise in the Historic District at the Paint Annapolis 2012 event; authorizing City
13 Council approval of the event; and the reimbursement of full fees to the City for the cost
14 associated with the event.

15 WHEREAS, the Mid-Atlantic Plein Air Painters Association seeks the City's approval
16 through the City's Special Event Application to hold an event from June 7-10 in
17 Eastport and the Historic District, including Susan Campbell Park based on the
18 following:

- 19
20 ■ Time of arts related activities: 7:00 a.m. on June 7 to 5:00 p.m. on June 10.
21 ■ Festival is open to the public free of charge.
22 ■ Location: Eastport and the Historic District including Susan Campbell Park
23 ■ The Mid-Atlantic Plein Air Painters Association, or its designee, is required
24 to obtain all City permits for temporary structures, electrical connections and
25 pre/post event inspections determined necessary for the safe execution of
26 the event when those elements are required for the execution of the day's
27 activities.
28 ■ Vendors will be located in consultation with the Special Events Coordinator;
29 each vendor must obtain a City vendor's permit and must post applicable
30 business licenses.

31
32 WHEREAS, Section 7.40.090 of the City Code allows the City Council to designate certain
33 days when peddlers, hawkers and itinerant merchants may sell in the Historic
34 District or a nonresidential area; and

35
36 WHEREAS, Section 6.04.210 of the City Code states that "whenever a person leases, uses
37 or occupies a City facility, the person shall be charged and pay a minimum of
38 full fees for the use of the facility." Examples of City facilities include public
39 spaces, grounds, parks, athletic facilities, fields, docks, piers, wet slips,

1 moorings, developable waters, buildings, motor vehicles, equipment,
2 structures, rooms or other parts of public buildings. Examples of City services
3 include traffic control, crowd control, public safety support (police or fire), trash
4 removal, sanitary services, recycling, bulk pick-up, the provision of water,
5 sewer, electricity, communications or other utilities, transportation, and labor.
6 Full fees "means the value of the right to lease, use or occupy the City facility
7 as determined by the Finance Director in a fiscal impact note, plus all costs
8 incurred by the City... including but not limited to utility costs and costs
9 associated with municipal services (public safety, public works, custodial,
10 renovations, repairs, maintenance, transportation and parking)..."

11
12 **NOW THEREFORE BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that sales of
13 arts may be sold in conjunction with the Paint Annapolis 2012 event from June 7-June 10.

14
15 **AND, BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
16 **COUNCIL** that there shall be no waiver of full fees. However, notwithstanding any other
17 provision of law, the Director of Finance shall determine the full fees incurred by the City
18 government and the organizers of the event shall reimburse the City for full fees.

19
20 **AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that a
21 representative of the City will be present to resolve matters relating to this special event and
22 his/her cell phone number shall be posted on the City's website during the hours the event is
23 open to the public.

24
25
26 **ADOPTED** this ____ day of _____, _____.

27
28
ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

Regina C. Watkins-Eldridge, MMC, City Clerk

Joshua J. Cohen, Mayor

29
30 **EXPLANATION**
31 CAPITAL LETTERS indicate matter added to existing law.
32 [brackets] indicate matter stricken from existing law.
33 Underlining indicates amendments.
34

Staff Report

R-20-12

Paint Annapolis 2012

The proposed resolution would permit the Mid-Atlantic Plein Air Painters Association (MAPAPA) to hold the Paint Annapolis 2012 from June 7-10, an event selling arts merchandise in the Historic District at Susan Campbell Park on June 9, 2012; authorize City Council approval of the event; and the reimbursement of full fees to the City for the cost associated with the event.

The Mid-Atlantic Plein Air Painters Association has requested City Services as follows:

1. Reserved meters (2) at Market House for organizers and day parking place cards for painters.
2. Special event vendor permit at no charge; MAPAPA is a 501c(3) and therefore no fee is charged.

Key details about the Paint Annapolis 2012 event:

- On Saturday, June 9, MAPAPA will hold a timed painting event at Susan Campbell Park and, when judging is completed, artwork generated will be sold on site.
- No food or beverages (neither alcoholic nor nonalcoholic) will be served or sold.
- Two (2) reserved parking places will be taken at Market House; daily parking permits will be paid for by MAPAPA.

Under the terms set by the R-14-12, the Special Events Moratorium, no waiver from this resolution is required because less than 10 parking spaces have been requested; less than \$1,000 in City Services are expected to be rendered; fewer than 1,000 participants and attendees per day are expected; and no road closures have been requested or required.

Prepared by Michelle LeFurge, Special Events Coordinator at mmlefurge@annapolis.gov and Jessica Cowles, Legislative and Policy Analyst in the Office of Law at JCCowles@annapolis.gov

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**CITY COUNCIL OF THE
City of Annapolis**

Resolution No. R-21-12

Introduced by: Mayor Cohen

LEGISLATIVE HISTORY			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
5/14/12			8/10/12
Referred to	Referral Date	Meeting Date	Action Taken
Finance	5/14/12		
Economic Matters	5/14/12		

8
9 **A RESOLUTION** concerning

10 **Chesapeake Bay Yacht Racing Association (CBYRA) Race Week 2012**

11 **FOR** the purpose of designating September 1-3, 2012 as dates for the sale of merchandise in
12 the Historic District at the Chesapeake Bay Yacht Racing Association (CBYRA) Race
13 Week 2012 event; authorizing City Council approval of the event; and the
14 reimbursement of full fees to the City for the cost associated with the event.

15 **WHEREAS,** the Chesapeake Bay Yacht Racing Association (CBYRA) seeks the City's
16 approval through the City's Special Event Application to hold an event from
17 September 1-3 at Susan Campbell Park based on the following:

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- Time of activities: 4:00 p.m. on September 1 to 8:00 p.m. on September 3.
 - Setup and breakdown time: 8:00 a.m. August 31 to 11:00 a.m. September 4.
 - Amplified entertainment from: 4:00 p.m. to 8:00 p.m. each day of the event (no testing outside these hours is permitted).
 - Festival is open to the public free of charge.
 - Location: Susan Campbell Park (see Exhibit 1).
 - The Chesapeake Bay Yacht Racing Association, or its designee, is required to obtain all City permits for alcoholic beverages, temporary structures, electrical connections and pre/post event inspections determined necessary for the safe execution of the event when those elements are required for the execution of the day's activities.
 - Vendors will be located in consultation with the Special Events Coordinator; each vendor must obtain a City vendor's permit and must post applicable business licenses.

35 **WHEREAS,** Section 7.40.090 of the City Code allows the City Council to designate certain
36 days when peddlers, hawkers and itinerant merchants may sell in the Historic
37 District or a nonresidential area; and
38

1 **WHEREAS,** Section 6.04.210 of the City Code states that “whenever a person leases, uses
2 or occupies a City facility, the person shall be charged and pay a minimum of
3 full fees for the use of the facility.” Examples of City facilities include public
4 spaces, grounds, parks, athletic facilities, fields, docks, piers, wet slips,
5 moorings, developable waters, buildings, motor vehicles, equipment,
6 structures, rooms or other parts of public buildings. Examples of City services
7 include traffic control, crowd control, public safety support (police or fire), trash
8 removal, sanitary services, recycling, bulk pick-up, the provision of water,
9 sewer, electricity, communications or other utilities, transportation, and labor.
10 Full fees “means the value of the right to lease, use or occupy the City facility
11 as determined by the Finance Director in a fiscal impact note, plus all costs
12 incurred by the City... including but not limited to utility costs and costs
13 associated with municipal services (public safety, public works, custodial,
14 renovations, repairs, maintenance, transportation and parking)...”
15

16 **NOW THEREFORE BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that sales of
17 merchandise may be sold in conjunction with the CBYRA 2012 event from September 1-3,
18 2012.
19

20 **AND, BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
21 **COUNCIL** that there shall be no waiver of full fees. However, notwithstanding any other
22 provision of law, the Director of Finance shall determine the full fees incurred by the City
23 government and the organizers of the event shall reimburse the City for full fees.
24

25 **AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that a
26 representative of the City will be present to resolve matters relating to this special event and
27 his/her cell phone number shall be posted on the City’s website during the hours the event is
28 open to the public.
29

30
31 **ADOPTED** this ___ day of ____, ____.
32
33

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

Regina C. Watkins-Eldridge, MMC, City Clerk

Joshua J. Cohen, Mayor

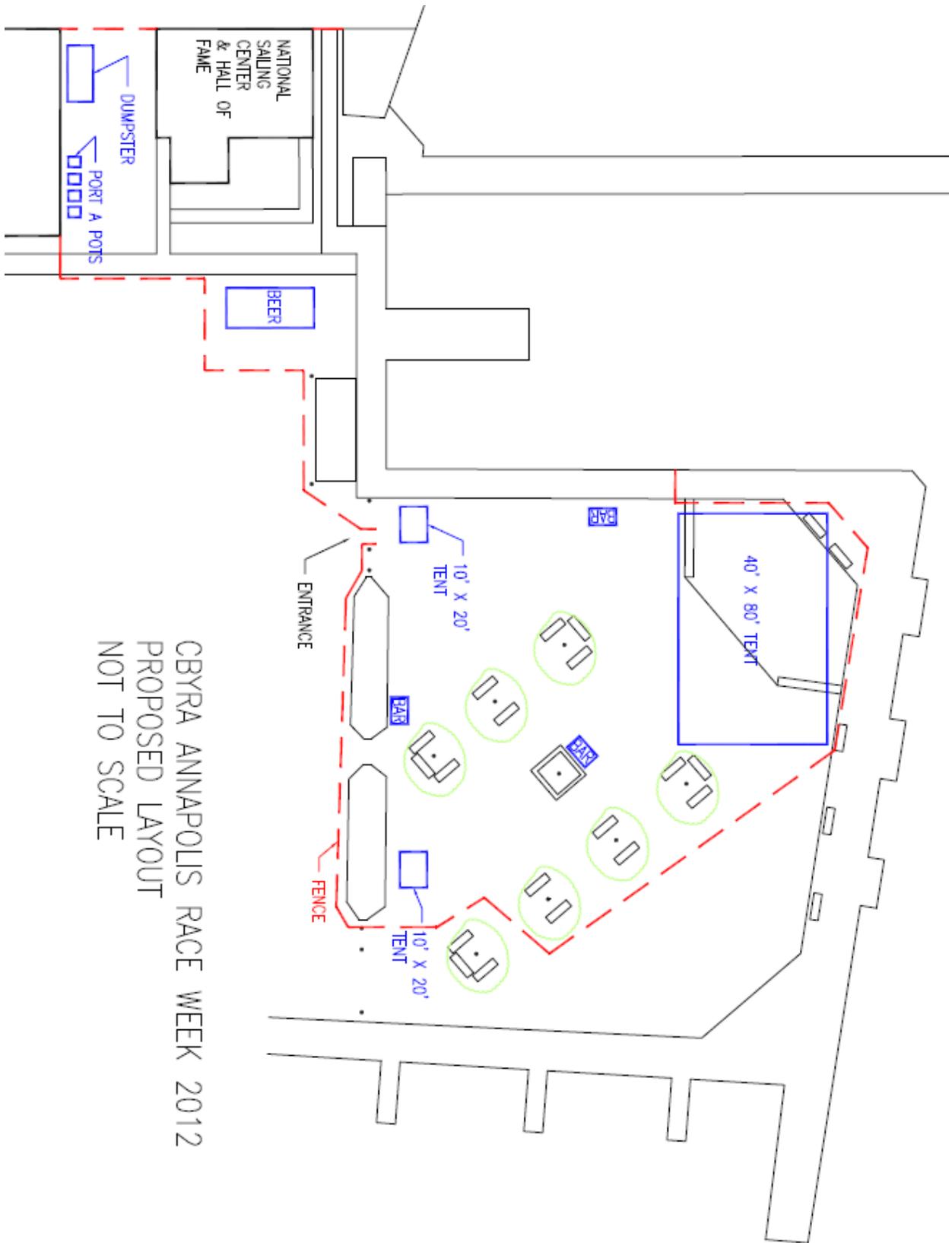
34
35 **EXPLANATION**

36 CAPITAL LETTERS indicate matter added to existing law.

37 [brackets] indicate matter stricken from existing law.

38 Underlining indicates amendments.
39
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Exhibit 1



Staff Report

R-21-12

Chesapeake Bay Yacht Racing Association (CBYRA) Race Week 2012

The proposed resolution would permit the Chesapeake Bay Yacht Racing Association (CBYRA) to hold the Race Week 2012 event selling merchandise from September 1-3, 2012 at Susan Campbell Park; authorize City Council approval for the event; and the reimbursement of full fees to the City for the cost associated with the event.

The CBYRA has requested City Services as follows:

1. Temporary structures permit required for tents larger than 10'x10'; two 10'x20' tents; a 40'x80' tent will cover the Susan Campbell Park stage.
2. Reserved parking (3) three spaces immediately adjacent to Susan Campbell Park for the full term of use.
3. One-day liquor license.
4. Special event vendor permit.

Key details about the CYBRA Race Week 2012 event:

- CBYRA will provide around-the-clock security for the duration of the event.
- CBYRA is seeking an ABC license.
- CBYRA has requested three parking places have been requested; participants and attendees are expected to park at their marinas and use Water Taxis (providing discount coupons) and eCruisers (adding stops) to attend the event.
- The majority of participants are expected to arrive from Eastport.
- Cooking will take place on-site and an Anne Arundel County Health Department permit is required.
- CBYRA is providing its own dumpster for the event.
- Notification of area residents will be through a Ward One Residents Association meeting, local business meetings, email blasts and mailed notices to residents.

Under the terms set by the R-14-12, the Special Events Moratorium, no waiver from this resolution is required because less than 10 parking spaces have been requested; less than \$1,000 in City Services are expected to be rendered; fewer than 1,000 participants and attendees per day are expected; and no road closures have been requested or required.

Prepared by Michelle LeFurge, Special Events Coordinator at mmlefurge@annapolis.gov and Jessica Cowles, Legislative and Policy Analyst in the Office of Law at JCCowles@annapolis.gov

1 CITY COUNCIL OF THE
2 City of Annapolis

3 Resolution No. R-22-12

4 Introduced by: Alderman Arnett
5
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LEGISLATIVE HISTORY			
<i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i>			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
5/14/12			8/10/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	5/14/12		

8
9 **A RESOLUTION** concerning

10 **Submission of Finance Committee Budget Report**

11
12 **FOR** the purpose of postponing until after May 14, 2012, the submission to the Mayor and
13 City Council of the Finance Committee's recommendations on the FY2013 operating
14 budget and related legislation.

15
16 **WHEREAS,** Section 6.16.010 of the Annapolis City Code directs that the Finance Committee
17 submit its recommendations on the Mayor's proposed FY 2013 operating budget
18 to the City Council not later than the second Monday in May of each year; and
19

20 **WHEREAS,** the Finance Committee continues to meet and deliberate in an effort to come to
21 agreement on their budget recommendations; and
22

23 **WHEREAS,** the Maryland Court of Appeals has held that directive language enacted by a
24 legislature may be read as permissive when binding upon the same body.
25

26 **NOW, THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the City
27 Council waives the directive in Section 6.16.010 of the City Code to submit the Finance
28 Committee's recommendations by the second Monday in May.
29

30 **NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL**
31 that the Finance Committee's submission to the Mayor and City Council of any proposed
32 recommendations on the Mayor's proposed FY2013 operating budget and related legislation be,
33 and the same hereby, is postponed until after May 14, 2012.
34

35
36 **ADOPTED** this _____ of _____, 2012.
37
38

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

Regina C. Watkins-Eldridge, MMC, City Clerk

Joshua J. Cohen, Mayor

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EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.

[brackets] indicate matter stricken from existing law.

Underlining indicates amendments.

Policy Report

R-22-12

Submission of Finance Committee Budget Report

The proposed resolution would postpone until after May 14, 2012, the submission to the Mayor and City Council of the Finance Committee's recommendations on the FY2013 operating budget and related legislation. The proposed resolution would extend the submission deadline that Section 6.16.010 of the City Code imposes of the second Monday in May.

Prepared by Jessica Cowles, Legislative and Policy Analyst in the City of Annapolis Office of Law at JCCowles@annapolis.gov or 410.263.1184.

City of Annapolis Budget Revision Request

Control number GT-50-12

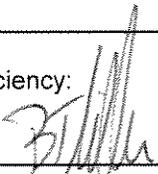
Department
Planning and Zoning

Date 2-May-2012

Number	Account Title	Amount	
		Debit	Credit
30400-583000-20002	Maynard Burgess	265,000.00	
30400-583000-20004	Maintenance Facility		265,000.00

Department justification for request:
To provide funding for Match to \$100,000 grant from African American Heritage Preservation and additional funds to complete renovations.

Approved for Financial & Accounting Sufficiency:


 Finance Director

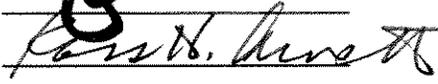

 Department Director

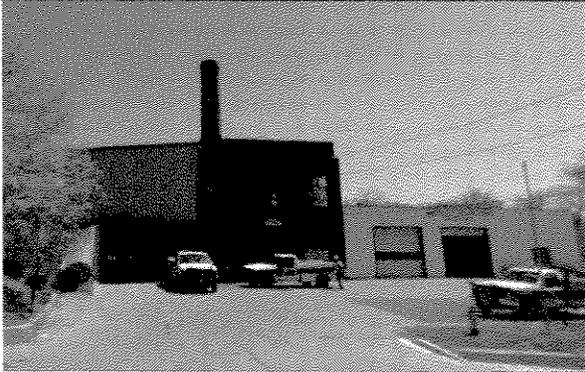
Approved by:

Mayor

Finance Committee

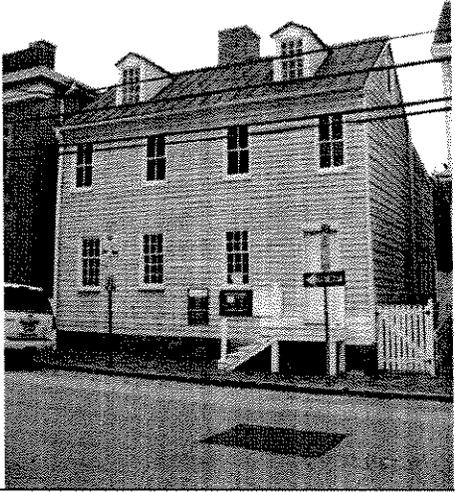
City Council


Project Title Maintenance Facilities	Project Number 542
Asset Category City Facilities	Location 935 & 937 Spa Road
Initiating Department/Division	Priority Score
<p>Project Description The Public Works facilities at 935/937 Spa Road sustained significant snow damage during the historic snowstorm in February 2010. As a result, the building at 937 Spa was condemned and will be demolished, and the DPW Utility Division moved provisionally to the historic 'Community Services' building on St. Mary's Street (the old Rec Center). Later in 2010, a fire damaged one of the maintenance buildings in the maintenance complex.</p> <p>In the planning stage, this project will:</p> <ul style="list-style-type: none"> • evaluate the maintenance and operations needs for several City departments – Public Works, Recreation & Parks, and Transportation; • determine the degree to which City operations and maintenance needs can be consolidated or co-located at the Spa Road site and/or other City-owned sites; • perform environmental investigations; • generate a plan to optimize the use of this site with a facility more suited to current operations and maintenance needs; and • conduct a feasibility study for the proposed facility. 	
FY12 Budget commitment allows project stage: Planning	
Prior Funding FY11: \$310,000 is budgeted to perform engineering evaluations and demolish the building.	
Potential non-City sources of funding:	

Appropriation Schedule	Budget	5-Year Capital Plan					FY12 - FY17 Total
	Adopted FY12	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	
Construction Related							0
Consultant Fees	250,000						250,000
Financing, Accounting & Legal Fees							0
Miscellaneous Fees							0
Construction Costs							0
Total	250,000	0	0	0	0	0	250,000

Funding Schedule							
Bond funds	250,000						250,000
Operating funds							0
Other							0
Other							0
Total	250,000						250,000

Project Title Maynard Burgess House	Project Number 526
Asset Category City Facility	Location 163 Duke of Gloucester
Initiating Department/Division Mayor's Office, Historic Preservation Office	Priority Score
<p>Project Description This project will bring the Maynard Burgess house to a state of completion, with the building weather tight, structurally stable, and able to be inhabited. Immediate steps need to be taken to close leaks and keep water and insects out of the building.</p> <p>The Maynard-Burgess House is a unique resource in that it was owned and occupied by two successive African-American families (the Maynard family and the Burgess family) from approx. 1840 to 1990. In the early 1990s, a private developer of historic properties attempted to renovate the structure for resale. Recognizing its historic significance, ownership of the building was transferred to the City of Annapolis. Historic Annapolis Foundation (HAF) worked to restore the property as a house museum depicting 19th century African-American life in Annapolis, with grants from the City and the Maryland Historical Trust. The City is now managing the completion of the project.</p>	
FY12 Budget commitment allows project stage: No City funds requested in FY12	
Prior Funding ~\$220,000 allocated in prior years.	
Potential non-City sources of funding: \$100,000 was awarded to this project via the African American Heritage Preservation Program of the Maryland Historical Trust. The remaining budget will be assembled through grant funding and private donations.	

Appropriation Schedule	Budget	5-Year Capital Plan					FY12 - FY17 Total
	Adopted FY12	Proposed FY13	Proposed FY14	Proposed FY15	Proposed FY16	Proposed FY17	
Construction Related							0
Consultant Fees							0
Financing, Accounting & Legal Fees							0
Miscellaneous Fees							0
Construction Costs	451,800						451,800
Total	451,800	0	0	0	0	0	451,800

Funding Schedule							
Bond funds							0
Operating funds							0
State grant	100,000						100,000
Donations & grant funds	351,800						351,800
Other							0
Total	451,800	0	0	0	0	0	451,800

From: Virginia Burke
To: Kline, Linda; Miller, Bruce
CC: Jarrell, David; Raftovich, Hilary
Date: 4/10/2012 9:03 AM
Subject: Fwd: Budget Transfer between CIP accounts

Linda: what is the status of this request?
The project management team will be meeting about this later this week.
When can the budget transfer get on a Finance Committee agenda?

>>> Virginia Burke 4/4/2012 11:28 AM >>>
Linda,

I need a Budget Transfer between CIP accounts. Last week Mike Mallinoff, Dave Jarrell, Brian Snyder and I agreed on this course of action. I believe the transfer will need to be approved by the Finance Committee, so please cc Hilary when the form is completed so she can get it on their next available meeting date.

Specifically:

FROM:
CIP Project Code 20004 /Maintenance Facilities
\$265,000

30400-583000-20004

TO:
CIP Project Code 20002 /Maynard Burgess

30400 583000 - 20002

Description / Purpose:

Funding for Design and Construction of improvements to Maynard-Burgess House. Funds will also provide 1:1 match for \$100,000 grant received from African American Heritage Preservation Program of the Maryland Historical Trust, which must be spend in 2013. Work on Maynard Burgess House will proceed in concert with City Hall renovations.

Is there anything else you need from me in regards to documentation?

Virginia

From: Virginia Burke
To: Cohen, Joshua; Gaines, Cynthia
CC: Jarrell, David; Mallinoff, Mike; Raftovich, Hilary; Snyder, Brian
Date: 5/3/2012 12:31 PM
Subject: Budget Transfer of 265K for today's Finance Committee
Attachments: Page11 from CIP FY12 Adopted-2.PDF; Page18 from CIP FY12 Adopted.PDF

Cindy: for Josh:

Detail that was unclear on the Budget Transfer Form that is awaiting Josh' signature:

\$265,000 is being moved from the project called Maintenance Facilities, which has a balance of \$310,000. Reason for this is the project can't spend all of its funds immediately.

Meanwhile, Maynard Burgess needs to spend funds 'immediately' in order to meet the match requirement of a grant. It received a \$100,000 grant from African American Heritage Preservation Program. City's match of 100K must be spent by July 2013. The total project budget is 365K.

Hilary, if the 2 attached pages from the FY12 CIP are NOT already enclosed with the Budget Transfer Form, please print them now and include them in the packet for the Finance Committee.

Virginia



City of Annapolis
Office of the Mayor
 Special Projects Coordinator
 160 Duke of Gloucester Street
 Annapolis, MD 21401-2517

FOR CITY USE ONLY	
FORM #	057-12
EVENT DATE	5-19-12
SUBMITTED	3-30-12
STATUS	

SpecialEvents@annapolis.gov • 410-263-7996 • Fax 410-216-9284 • www.annapolis.gov
 Deaf, hard of hearing or speech disability - use MD Relay or 711

Special Events Application

This application is required in order to consider whether the proposed activities are in compliance with applicable laws and regulations, and are not detrimental to the public health, safety and welfare.

1. A pre-application discussion with the Special Event Coordinator is required for first time events.
2. This permit application, with required attachments, must be submitted **30 days** prior to the event. Applications for events involving tents, staging and alcohol must be submitted **90 days** prior to the event and require additional approvals. Events requiring US Coast Guard involvement must be submitted **120 days** prior to the event.
3. Applications for events that will result in the closure of more than two blocks for more than 30 minutes must be filed at least **90 days** prior to the event, and requires that an alternate traffic route plan be approved, provisions made for public notice, and an opportunity for public comment. All expenses of public notice shall be paid by the applicant.
4. Prior to approval, the applicant must produce documentary proof of an insurance policy or rider protecting the City from liability for damages to person and property arising from the permitted event. This rider must be submitted to the City's Special Projects Coordinator no later than **7 days** prior to the event.
5. Application for events requiring legislation, INCLUDING LEASES, must be submitted at least **120 days** prior to the event.
6. A \$25.00 non-refundable application fee must accompany the application. It will NOT be reviewed until the fee is paid. Payment may be made by cash or by check payable to the *City of Annapolis* and submitted in person or mailed to the City of Annapolis Attn: Special Projects Coordinator at 160 Duke of Gloucester Street, Annapolis, MD 21401 or by credit card by calling 410-263-7996. Note: This does not include any additional permit fees that may be required.
7. Applications completed electronically should be e-mailed to the Special Projects Coordinator. Paper submissions may be brought or mailed to the address at the top of this page.

Event title Annapolis One Mile Challenge
 Event date(s) Saturday, May 19, 2012 Rain date(s) n/a
 Start time 8:00 am End time 10:30 am
 Set-up time 6:45 am Breakdown 11:00 am
 Event address Starts/finishes at City Dock Market Space/Randall Street by Market House - map attached.
 (Please attach route or maps if event includes more than one location)

Is event in the Historic District? Yes No Event will be in Ward # 1

Contact Lisa Fontaine Phone number 410-991-5903
 E-mail lisa@annapolishalf.com Phone during event 410-991-5903 or 410-991-7339 (Craig)
 Sponsoring organization Annapolis Police Department (Brian Della APD rep)
 Address Contact Mailing address: 264 King George Street, Annapolis, MD 21401

Status
 Annapolis Residential/Community Group Not for profit (attach designation letter)
 Business Group/Association Other _____
 For profit, enter Federal Tax ID _____ Private Citizen
 Governmental Agency

Detailed description of event or performance (please attach additional page if necessary):

One mile run

Event status

Open to the public Not open to the public Admission fee: 25.00 Registration process

Purpose of event

Block Party Festival Other
 Commemoration First Amendment Rally Parade Race/Walk
 Educational Fundraiser Private Function/Ceremony Recreational Activity

Anticipated number of participants or attendees 200

Please answer the following questions:

- 1. Are you selling or serving:
 - Food Yes No
 - Dry Goods Yes No
 - Non-Alcoholic Beverages Yes No
 - Alcoholic Beverages * Yes No

* The Alcohol Beverages Control Board meets monthly at 3 p.m. on the first Wednesday. Applications to the City Clerk (410-263-7942) are due 30 days prior to this meeting. Licenses cannot be issued to commercial enterprises.

- 2. Will event require docking or mooring? ♦ Yes No
- 3. Will event require electricity? ♦ Yes No
- 4. Will event have amplified music? Yes No
- 5. Will event require water service? ♦ Yes No
- 6. Will a temporary structure be erected? *♦ Yes No
- 7. Will there be cooking? Yes No
- 8. Will there be fireworks? Yes No
- 9. Will event require street or sidewalk closure? * ♦ Yes No
- 10. Do you have a parking plan? * ♦ Yes No
- 11. Do you have a security/event management plan? * ♦ Yes No
- 12. Do you have a toilet facilities plan? * Yes No
- 13. Will event require shuttle or bus service? ♦ Yes No
- 14. Do you have a trash removal plan (incl. signs)? *♦ Yes No
- 15. Do you have a plan to notify area residents? * Yes No
- 16. Will this event affect access or parking for regular religious services? Yes No

* Please include plan, diagram and/or maps with application.

♦ Services provided by the City of Annapolis may require additional fees to be paid by event sponsor.

Check to indicate that you have read the acknowledgement below and agree to the terms and conditions included.

Lisa M. Fontaine

Signature of Applicant or Applicant's Representative (may be typed)

March 30, 2012

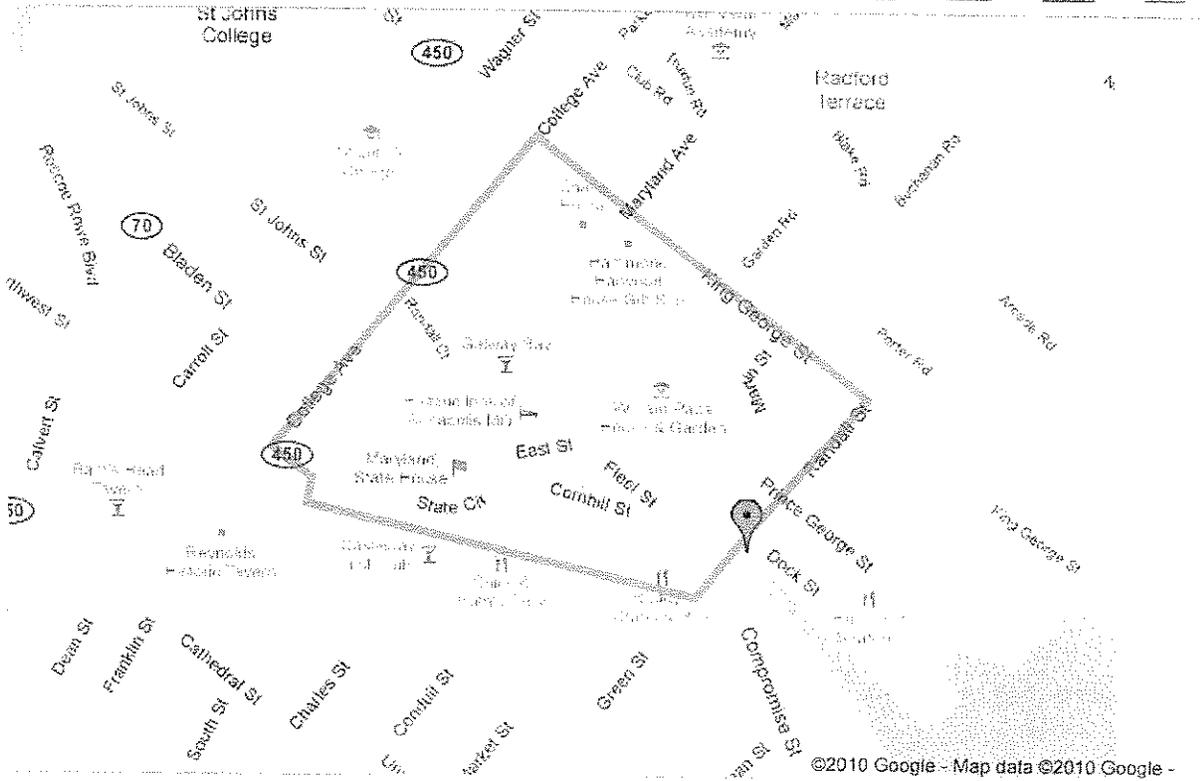
Date

Google maps

To see all the details that are visible on the screen, use the "Print" link next to the map.

[Get Directions](#) [My Maps](#)

[View in Google Earth](#) [Print](#) [Send](#) [Link](#)



Annapolis One Mile Challenge

1 views - Unlisted
 Created on Apr 5 - Updated 8 minutes ago
 By [lisaaf21401](#)
[Rate this map](#) - [Write a comment](#)



[Start/finish](#)

[Line 1](#)



City of Annapolis
 Office of the Mayor
 Special Projects Coordinator
 160 Duke of Gloucester Street
 Annapolis, MD 21401-2517

FOR CITY USE ONLY	
FORM #	055-12
EVENT DATE	5/27/12
SUBMITTED	3/30/12
STATUS	

SpecialEvents@annapolis.gov • 410-263-7996 • Fax 410-216-9284 • www.annapolis.gov
 Deaf, hard of hearing or speech disability - use MD Relay or 711

Special Events Application

This application is required in order to consider whether the proposed activities are in compliance with applicable laws and regulations, and are not detrimental to the public health, safety and welfare.

1. A pre-application discussion with the Special Event Coordinator is required for first time events.
2. This permit application, with required attachments, must be submitted **30 days** prior to the event. Applications for events involving tents, staging and alcohol must be submitted **90 days** prior to the event and require additional approvals. Events requiring US Coast Guard involvement must be submitted **120 days** prior to the event.
3. Applications for events that will result in the closure of more than two blocks for more than 30 minutes must be filed at least **90 days** prior to the event, and requires that an alternate traffic route plan be approved, provisions made for public notice, and an opportunity for public comment. All expenses of public notice shall be paid by the applicant.
4. Prior to approval, the applicant must produce documentary proof of an insurance policy or rider protecting the City from liability for damages to person and property arising from the permitted event. This rider must be submitted to the City's Special Projects Coordinator no later than **7 days** prior to the event.
5. Application for events requiring legislation, INCLUDING LEASES, must be submitted at least **120 days** prior the event.
6. A \$25.00 non-refundable application fee must accompany the application. It will NOT be reviewed until the fee is paid. Payment may be made by cash or by check payable to the *City of Annapolis* and submitted in person or mailed to the City of Annapolis Attn: Special Projects Coordinator at 160 Duke of Gloucester Street, Annapolis, MD 21401 or by credit card by calling 410-263-7996. Note: This does not include any additional permit fees that may be required.
7. Applications completed electronically should be e-mailed to the Special Projects Coordinator. Paper submissions may be brought or mailed to the address at the top of this page.

Event title Creek Festival

Event date(s) May 27, 2012 Sunday Rain date(s) n/a

Start time 2pm End time 3pm

Set-up time Need meters from 12-3pm Breakdown 3pm

Event address 100 Main Street
 (Please attach route or maps if event includes more than one location)

Is event in the Historic District? Yes No Event will be in Ward # 1

Contact Evangelina Ross Phone number 410-266-5555

E-mail eross@zacharysjewelers.com Phone during event 443-852-0744

Sponsoring organization Zacharys Jewellers & Co. Sts Constantine & Helen

Address 100 Main St J

Status

Annapolis Residential/Community Group Not for profit (attach designation letter)

Business Group/Association Other local biz private church group

For profit, enter Federal Tax ID _____ Private Citizen

Governmental Agency

Detailed description of event or performance (please attach additional page if necessary):

Celebration of Greek heritage with 2 Greek dances to be performed in Mt square - total 15 minutes

Event status

Open to the public Not open to the public Admission fee: none Registration process

Purpose of event

Block Party Festival Other
 Commemoration First Amendment Rally Parade Race/Walk
 Educational Fundraiser Private Function/Ceremony Recreational Activity

Anticipated number of participants or attendees 300

Please answer the following questions:

1. Are you selling or serving:

Food Yes No
Dry Goods Yes No
Non-Alcoholic Beverages Yes No
Alcoholic Beverages * Yes No

* The Alcohol Beverages Control Board meets monthly at 3 p.m. on the first Wednesday. Applications to the City Clerk (410-263-7942) are due 30 days prior to this meeting. Licenses cannot be issued to commercial enterprises.

- 2. Will event require docking or mooring? Yes No
- 3. Will event require electricity? Yes No
- 4. Will event have amplified music? Yes No *(for a period of 15 minutes) speakers from WENR*
- 5. Will event require water service? Yes No
- 6. Will a temporary structure be erected? Yes No
- 7. Will there be cooking? Yes No
- 8. Will there be fireworks? Yes No
- 9. Will event require street or sidewalk closure? Yes No *(meter blocking) organized*
- 10. Do you have a parking plan? Yes No *public parking hiring bus to downtown*
- 11. Do you have a security/event management plan? Yes No *volunteers arranged*
- 12. Do you have a toilet facilities plan? Yes No *store: harbor #119-126 plus*
- 13. Will event require shuttle or bus service? Yes No
- 14. Do you have a trash removal plan (incl. signs)? Yes No *cleanup 2 handicap spaces*
- 15. Do you have a plan to notify area residents? Yes No *<no need for>*
- 16. Will this event affect access or parking for regular religious services? Yes No

* Please include plan, diagram and/or maps with application.

◆ Services provided by the City of Annapolis may require additional fees to be paid by event sponsor.

Check to indicate that you have read the acknowledgement below and agree to the terms and conditions included.

STEPHEN C. SAMARAS

3/26/12

Signature of Applicant or Applicant's Representative (may be typed)

Date

Acknowledgement

Approval of this application to use or lease City property for special events may be subject to review by the City Council. Unless waived by the City's Office of Law, this application shall not be approved unless the Applicant produces an insurance policy or rider establishing that the Applicant is insured, in amounts acceptable to the City, against liability for injuries and damages to persons and property arising from the acts or omissions of the Applicant and its agents, employees and contractors that occur in the planning and operation of the special event. The City and its Mayor, council members, department directors and other employees and agents shall be named as additional insureds under the policy or rider. The Applicant shall indemnify and hold the City and its Mayor, Council members, department directors and other employees and agents harmless from liability for all, injuries and damages to persons and property that arise from the Applicant's use or lease of City property pursuant to the approval of this application and the planning and operation of the special event, and for any attorney fees and costs incurred in addressing and defending claims, complaints and lawsuits that seek to impose liability on the City or its Mayor, council members, department directors and other employees and agents in connection therewith. Any permit or lease approved pursuant to this Application, and any additional permits or licenses required for the special event, must be posted on site at all times during the special event at a location which is clearly visible to the general public. Failure to do so may, in the sole discretion of the City, result in termination of the permit approval or lease before or during the special event.

I have read, understand and accept all terms and conditions stated in this application. If the applicant is an entity, I certify that the Applicant is currently licensed or registered to do business in the State of Maryland if licensing or registration is lawfully required, that it is an entity in good standing with the State of Maryland, that I am authorized by the Applicant to sign this application on its behalf and to legally bind it thereby, that my signature represents my acceptance of these terms and conditions and the acceptance of the entity, and that I individually guarantee any liability and all obligations imposed on the entity pursuant to the approval of this application.

FOR CITY USE ONLY

Please initial, date and return to Special Projects Coordinator.

DNEP	_____	PIO	_____
City Clerk	_____	Public Works	_____
Fire	_____	Recreation & Parks	_____
Harbormaster	_____	Transportation	_____
OEM	_____	Other City /Council	_____
Office of Law	_____	DGS /Parking	_____
Police	_____	Health Department	_____

Event application is hereby

___ Referred to Office of Law for legislation for City Council ___ Approved ___ Disapproved

___ Approved with the following modifications:

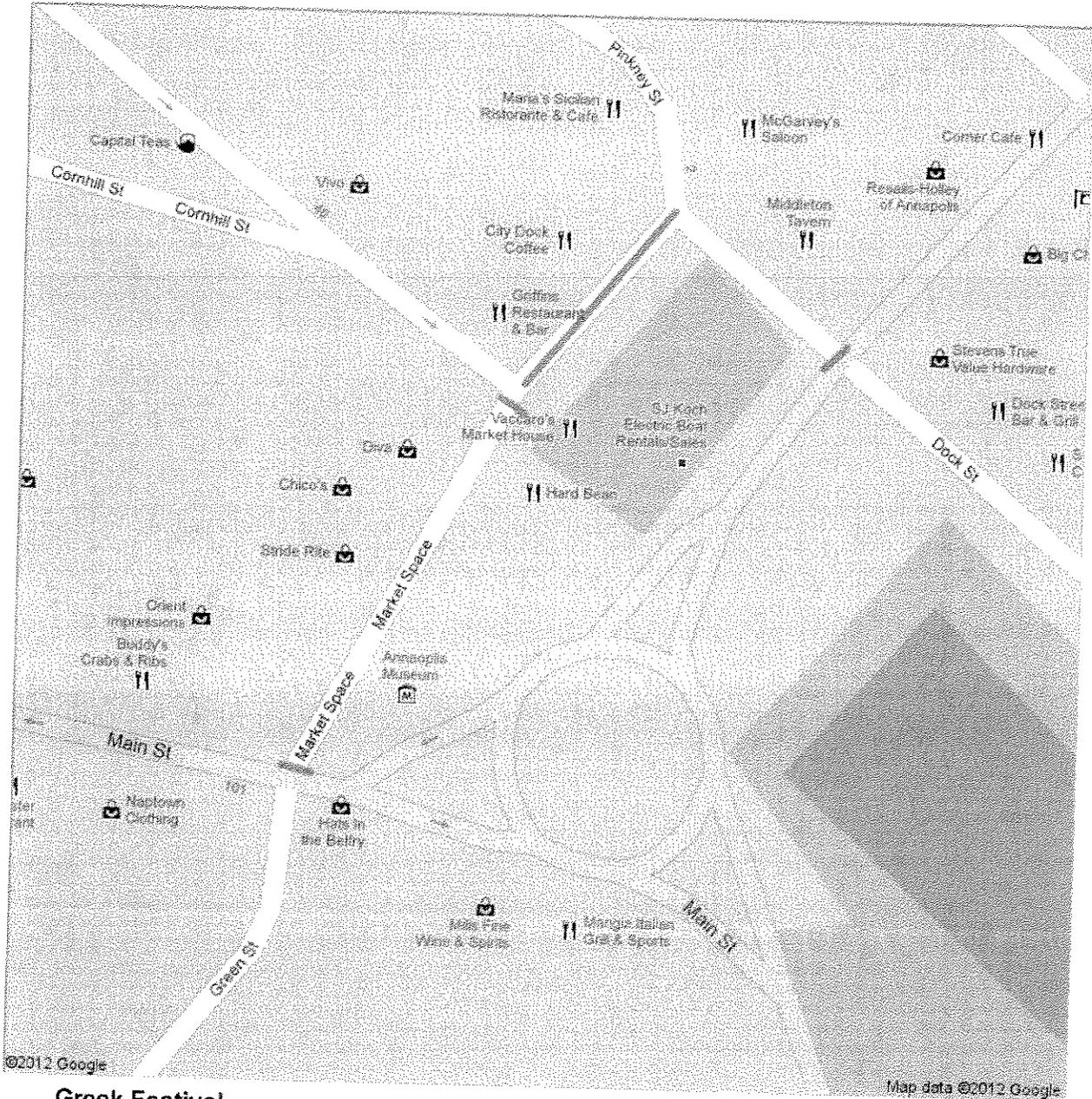
Signature of Projects Coordinator on behalf of the Mayor's Office

Date



Get Google Maps on your phone

Text the word "GMAPS" to 466453



Greek Festival

Sunday, May 27, 2012 approx. 2pm

Public · 0 views

Created on Mar 20 · By · Updated < 1 minute ago

-  Barricade
-  Barricade
-  Change to 2 way
Divert traffic up Pinkney
-  Barricade

*We will need meters
#114-126 plus 2 handicapped
spaces from 12-3pm*



City of Annapolis
Office of the Mayor
 Special Projects Coordinator
 160 Duke of Gloucester Street
 Annapolis, MD 21401-2517

FOR CITY USE ONLY	
FORM #	005-12
EVENT DATE	6/2/12
SUBMITTED	12/6/11
STATUS	

SpecialEvents@annapolis.gov • 410-263-7996 • Fax 410-216-9284 • www.annapolis.gov
 Deaf, hard of hearing or speech disability - use MD Relay or 711

Special Events Application

This application is required in order to consider whether the proposed activities are in compliance with applicable laws and regulations, and are not detrimental to the public health, safety and welfare.

1. A pre-application discussion with the Special Event Coordinator is required for first time events.
2. This permit application, with required attachments, must be submitted **30 days** prior to the event. Applications for events involving tents, staging and alcohol must be submitted **90 days** prior to the event and require additional approvals. Events requiring US Coast Guard involvement must be submitted **120 days** prior to the event.
3. Applications for events that will result in the closure of more than two blocks for more than 30 minutes must be filed at least **90 days** prior to the event, and requires that an alternate traffic route plan be approved, provisions made for public notice, and an opportunity for public comment. All expenses of public notice shall be paid by the applicant.
4. Prior to approval, the applicant must produce documentary proof of an insurance policy or rider protecting the City from liability for damages to person and property arising from the permitted event. This rider must be submitted to the City's Special Projects Coordinator no later than **7 days** prior to the event.
5. Application for events requiring legislation, INCLUDING LEASES, must be submitted at least **120 days** prior to the event.
6. A \$25.00 non-refundable application fee must accompany the application. It will NOT be reviewed until the fee is paid. Payment may be made by cash or by check payable to the *City of Annapolis* and submitted in person or mailed to the City of Annapolis Attn: Special Projects Coordinator at 160 Duke of Gloucester Street, Annapolis, MD 21401 or by credit card by calling 410-263-7996. Note: This does not include any additional permit fees that may be required.
7. Applications completed electronically should be e-mailed to the Special Projects Coordinator. Paper submissions may be brought or mailed to the address at the top of this page.

Event title	ZOOMA Anapolis Half Marathon & 10K		
Event date(s)	Saturday, June 2, 2012	Rain date(s)	na
Start time	7:30am	End time	10:30am
Set-up time	4:00am	Breakdown	Noon
Event address	Navy-Marine Corps Memorial Stadium (Please attach route or maps if event includes more than one location)		

Is event in the Historic District? Yes No Event will be in Ward # 2

Contact	Brae Blackley	Phone number	703-349-2230
E-mail	brae@zoomarun.com	Phone during event	202-744-9503
Sponsoring organization	Premier Sports Productions, LLC dba ZOOMA Women's Race Series		
Address	3612 19th St. N, Arlington, VA 22207		

Status

Annapolis Residential/Community Group Not for profit (attach designation letter)

Business Group/Association Other _____

For profit, enter Federal Tax ID 11-3818030 Private Citizen

Governmental Agency

Detailed description of event or performance (please attach additional page if necessary):

Women's running race. See Attached.

Event status

Open to the public Not open to the public Admission fee: _____ Registration process

Purpose of event

Block Party Festival Other _____
 Commemoration First Amendment Rally Parade Race/Walk
 Educational Fundraiser Private Function/Ceremony Recreational Activity

Anticipated number of participants or attendees 4,000

Please answer the following questions:

1. Are you selling or serving:
- | | | |
|-------------------------|---|--|
| Food | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Dry Goods | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Non-Alcoholic Beverages | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Alcoholic Beverages * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

* The Alcohol Beverages Control Board meets monthly at 3 p.m. on the first Wednesday. Applications to the City Clerk (410-263-7942) are due 30 days prior to this meeting. Licenses cannot be issued to commercial enterprises.

- | | | |
|--|---|--|
| 2. Will event require docking or mooring? ♦ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 3. Will event require electricity? ♦ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 4. Will event have amplified music? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 5. Will event require water service? ♦ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 6. Will a temporary structure be erected? *♦ | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 7. Will there be cooking? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 8. Will there be fireworks? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 9. Will event require street or sidewalk closure? * ♦ | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 10. Do you have a parking plan? * ♦ | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 11. Do you have a security/event management plan? * ♦ | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 12. Do you have a toilet facilities plan? * | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 13. Will event require shuttle or bus service? ♦ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 14. Do you have a trash removal plan (incl. signs)? *♦ | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 15. Do you have a plan to notify area residents? * | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 16. Will this event affect access or parking for regular religious services? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

* Please include plan, diagram and/or maps with application.

♦ Services provided by the City of Annapolis may require additional fees to be paid by event sponsor.

Check to indicate that you have read the acknowledgement below and agree to the terms and conditions included.

Brae Blackley

Signature of Applicant or Applicant's Representative (may be typed)

12/06/11

Date

Section One

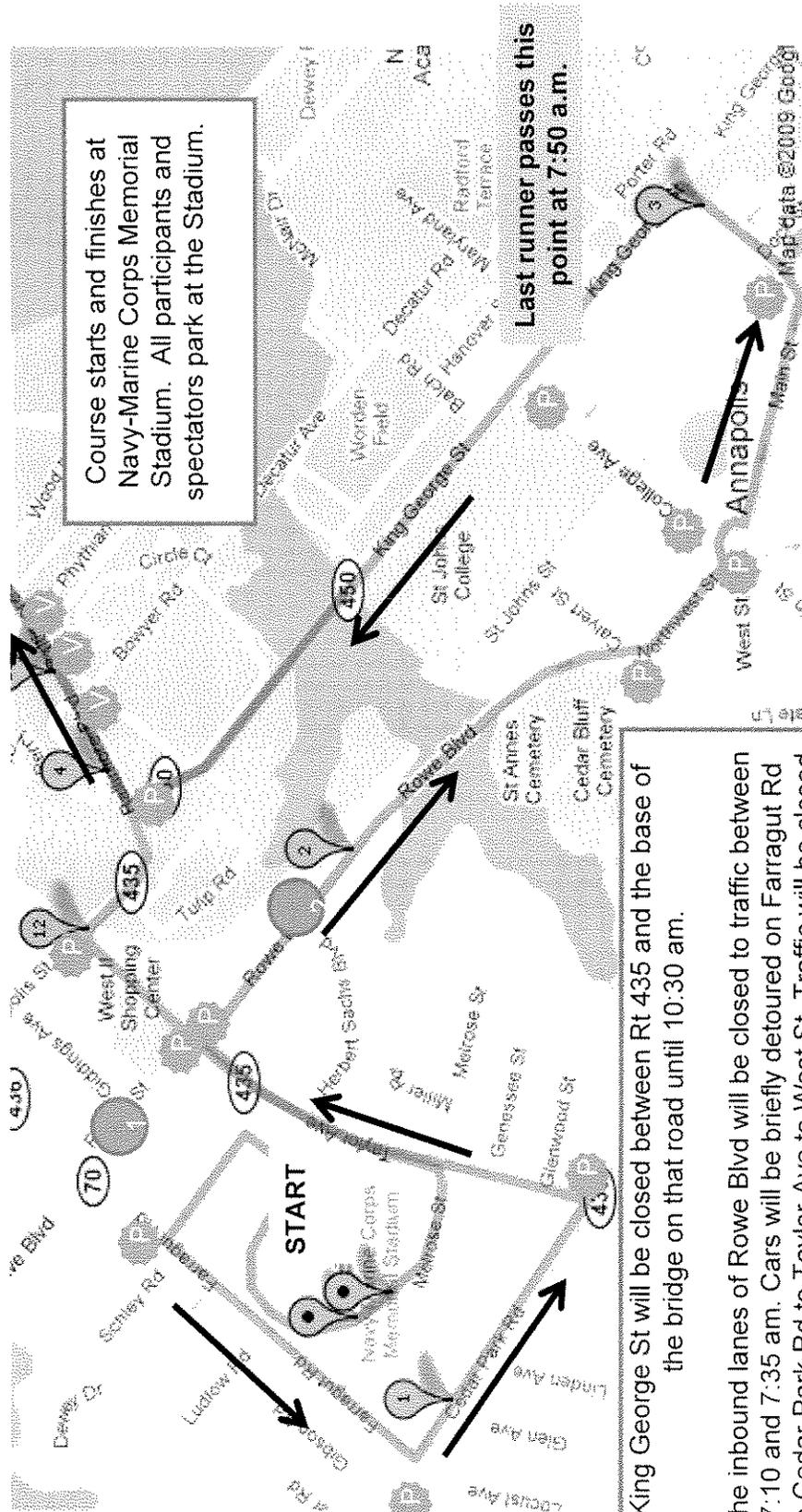
7:00 – 8:12 a.m.

Key:

● Police officer or volunteer

● Signboard (see key on last page)

--- Cone placement



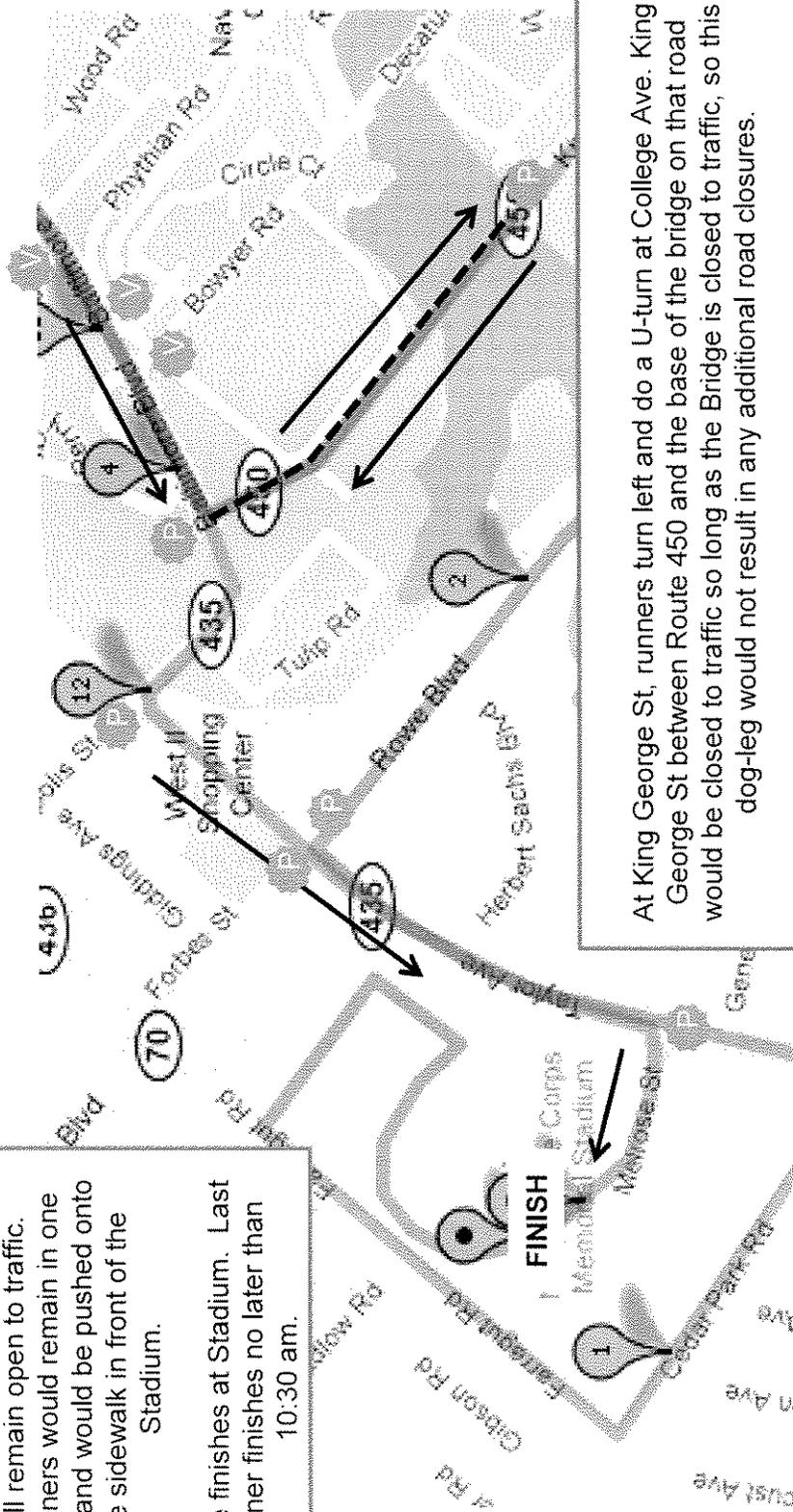
PRIVATE & CONFIDENTIAL

Section Five

7:30 – 10:30 a.m.

Taylor Ave south of Rowe Blvd will remain open to traffic. Runners would remain in one lane and would be pushed onto the sidewalk in front of the Stadium.

Race finishes at Stadium. Last runner finishes no later than 10:30 am.



At King George St, runners turn left and do a U-turn at College Ave. King George St between Route 450 and the base of the bridge on that road would be closed to traffic so long as the Bridge is closed to traffic, so this dog-leg would not result in any additional road closures.

Rowe Blvd would be closed to traffic at the Taylor Ave intersection from 7:30 to 10:30 a.m. Traffic will detour around the Stadium (Farragut Rd to Cedar Park Rd to Taylor Ave), which is the same detour as the Annapolis 10-Miler. This is an approx. 3 minute detour.

PRIVATE & CONFIDENTIAL



City of Annapolis
 Office of the Mayor
 Special Projects Coordinator
 160 Duke of Gloucester Street
 Annapolis, MD 21401-2517

Need solicitors license to sell raffish tickets
pd

FOR CITY USE ONLY	
FORM #	046-12
EVENT DATE	6/16/12
SUBMITTED	3/15/12
STATUS	

SpecialEvents@annapolis.gov • 410-263-7996 • Fax 410-216-9284 • www.annapolis.gov
 Deaf, hard of hearing or speech disability - use MD Relay or 711

Special Events Application

This application is required in order to consider whether the proposed activities are in compliance with applicable laws and regulations, and are not detrimental to the public health, safety and welfare.

1. A pre-application discussion with the Special Event Coordinator is required for first time events.
2. This permit application, with required attachments, must be submitted **30 days** prior to the event. Applications for events involving tents, staging and alcohol must be submitted **90 days** prior to the event and require additional approvals. Events requiring US Coast Guard involvement must be submitted **120 days** prior to the event.
3. Applications for events that will result in the closure of more than two blocks for more than 30 minutes must be filed at least **90 days** prior to the event, and requires that an alternate traffic route plan be approved, provisions made for public notice, and an opportunity for public comment. All expenses of public notice shall be paid by the applicant.
4. Prior to approval, the applicant must produce documentary proof of an insurance policy or rider protecting the City from liability for damages to person and property arising from the permitted event. This rider must be submitted to the City's Special Projects Coordinator no later than **7 days** prior to the event.
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7. Applications completed electronically should be e-mailed to the Special Projects Coordinator. Paper submissions may be brought or mailed to the address at the top of this page.

Event title	Corvettes on the Bay		
Event date(s)	16 June 2012	Rain date(s)	None - Event is Rain or Shine
Start time	10 AM	End time	4 PM
Set-up time	8 AM	Breakdown	4 - 5 PM
Event address	1 Dock St. (City Dock parking area East of Harbor Master office, and Susan B. Campbell Park) (Please attach route or maps if event includes more than one location)		

Is event in the Historic District? Yes No Event will be in Ward # 1

Contact	Peter Klein (President, Corvette Annapolis)	Phone number	410-721-8958
E-mail	peterklein@comcast.net	Phone during event	410-353-0157
Sponsoring organization	Corvette Annapolis (car club)		
Address	1104 Charing Cross Dr., Crofton, MD 21114		

Status

<input type="checkbox"/> Annapolis Residential/Community Group	<input type="checkbox"/> Not for profit (attach designation letter)
<input type="checkbox"/> Business Group/Association	<input checked="" type="checkbox"/> Other <u>car club</u>
<input type="checkbox"/> For profit, enter Federal Tax ID _____	<input type="checkbox"/> Private Citizen
<input type="checkbox"/> Governmental Agency	

Detailed description of event or performance (please attach additional page if necessary):

Car Show (See attached Operations Plan)
\$40 pre-registration admission fee is for show display cars only. Event is open to and free for spectators.

Event status

Open to the public Not open to the public Admission fee: 40.00 Registration process

Purpose of event

Block Party Festival Other Car Show
 Commemoration First Amendment Rally Parade Race/Walk
 Educational Fundraiser Private Function/Ceremony Recreational Activity

Anticipated number of participants or attendees approx. 95 cars / 220 participants

Please answer the following questions:

1. Are you selling or serving:

Food Yes No
Dry Goods Yes No
Non-Alcoholic Beverages Yes No
Alcoholic Beverages * Yes No

* The Alcohol Beverages Control Board meets monthly at 3 p.m. on the first Wednesday. Applications to the City Clerk (410-263-7942) are due 30 days prior to this meeting. Licenses cannot be issued to commercial enterprises.

- 2. Will event require docking or mooring? ♦ Yes No
- 3. Will event require electricity? ♦ Yes No
- 4. Will event have amplified music? Yes No
- 5. Will event require water service? ♦ Yes No
- 6. Will a temporary structure be erected? *♦ Yes No
- 7. Will there be cooking? Yes No
- 8. Will there be fireworks? Yes No
- 9. Will event require street or sidewalk closure? * ♦ Yes No
- 10. Do you have a parking plan? * ♦ Yes No
- 11. Do you have a security/event management plan? * ♦ Yes No
- 12. Do you have a toilet facilities plan? * Yes No
- 13. Will event require shuttle or bus service? ♦ Yes No
- 14. Do you have a trash removal plan (incl. signs)? *♦ Yes No
- 15. Do you have a plan to notify area residents? * Yes No
- 16. Will this event affect access or parking for regular religious services? Yes No

* Please include plan, diagram and/or maps with application.

♦ Services provided by the City of Annapolis may require additional fees to be paid by event sponsor.

Check to indicate that you have read the acknowledgement below and agree to the terms and conditions included.

Signature of Applicant or Applicant's Representative (may be typed)

27 February 2012

Date

Acknowledgement

Approval of this application to use or lease City property for special events may be subject to review by the City Council. Unless waived by the City's Office of Law, this application shall not be approved unless the Applicant produces an insurance policy or rider establishing that the Applicant is insured, in amounts acceptable to the City, against liability for injuries and damages to persons and property arising from the acts or omissions of the Applicant and its agents, employees and contractors that occur in the planning and operation of the special event. The City and its Mayor, council members, department directors and other employees and agents shall be named as additional insureds under the policy or rider. The Applicant shall indemnify and hold the City and its Mayor, Council members, department directors and other employees and agents harmless from liability for all, injuries and damages to persons and property that arise from the Applicant's use or lease of City property pursuant to the approval of this application and the planning and operation of the special event, and for any attorney fees and costs incurred in addressing and defending claims, complaints and lawsuits that seek to impose liability on the City or its Mayor, council members, department directors and other employees and agents in connection therewith. Any permit or lease approved pursuant to this Application, and any additional permits or licenses required for the special event, must be posted on site at all times during the special event at a location which is clearly visible to the general public. Failure to do so may, in the sole discretion of the City, result in termination of the permit approval or lease before or during the special event.

I have read, understand and accept all terms and conditions stated in this application. If the applicant is an entity, I certify that the Applicant is currently licensed or registered to do business in the State of Maryland if licensing or registration is lawfully required, that it is an entity in good standing with the State of Maryland, that I am authorized by the Applicant to sign this application on its behalf and to legally bind it thereby, that my signature represents my acceptance of these terms and conditions and the acceptance of the entity, and that I individually guarantee any liability and all obligations imposed on the entity pursuant to the approval of this application.

FOR CITY USE ONLY			
Please initial, date and return to Special Projects Coordinator.			
DNEP	_____	PIO	_____
City Clerk	_____	Public Works	_____
Fire	_____	Recreation & Parks	_____
Harbormaster	_____	Transportation	_____
OEM	_____	Other City /Council	_____
Office of Law	_____	DGS /Parking	_____
Police	_____	Health Department	_____

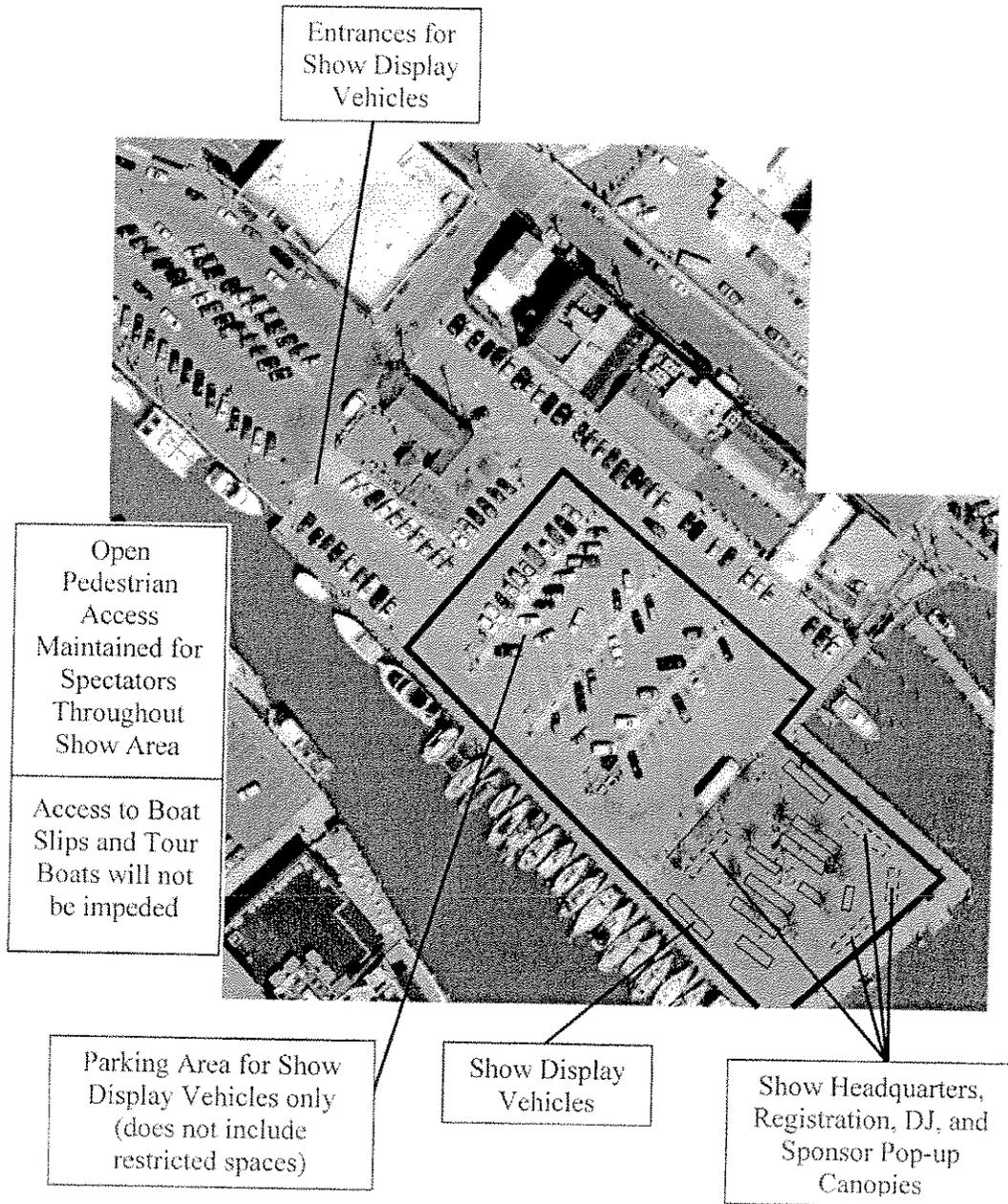
Event application is hereby

Referred to Office of Law for legislation for City Council Approved Disapproved
 Approved with the following modifications:

Signature of Projects Coordinator on behalf of the Mayor's Office

Date

“Corvettes on the Bay”
Event Layout – Annapolis City Dock
June 16, 2012





City of Annapolis
Office of the Mayor
 Special Projects Coordinator
 160 Duke of Gloucester Street
 Annapolis, MD 21401-2517

FOR CITY USE ONLY	
FORM #	015-12
EVENT DATE	multiple
SUBMITTED	1/26/12
STATUS	

SpecialEvents@annapolis.gov • 410-263-7996 • Fax 410-216-9284 • www.annapolis.gov
 Deaf, hard of hearing or speech disability - use MD Relay or 711

City Special Events Application

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3. Applications for events that will result in the closure of more than two blocks for more than 30 minutes must be filed at least **90 days** prior to the event, and requires that an alternate traffic route plan be approved, provisions made for public notice, and an opportunity for public comment. All expenses of public notice shall be paid by the applicant.
4. Prior to approval, the applicant must produce documentary proof of an insurance policy or rider protecting the City from liability for damages to person and property arising from the permitted event. This rider must be submitted to the City's Special Projects Coordinator no later than **7 days** prior to the event.
5. Application for events requiring legislation, INCLUDING LEASES, must be submitted at least **120 days** prior the event.
6. A \$25.00 non-refundable application fee must accompany the application. It will NOT be reviewed until the fee is paid. Payment may be made by cash or by check payable to the *City of Annapolis* and submitted in person or mailed to the City of Annapolis Attn: Special Projects Coordinator at 160 Duke of Gloucester Street, Annapolis, MD 21401 or by credit card by calling 410-263-7996. Note: This does not include any additional permit fees that may be required.
7. **Applications completed electronically should be e-mailed to Jenelle Murph at the address above. Paper submissions may be brought or mailed to the address at the top of this page.**

Event title United States Naval Academy Band

Event date(s) **See attached for multiple dates and groups Rain date(s) (none)

Start time 7:00 pm (all concerts except 04 July @ 8:00 pm) End time 9:00 pm

Set-up time 4:30 pm Breakdown 9:30 pm

Event address City Dock

(Please attach route or maps if event includes more than one location)

Is event in the Historic District? Yes No Event will be in Ward #

Contact USNA Band Operations Phone number 410-293-1257

E-mail manturuk@usna.edu, cullen@usna.edu Phone during event

Sponsoring organization USNA

Address Annapolis, MD

Status

- Annapolis Residential/Community Group Not for profit (attach designation letter)
- Business Group/Association Other
- For profit, enter Federal Tax ID Private Citizen
- Governmental Agency

Detailed description of event or performance (please attach additional page if necessary):

** See Attached

Event status

Open to the public Not open to the public Admission fee: _____ Registration process

Purpose of event

Block Party Festival Other Community Relations
 Commemoration First Amendment Rally Parade Race/Walk
 Educational Fundraiser Private Function/Ceremony Recreational Activity

Anticipated number of participants or attendees 500+

Please answer the following questions:

1. Are you selling or serving:

Food	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Dry Goods	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Non-Alcoholic Beverages	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Alcoholic Beverages *	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
- * The Alcohol Beverages Control Board meets monthly at 3 p.m. on the first Wednesday. Applications to the City Clerk (410-263-7942) are due 30 days prior to this meeting. Licenses cannot be issued to commercial enterprises.
2. Will event require docking or mooring?♦ Yes No
3. Will event require electricity?♦ Yes No
4. Will event have amplified music? Yes No
5. Will event require water service?♦ Yes No
6. Will a temporary structure be erected? *♦ Yes No
7. Will there be cooking? Yes No
8. Will there be fireworks? Yes No
9. Will event require street or sidewalk closure? * ♦ Yes No
10. Do you have a parking plan? * ♦ Yes No
11. Do you have a security/event management plan? * ♦ Yes No
12. Do you have a toilet facilities plan? * Yes No
13. Will event require shuttle or bus service?♦ Yes No
14. Do you have a trash removal plan (incl. signs)? ♦ Yes No
15. Do you have a plan to notify area residents? * Yes No
16. Will this event affect access or parking for regular religious services? Yes No

* Please include plan, diagram and/or maps with application.

♦ Services provided by the City of Annapolis may require additional fees to be paid by event sponsor.

Check to indicate that you have read the acknowledgement below and agree to the terms and conditions included.

Raymond D. Ascione MUCS, USN / Division Chief of Band Operations

26-Jan-2012

Signature of Applicant or Applicant's Representative (may be typed)

Date

Acknowledgement

Approval of this application to use or lease City property for special events may be subject to review by the City Council. Unless waived by the City's Office of Law, this application shall not be approved unless the Applicant produces an insurance policy or rider establishing that the Applicant is insured, in amounts acceptable to the City, against liability for injuries and damages to persons and property arising from the acts or omissions of the Applicant and its agents, employees and contractors that occur in the planning and operation of the special event. The City and its Mayor, council members, department directors and other employees and agents shall be named as additional insureds under the policy or rider. The Applicant shall indemnify and hold the City and its Mayor, Council members, department directors and other employees and agents harmless from liability for all, injuries and damages to persons and property that arise from the Applicant's use or lease of City property pursuant to the approval of this application and the planning and operation of the special event, and for any attorney fees and costs incurred in addressing and defending claims, complaints and lawsuits that seek to impose liability on the City or its Mayor, council members, department directors and other employees and agents in connection therewith. Any permit or lease approved pursuant to this Application, and any additional permits or licenses required for the special event, must be posted on site at all times during the special event at a location which is clearly visible to the general public. Failure to do so may, in the sole discretion of the City, result in termination of the permit approval or lease before or during the special event.

I have read, understand and accept all terms and conditions stated in this application. If the applicant is an entity, I certify that the Applicant is currently licensed or registered to do business in the State of Maryland if licensing or registration is lawfully required, that it is an entity in good standing with the State of Maryland, that I am authorized by the Applicant to sign this application on its behalf and to legally bind it thereby, that my signature represents my acceptance of these terms and conditions and the acceptance of the entity, and that I individually guarantee any liability and all obligations imposed on the entity pursuant to the approval of this application.

FOR CITY USE ONLY

Please initial, date and return to Special Events Coordinator.

DNEP	_____	PIO	_____
City Clerk	_____	Public Works	_____
Fire	_____	Recreation & Parks	_____
Harbormaster	_____	Transportation	_____
OEM	_____	Other City /Council	_____
Office of Law	_____	Dept. General Services/Parking	_____
Police	_____	Health Department	_____

Event Application is hereby

Referred to Office of Law for legislation for City Council Approved Disapproved

Approved with the following modifications:

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Signature of Event Coordinator on behalf of the Mayor's Office

Date