

**CITY OF ANNAPOLIS  
SPECIAL MEETING OF THE CITY COUNCIL**

October 22, 2012 at 6:00 p.m.

Call to Order Mayor Cohen

Invocation Mayor Cohen

Pledge of Allegiance Mayor Cohen

Roll Call City Clerk

Statutory Authority to Close Sessions, State Government Article § 10-508 (a) (7)

**CITY OF ANNAPOLIS**  
**SPECIAL MEETING OF THE CITY COUNCIL**  
 October 22, 2012 7:00 p.m.

Call to Order  
 Invocation  
 Pledge of Allegiance  
 Roll Call

Mayor Cohen  
 Alderman Israel  
 Mayor Cohen  
 City Clerk Watkins-Eldridge

**PETITIONS, REPORTS AND COMMUNICATIONS**

Maritime Republic of Eastport (MRE) "Declaration of War"

Recognition of R-59-11

Janice Hayes-Williams

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 HEARINGS**

**CA-1-12 Non-Partisan Elections** – For the purpose of amending the Charter of the City of Annapolis to provide for non-partisan elections for the offices of Mayor and Aldermen and Alderwomen; filling vacancies in these offices; and removing partisan consideration in the composition and membership of the Board of Supervisors of Elections.

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
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	9/24/12		

**CA-2-12 Municipal Elections Coinciding with State of Maryland Elections in 2018 and Onward** – For the purpose of amending the Charter of the City of Annapolis to establish the dates of the primary and general elections to coincide with the State of Maryland in 2018 and extending the length of time in office for the incoming City Council in December 2013 an additional year to December 2018 in order to facilitate this transition period.

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
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	9/24/12		

**CA-3-12 City Finance Requirements** – For the purpose of amending the Charter of the City of Annapolis to establish an unrestricted fund balance as part of the annual budget process, authorizing an Audit Committee; and setting a time line for the Finance Director to provide the Comprehensive Annual Financial Report to the City Council.

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
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	9/24/12		

**O-30-12 Parking and Storage of Automobiles, Motorcycles, Trailers, Motor Homes, Recreational Vehicles, Boats, and Personal Watercraft in Residential Zoning Districts** – For the purpose of designating certain areas for parking and storage of automobiles, motorcycles, trailers, motor homes, recreational vehicles, boats, and personal watercraft in residential zoning districts.

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
9/24/12	10/22/12 To be considered jointly with R-39-12.	10/13/2012	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	9/24/12		

**R-39-12 Fines Schedule Updated for Violations of Parking and Storage of Automobiles, Motorcycles, Trailers, Motor Homes, Recreational Vehicles, Boats, and Personal Watercraft in Undesignated Areas within Residential Zoning Districts** – For the purpose of establishing a fine for parking and storage of automobiles, motorcycles, trailers, motor homes, recreational vehicles, boats, and personal watercraft in undesignated areas within residential zoning districts.

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
9/24/12	10/22/12 To be considered jointly with O-30-12.	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Finance	9/24/12		

**O-36-12 Permitted Hours of Sidewalk Cafes** – For the purpose of authorizing permitted sidewalk cafes to remain open during the normal business hours governing such establishments.

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
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	9/24/12		

**LEGISLATIVE ACTIONS**

**ORDINANCE and RESOLUTIONS – 2<sup>ND</sup> READING**

**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. *Alderman Arnett requested to be added as a co-sponsor on 2<sup>nd</sup> Reader.*

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
4/23/12	6/11/12	5/4/12	7/27/12
Referred to	Referral Date	Meeting Date	Action Taken
Public Safety	4/23/12	6/14/12 7/16/12 9/17/12	Favorable

**R-34-12 Establishing a Fine for Violations of Distributing Unsolicited Materials** – For the purpose of establishing a fine for violations of distributing unsolicited materials. *Postponed until October 22, 2012.*

Sponsor: 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
7/9/12	10/22/12	7/17/12	10/8/12
Referred to	Referral Date	Meeting Date	Action Taken
Finance	7/9/12	N/A	N/A
Public Safety	7/9/12	7/16/12 9/17/12	Recommends postponement

**O-28-12 Amending the Procedures for the Sale and Rental of Moderately Priced Dwelling Units –**  
 For the purpose of amending the procedures for the sale and rental of moderately priced dwelling units.

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	180 Day Rule
7/23/12	9/24/12	9/14/12	1/21/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	7/23/12		
Housing and Human Welfare	7/23/12		
Planning Commission	7/23/12	9/13/12	Favorable

**R-36-12 A Request to the Maryland General Assembly Regarding the Residency Requirement for Alcoholic Beverage License Holders –** For the purpose of respectfully requesting that the Maryland General amend Article 2B of the Annotated Code of Maryland (Alcoholic Beverages) to allow the alcoholic beverage residency requirement for a City of Annapolis alcoholic beverage license to be fulfilled by a resident of Anne Arundel County.

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
7/23/12	10/22/12	9/13/12	10/19/12
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	7/23/12	10/15/12	Favorable

**R-42-12 Colonel John Ripley Memorial 5K Race –** For the purpose of authorizing City Council approval of the Colonel John Ripley Memorial 5K Race per R-14-12, implementing a moratorium on administrative approvals for events at City Dock; 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
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	9/24/12	10/15/12	Favorable

**R-43-12 Eastport Yacht Club Lights Parade** – For the purpose of authorizing City Council approval of the Eastport Yacht Club Lights Parade per R-14-12, implementing a moratorium on administrative approvals for events at City Dock and waiving the reimbursement of full fees to the City for the cost associated with the event on December 8, 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
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Finance	9/24/12	10/16/12	Favorable
Economic Matters	9/24/12	10/15/12	Favorable

**R-44-12 TCS Annapolis Half Marathon** – For the purpose of authorizing City Council approval of the TCS Annapolis Half Marathon per R-14-12, implementing a moratorium on administrative approvals for events at City Dock; designating Saturday, December 1, 2012 as a date for the sale of arts-related merchandise in the Historic District in conjunction with the event; and the reimbursement of full fees to the City for the cost associated with the event.

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
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	9/24/12	10/15/12	Favorable

**R-45-12 Abney Lane** – For the purpose of declaring that South Bates Street in the College Creek Terrace Community shall be renamed “Abney Lane” to honor the contributions of the Abney Family to the City of Annapolis.

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
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Public Safety	9/24/12	10/15/12	Favorable

**ORDINANCE and RESOLUTIONS – 1<sup>st</sup> READER**

**O-39-12 Issuance of Bonds – Water Treatment Plant** - For the purpose of authorizing and empowering the City of Annapolis (the “City”) to finance and refinance the construction, renovation and equipping of a water treatment plant through the issuance and sale, upon its full faith and credit, of general obligation bonds or notes in an aggregate principal amount not to exceed Forty Million Dollars (\$35,000,000), 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, as amended; prescribing the form and tenor of said bonds or notes; determining the method of sale of said bonds or notes and other matters relating to the issuance and sale thereof; providing for the disbursement of the proceeds of said bonds and notes; covenanting to levy and collect all taxes necessary to provide for the payment of the principal of and interest on said bonds and notes; and generally providing for and determining various matters relating to the issuance, sale and delivery of all said bonds and notes.

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
10/22/12	11/05/2012 To be considered jointly with R-47-12		01/13/13
Referred to	Referral Date	Meeting Date	Action Taken
Environmental Matters	10/22/12	11/15/12	
Finance	10/22/12	11/20/12	
Financial Advisory Commission	10/22/12		

**R-47-12 Revision to the Capital Improvement Budget and Program: FY 2013 to FY 2018** – For the purposes of the purposes of revising the capital improvement budget for the Fiscal Year 2013, and the capital improvement program (Water Treatment Plant) 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
10/22/12	11/05/12 To be considered jointly with O-39-12		01/13/13
Referred to	Referral Date	Meeting Date	Action Taken
Environmental Matters	10/22/12	11/15/12	
Finance	10/22/12	11/20/12	
Financial Advisory Commission	10/22/12		

**O-40-12 Lease of City Property: Fall Boat Shows in 2013** - For the purpose of authorizing an amendment to the lease of certain municipal property located in the general harbor to United States Sailboat Shows, Inc. and United States Powerboat Shows, Inc., in the following manner - Line eight of *ARTICLE I, SECTION 1.1, PREMISES and TERM* of the original Lease Agreement reading: "2013 – October 7 through October 22, inclusive" shall be and is hereby deleted and is hereby replaced with the following language: "2013 – September 30 through October 15."

LEGISLATIVE HISTORY			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
10/22/12	11/05/12012		01/13/13
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	10/22/2012		

**R-48-12 The Maritime Republic of Eastport (MRE) Tug-of-War 2012** - For the purpose of designating dates for the sale of food, beverages and merchandise in the Historic District on the Annapolis side of The Maritime Republic of Eastport (MRE) Tug of War 2012 and the waiving of full fees to the City for the cost associated with the events.

LEGISLATIVE HISTORY			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
10/22/12			01/13/13
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters			Suspension of the rules requested.

**BUSINESS and MISCELLANEOUS**

1. Appointments and reappointments
2. Budget Revision Request
3. Beale Street Property – quit claim deed.
4. City Hall Renovations

**UPCOMING CITY COUNCIL EVENTS**

Regular Meeting; Monday, November 5, 2012 7:00 p.m. City Council Chambers  
 Work Session; Thursday, November 15, 2012 1:30-4:30 p.m. City Council Chambers  
 Special Meeting; Monday, November 26, 2012 7:00 p.m. City Council Chambers

1 CITY COUNCIL OF THE  
2 City of Annapolis

3 Charter Amendment No. CA-1-12

4 Introduced by: Alderman Pfeiffer at the Request of the Charter Revision Commission  
5  
6  
7

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
9/24/12	10/22/12	10/13/22	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	9/24/12		

8  
9  
10 **A CHARTER AMENDMENT** concerning

11 **Non-Partisan Elections**

12 **FOR** the purpose of amending the Charter of the City of Annapolis to provide for non-partisan  
13 elections for the offices of Mayor and Aldermen and Alderwomen; filling vacancies in  
14 these offices; and removing partisan consideration in the composition and membership  
15 of the Board of Supervisors of Elections.

16 **BY** repealing and re-enacting with amendments the following portions of the City Charter:  
17 Article II, Section 5  
18 Article II, Section 6  
19 Article II, Section 7  
20

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

23  
24 **Sec. 5. - Primary election dates; municipal election dates; term dates.**

25 Nomination for a mayor [and] SHALL BE MADE BY FILING WITH THE BOARD OF  
26 SUPERVISORS OF ELECTION A CERTIFICATE EXECUTED BY NO FEWER THAT TWO-  
27 HUNDRED FIFTY QUALIFIED VOTERS OF THE CITY, WITH NOT LESS THAN THIRTY  
28 SIGNATURES BEING THOSE OF REGISTERED VOTERS FROM EACH OF THE CITY'S  
29 WARDS. NOMINATION for one (1) alderman from each ward in the city shall be made by  
30 [direct vote of the respective political parties at] FILING WITH THE BOARD OF SUPERVISORS  
31 OF ELECTION A CERTIFICATE EXECUTED BY NO FEWER THAN FIFTY QUALIFIED  
32 VOTERS THAT ARE RESIDENTS OF THAT WARD. ALL CITY ELECTIONS SHALL BE NON-  
33 PARTISAN AND NO INDICATION OF PARTY AFFILIATION SHALL BE PLACED BESIDE THE  
34 CANDIDATES' NAMES ON ANY BALLOT.  
35

36 P[p]rimary elections [to] SHALL be held in the city for the several candidates for mayor and, in  
37 each ward of the city, for the several candidates for aldermen, on the third Tuesday of

1 September in each year in which municipal elections in the city are to be held. Municipal  
2 elections shall be held on the first Tuesday after the first Monday in November in every fourth  
3 year, beginning with the year 1985. However, in the event an election will occur on the same  
4 day as the public observance of a religious holiday, or in case of severe weather, the board of  
5 supervisors of elections shall have the authority to reschedule the election to a day within one  
6 week of the day prescribed by this section. The mayor and aldermen elected at each municipal  
7 election shall qualify in the manner prescribed by Article II, Section 3 of this Charter, and shall  
8 take office on the first Monday in December of the year in which they are elected and shall hold  
9 office until the first Monday in December in the fourth year following, or until their successors  
10 are elected and qualify.

11  
12 **Sec. 6. - Board of supervisors of elections.**

13 (a) There is a board of supervisors of elections of the City of Annapolis, consisting of three (3)  
14 residents in and voters of the city[, two (2) of whom shall always be selected from the leading  
15 political parties of the state, one (1) from each of such parties. The third member may be  
16 selected from either of the leading political parties of the state or from any other political party.]  
17 The members shall be persons of approved integrity and capacity, and may not hold elective  
18 office, nor be candidates for elective office during their terms of office. Members shall serve  
19 without compensation.

20 (b) Members of the Board of Supervisors of Elections shall be appointed by the City Council  
21 for a term that begins on the second Monday of March following the General City Election in the  
22 preceding November and ends four years later on the second Monday in March. In the event of  
23 a vacancy, the City Council shall immediately fill the vacancy only for the remainder of the four  
24 year term. A member must be reappointed for a new term in order to serve beyond any four  
25 year term. A chair of the Board of Supervisors of Elections shall be chosen annually by its  
26 members.

27 [(c) Before appointing any supervisors of election, the city council shall request the city central  
28 committees representing the two (2) leading political parties of the state in the city each to  
29 designate at least four (4) eligible candidates for the position to be filled, by the second Monday  
30 in March. If a city central committee fails to nominate the required number of candidates as  
31 provided herein, the mayor shall submit a list of nominees to the city council in addition to the  
32 central committee's list by the first Monday in April. The city council shall appoint the supervisors  
33 by the second Monday in April.]

34  
35 **Sec. 7. - Vacancies.**

36 (a) The following procedure for the filling of vacancies shall apply whenever a vacancy shall  
37 occur with less than fifteen months remaining until the next general election at which members  
38 of the city council shall be elected.

39 (1) In case of the death, resignation, refusal to serve, disqualification of the mayor or of any  
40 alderman, or removal out of the city by the mayor, or out of the ward, by any alderman, the  
41 mayor or acting mayor shall give written notice of the vacancy, within five (5) business  
42 days, to the [chairman of the city central committee of the political party to which the  
43 person vacating was registered with the board of supervisors of elections at the time of  
44 election] ALDERMEN AND ALDERWOMEN.

45 (2) Not more than five (5) business days after being notified by the mayor or acting mayor,  
46 the [central committee] ALDERMEN AND ALDERWOMEN shall announce the time and

1 place of a public hearing to be held for the purpose of selecting candidates to fill the  
2 vacancy. [Such] THE announcement shall consist of, but not be limited to, a prominent  
3 notice in a local daily newspaper. The hearing shall be held not less than ten (10) business  
4 days, nor more than fifteen (15) business days, from the date the announcement first  
5 appears in the newspaper.

6 (3) [Not less than five (5) business days before the hearing date, the central committee  
7 shall announce the qualified candidates of its political affiliation to be considered at the  
8 hearing. If any otherwise qualified person is not selected by the central committee, that]  
9 ANY QUALIFIED person shall be considered at the hearing upon presentation of a petition,  
10 in the case of a vacancy in the office of alderman, signed by at least fifty (50) registered  
11 voters [of the appropriate political party] who live in the affected ward. If the vacancy is in  
12 the office of mayor, the petition shall bear the signatures of at least two hundred fifty (250)  
13 registered voters [of the appropriate political party], with not less than thirty (30) signatures  
14 being those of registered voters from each of the city's wards.

15 (4) At the hearing, each qualified candidate shall have an opportunity to address the  
16 [central committee] MAYOR AND ALDERMEN AND ALDERWOMEN. [After all candidates  
17 have been heard, the central committee shall select one (1) candidate and the chairman of  
18 the committee shall notify the mayor or acting mayor, in writing, of the choice, not more  
19 than three (3) business days after the hearing.]

20 (5) At the next regularly scheduled meeting of the city council, or at a special session  
21 convened before then by the mayor or acting mayor for the purpose of filling the vacancy,  
22 THE MAYOR AND ALDERMEN AND ALDERWOMEN SHALL SELECT ONE OF THE  
23 CANDIDATES TO FILL THE VACANCY AND the selected candidate shall be sworn in and  
24 seated immediately.

25 [(6) If the person vacating office was not registered in a political party at the time of  
26 election, the city council shall follow as closely as possible the candidate selection and  
27 election procedure above prescribed for a central committee to follow, but without regard to  
28 the political affiliation of any candidate.]

29 (b) The following procedure for the filling of vacancies shall apply whenever a vacancy shall  
30 occur with fifteen months or more remaining until the next general election at which members of  
31 the city council shall be elected.

32 (1) In case of the death, resignation, refusal to serve, disqualification of the mayor or of any  
33 alderman, or removal out of the city by the mayor, or out of the ward by any alderman, the  
34 mayor or acting mayor shall issue a proclamation directing that a special primary election  
35 and a special general election be held to fill the vacancy. The mayor or acting mayor shall  
36 issue this proclamation within five (5) days after the vacancy occurs.

37 (2) The proclamation shall specify the date for the special primary election and special  
38 general election, provided that the special primary election shall be held on any weekday  
39 other than a state or religious holiday which is at least twenty-three (23) days but no longer  
40 than thirty (30) days from the date of the proclamation and that the special general election  
41 shall be held on any weekday other than a state or religious holiday which is at least  
42 twenty-one (21) days but not longer than thirty days from the date of the special primary  
43 election.

44 (3) Except as otherwise specifically provided herein, and except where such construction

1 would be unreasonable, the provisions of this Charter and of Title 4 of the Code of the City  
2 of Annapolis shall be applicable to the special elections provided for herein and the city  
3 shall annually budget an amount for that purpose.

4 (4) Certificates of candidacy shall be filed with the office of the board of supervisors of  
5 elections not later than 9:00 p.m. on the Monday which is three (3) weeks before the day  
6 on which the special primary election is scheduled to be conducted. If the filing date occurs  
7 on a legal holiday, the certificates shall be filed not later than 9:00 p.m. on the next regular  
8 business day which is not a legal holiday.

9 (5) The candidate who has been declared elected by the board of supervisors of elections  
10 shall be sworn in and seated at the next regular or special meeting of the city council  
11 following the special general election.  
12

13 **SECTION II: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**  
14 **COUNCIL** that the date of adoption of this Resolution is \_\_\_\_\_, 2012, and the amendments of  
15 the Charter of the City of Annapolis, hereby enacted shall become effective on \_\_\_\_\_, 2012,  
16 unless a proper petition for referendum hereon shall be filed as permitted by law within 40 days  
17 of adoption, provided a complete and exact copy of this Resolution shall be continuously posted  
18 on the bulletin board in the City Hall until \_\_\_\_\_, 2012, and provided further that a copy of the  
19 title of this Resolution shall be published in "The Capital", a newspaper of general circulation in  
20 the City of Annapolis, or in any other newspaper of such general circulation, once in each of the  
21 weeks on, \_\_\_\_\_, 2012, \_\_\_\_\_, 2012, \_\_\_\_\_, 2012, and \_\_\_\_\_, 2012.  
22

23 **SECTION III: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**  
24 **COUNCIL** that the Mayor is hereby specifically commanded to carry out the provisions of  
25 Section II hereof, and, as evidence of such compliance, the Mayor shall cause to be maintained  
26 appropriate certificates of publication of the newspaper or newspapers in which the title of the  
27 Resolution shall have been published and if a favorable referendum is held on the Charter  
28 change, shall declare the Charter change hereby enacted to be effective on \_\_\_\_\_, 2012, by  
29 affixing his signature hereto in the space provided on the effective date of change.  
30

31 **SECTION IV: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**  
32 **COUNCIL** that as soon as the Charter Amendment hereby enacted shall become effective,  
33 either as provided herein or following a referendum, the Mayor shall send to the Maryland  
34 Department of Legislative Services a copy of this Resolution showing the number of Aldermen  
35 and Alderwomen voting for and against it and a report on the votes cast for or against the  
36 amendment hereby enacted at any referendum thereon and the date of such referendum.  
37

38 The above Charter Amendment was enacted by the foregoing Resolution which was  
39 passed at a Meeting of the Annapolis City Council on \_\_\_\_\_, 2012; \_\_\_\_\_ voting in the  
40 affirmative, \_\_\_\_\_ voting in the negative, \_\_\_\_\_ abstaining and \_\_\_\_\_ absent and the said  
41 Resolution becomes effective in accordance with law on the \_\_\_ day of \_\_\_\_\_ 2012.  
42

43 **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
44  
45  
46  
47  
48

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

\_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC, City Clerk

\_\_\_\_\_  
Joshua J. Cohen, Mayor

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5  
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**EXPLANATION**

CAPITAL LETTERS indicate matter added to existing law.  
[brackets] indicate matter stricken from existing law.  
Underlining indicates amendments.

1 **Policy Report**

2 **CA-1-12**

3 **Non-Partisan Elections**

4  
5  
6  
7 The proposed charter amendment would render elections in the City of Annapolis as  
8 non-partisan, meaning no affiliation with a political party. The proposed charter  
9 amendment is based on the recent report from the 2011 Annapolis Charter Revision  
10 Commission, although their report notes this, too, was a recommendation from the 1996  
11 and 2002 Charter Revision Commissions:

12  
13 “Political parties, which play a distinctive role nationally and in state governments,  
14 and have grown exceedingly polarized, have very little, if any, relevance to the  
15 management and governing of local municipalities like Annapolis. Most cities in  
16 Maryland, excluding only Frederick, Baltimore and Annapolis, now have non-  
17 partisan elections.”

18  
19 The proposed charter amendment would remove political affiliation for nominations for  
20 the office of Mayor and Aldermen and Alderwomen and for filling vacancies in these  
21 offices. Additionally, the proposed charter amendment would remove partisan  
22 considerations in the composition and membership of the Board of Supervisors of  
23 Elections.

24  
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28  
29 Prepared by Jessica Cowles, Legislative and Policy Analyst, Office of Law at  
30 [JCCowles@annapolis.gov](mailto:JCCowles@annapolis.gov) or (410) 263-1184.

FISCAL IMPACT NOTE

**Legislation No:** CA-1-12

**First Reader Date:** 9/24/12

**Note Date:** 10/13/12

**Legislation Title: Non-Partisan Elections**

**Description:** For the purpose of amending the Charter of the City of Annapolis to provide for non-partisan elections for the offices of Mayor and Aldermen and Alderwomen; filling vacancies in these offices; and removing partisan consideration in the composition and membership of the Board of Supervisors of Elections.

**Analysis of Fiscal Impact:** This legislation will produce no significant fiscal impact.

1 CITY COUNCIL OF THE  
2 City of Annapolis

3 Charter Amendment No. CA-2-12

4 Introduced by: Alderman Pfeiffer at the Request of the Charter Revision Commission  
5  
6  
7

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
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	9/24/12		

8  
9  
10 **A CHARTER AMENDMENT** concerning

11 **Municipal Elections Coinciding with State of Maryland Elections in 2018 and Onward**

12 **FOR** the purpose of amending the Charter of the City of Annapolis to establish the dates of  
13 the primary and general elections to coincide with the State of Maryland in 2018 and  
14 extending the length of time in office for the incoming City Council in December 2013 an  
15 additional year to December 2018 in order to facilitate this transition period.

16 **BY** repealing and re-enacting with amendments the following portions of the City Charter:  
17 Article II, Section 2  
18 Article II, Section 5  
19

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

22 **Sec. 2. - General election dates.**

23 The citizens and residents of the City of Annapolis qualified to vote for members of the General  
24 Assembly of Maryland, and otherwise qualified by the registration and election laws for such  
25 cases made and provided, shall elect by ballot, every four (4) years, beginning in [1985] 2018,  
26 on the first Tuesday after the first Monday in November OR AS MAY BE DETERMINED BY  
27 THE STATE OF MARYLAND BOARD OF ELECTIONS, a mayor; and the qualified voters, in  
28 each ward shall at the same time elect by ballot one (1) resident of the ward as alderman.  
29

30 **Sec. 5. - Primary election dates; municipal election dates; term dates.**

31 Nomination for a mayor and for one (1) alderman from each ward in the city shall be made by  
32 direct vote of the respective political parties at primary elections to be held in the city for the  
33 several candidates for mayor and, in each ward of the city, for the several candidates for  
34 aldermen, on the third Tuesday of September in each year in which municipal elections in the  
35 city are to be held OR AS MAY BE DETERMINED BY THE STATE OF MARYLAND BOARD  
36 OF ELECTIONS. Municipal elections shall be held on the first Tuesday after the first Monday in  
37 November in every fourth year, beginning with the year [1985] 2018 OR AS MAY BE

1 DETERMINED BY THE STATE OF MARYLAND BOARD OF ELECTIONS. However, in the  
2 event an election will occur on the same day as the public observance of a religious holiday, or  
3 in case of severe weather, the board of supervisors of elections shall have the authority to  
4 reschedule the election to a day within one week of the day prescribed by this section OR AS  
5 MAY BE DETERMINED BY THE STATE OF MARYLAND BOARD OF ELECTIONS. The mayor  
6 and aldermen elected at each municipal election shall qualify in the manner prescribed by  
7 Article II, Section 3 of this Charter, and shall take office on the first Monday in December of the  
8 year in which they are elected and shall hold office until the first Monday in December in the  
9 fourth year following, or until their successors are elected and qualify. IN ORDER FOR  
10 MUNICIPAL ELECTIONS TO COINCIDE WITH STATE OF MARYLAND ELECTIONS, THE  
11 CITY COUNCIL TERM FOR THE CITY COUNCIL BEGINNING ON THE FIRST MONDAY OF  
12 DECEMBER 2013 WILL EXTEND AN ADDITIONAL YEAR TO THE FIRST MONDAY OF  
13 DECEMBER 2018.

14  
15 **SECTION II: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**  
16 **COUNCIL** that the date of adoption of this Resolution is \_\_\_\_\_, 2012, and the amendments of  
17 the Charter of the City of Annapolis, hereby enacted shall become effective on \_\_\_\_\_, 2012,  
18 unless a proper petition for referendum hereon shall be filed as permitted by law within 40 days  
19 of adoption, provided a complete and exact copy of this Resolution shall be continuously posted  
20 on the bulletin board in the City Hall until \_\_\_\_\_, 2012, and provided further that a copy of the  
21 title of this Resolution shall be published in "The Capital", a newspaper of general circulation in  
22 the City of Annapolis, or in any other newspaper of such general circulation, once in each of the  
23 weeks on, \_\_\_\_\_, 2012, \_\_\_\_\_, 2012, \_\_\_\_\_, 2012, and \_\_\_\_\_, 2012.  
24

25 **SECTION III: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**  
26 **COUNCIL** that the Mayor is hereby specifically commanded to carry out the provisions of  
27 Section II hereof, and, as evidence of such compliance, the Mayor shall cause to be maintained  
28 appropriate certificates of publication of the newspaper or newspapers in which the title of the  
29 Resolution shall have been published and if a favorable referendum is held on the Charter  
30 change, shall declare the Charter change hereby enacted to be effective on \_\_\_\_\_, 2012, by  
31 affixing his signature hereto in the space provided on the effective date of change.  
32

33 **SECTION IV: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**  
34 **COUNCIL** that as soon as the Charter Amendment hereby enacted shall become effective,  
35 either as provided herein or following a referendum, the Mayor shall send to the Maryland  
36 Department of Legislative Services a copy of this Resolution showing the number of Aldermen  
37 and Alderwomen voting for and against it and a report on the votes cast for or against the  
38 amendment hereby enacted at any referendum thereon and the date of such referendum.  
39

40 The above Charter Amendment was enacted by the foregoing Resolution which was  
41 passed at a Meeting of the Annapolis City Council on \_\_\_\_\_, 2012; \_\_\_\_\_ voting in the  
42 affirmative, \_\_\_\_\_ voting in the negative, \_\_\_\_\_ abstaining and \_\_\_\_\_ absent and the said  
43 Resolution becomes effective in accordance with law on the \_\_\_ day of \_\_\_\_\_ 2012.  
44

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48 **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
49  
50

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ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

\_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC, City Clerk

\_\_\_\_\_  
Joshua J. Cohen, Mayor

2

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4

**EXPLANATION**

5

CAPITAL LETTERS indicate matter added to existing law.

6

[brackets] indicate matter stricken from existing law.

7

Underlining indicates amendments.

1 **Policy Report**

2 **CA-2-12**

3 **Municipal Elections Coinciding with State of Maryland Elections in 2018**  
4 **and Onward**

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6  
7  
8 The proposed charter amendment would amend the Charter of the City of Annapolis to  
9 establish the dates of the primary and general elections to coincide with the State of  
10 Maryland in 2018 and extend the length of time in office for the incoming City Council in  
11 December 2013 an additional year to December 2018 in order to facilitate this transition  
12 period.

13 The proposed charter amendment is based on the recommendation of the 2011  
14 Annapolis Charter Revision Commission that reported:

15 “City elections should be moved to coincide with state elections. There are two  
16 primary reasons for doing this. First, it saves the City money to piggyback on the  
17 state elections. Second, it will almost certainly improve voter turnout, which is  
18 now embarrassingly low in City elections.”

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24  
25 Prepared by Jessica Cowles, Legislative and Policy Analyst, Office of Law at  
26 [JCCowles@annapolis.gov](mailto:JCCowles@annapolis.gov) or (410) 263-1184.  
27

FISCAL IMPACT NOTE

**Legislation No:** CA-2-12

**First Reader Date:** 9/24/12

**Note Date:** 10/13/12

**Legislation Title: Municipal Elections Coinciding with State of Maryland Elections in 2018 and Onward**

**Description:** For the purpose of amending the Charter of the City of Annapolis to establish the dates of the primary and general elections to coincide with the State of Maryland in 2018 and extending the length of time in office for the incoming City Council in December 2013 an additional year to December 2018 in order to facilitate this transition period.

**Analysis of Fiscal Impact:** This legislation will postpone the costs incurred to conduct an election to the following year. Combining State of Maryland and City of Annapolis elections will provide a convenience to voters.

1 **CITY COUNCIL OF THE**  
2 **City of Annapolis**

3  
4 **Charter Amendment No. CA-3-12**

5 **Introduced by: Alderman Pfeiffer at the Request of the Charter Revision Commission**  
6  
7

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
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	9/24/12		

8  
9  
10 **A CHARTER AMENDMENT** concerning

11 **City Finance Requirements**

12 **FOR** the purpose of amending the Charter of the City of Annapolis to establish an unrestricted  
13 fund balance as part of the annual budget process, authorizing an Audit Committee; and  
14 setting a time line for the Finance Director to provide the Comprehensive Annual  
15 Financial Report to the City Council.

16 **BY** adding to the following portions of the City Charter:  
17 Article VII, Section 12  
18

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

21 **ARTICLE VII FINANCES, SECTION 12 – REQUIREMENTS.**

22 A. AS PART OF THE ANNUAL BUDGET PROCESS, THE CITY COUNCIL SHALL  
23 ESTABLISH AN UNRESTRICTED FUND BALANCE AT A RATE IN LINE WITH BEST  
24 PRACTICES FOR MUNICIPAL CORPORATIONS WITH THE GOAL OF SECURING A TRIPLE  
25 A BOND RATING FROM THE CREDIT RATING AGENCIES.

26 B. THE CITY COUNCIL SHALL AUTHORIZE THE ESTABLISHMENT OF AN AUDIT  
27 COMMITTEE CONSISTING OF THE MAYOR, CITY MANAGER, ALDERMEN AND  
28 ALDERWOMEN, FINANCE DIRECTOR AND CITY RESIDENT REPRESENTATIVE(S) WITH  
29 RESPONSIBILITY FOR IMPLEMENTING INDUSTRY-WIDE BEST FINANCIAL  
30 MANAGEMENT PRACTICES.

31 C. THE FINANCE DIRECTOR SHALL REPORT THE COMPREHENSIVE ANNUAL  
32 FINANCIAL REPORT TO THE CITY COUNCIL BY JANUARY 31 OF EACH YEAR.

33

1           **SECTION II: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**  
2 **COUNCIL** that the date of adoption of this Resolution is \_\_\_\_\_, 2012, and the amendments of  
3 the Charter of the City of Annapolis, hereby enacted shall become effective on \_\_\_\_\_, 2012,  
4 unless a proper petition for referendum hereon shall be filed as permitted by law within 40 days  
5 of adoption, provided a complete and exact copy of this Resolution shall be continuously posted  
6 on the bulletin board in the City Hall until \_\_\_\_\_, 2012, and provided further that a copy of the  
7 title of this Resolution shall be published in "The Capital", a newspaper of general circulation in  
8 the City of Annapolis, or in any other newspaper of such general circulation, once in each of the  
9 weeks on, \_\_\_\_\_, 2012, \_\_\_\_\_, 2012, \_\_\_\_\_, 2012, and \_\_\_\_\_, 2012.

10  
11           **SECTION III: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**  
12 **COUNCIL** that the Mayor is hereby specifically commanded to carry out the provisions of  
13 Section II hereof, and, as evidence of such compliance, the Mayor shall cause to be maintained  
14 appropriate certificates of publication of the newspaper or newspapers in which the title of the  
15 Resolution shall have been published and if a favorable referendum is held on the Charter  
16 change, shall declare the Charter change hereby enacted to be effective on \_\_\_\_\_, 2012, by  
17 affixing his signature hereto in the space provided on the effective date of change.

18  
19           **SECTION IV: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY**  
20 **COUNCIL** that as soon as the Charter Amendment hereby enacted shall become effective,  
21 either as provided herein or following a referendum, the Mayor shall send to the Maryland  
22 Department of Legislative Services a copy of this Resolution showing the number of Aldermen  
23 and Alderwomen voting for and against it and a report on the votes cast for or against the  
24 amendment hereby enacted at any referendum thereon and the date of such referendum.

25  
26           The above Charter Amendment was enacted by the foregoing Resolution which was  
27 passed at a Meeting of the Annapolis City Council on \_\_\_\_\_, 2012; \_\_\_\_\_ voting in the  
28 affirmative, \_\_\_\_\_ voting in the negative, \_\_\_\_\_ abstaining and \_\_\_\_\_ absent and the said  
29 Resolution becomes effective in accordance with law on the \_\_ day of \_\_\_\_\_ 2012.

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  
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36           **EXPLANATION**

37           CAPITAL LETTERS indicate matter added to existing law.

38           [brackets] indicate matter stricken from existing law.

39           Underlining indicates amendments.

1 **Policy Report**

2  
3 **CA-3-12**

4  
5 **City Finance Requirements**

6  
7 The proposed charter amendment would amend the Charter of the City of Annapolis to  
8 establish an unrestricted fund balance as part of the annual budget process, authorize  
9 the establishment of an Audit Committee, and set a time line of January 31 for the  
10 Finance Director to provide the Comprehensive Annual Financial Report to the City  
11 Council.

12  
13 Prepared by Jessica Cowles, Legislative and Policy Analyst, Office of Law at  
14 [JCCowles@annapolis.gov](mailto:JCCowles@annapolis.gov) or (410) 263-1184.

FISCAL IMPACT NOTE

**Legislation No:** CA-3-12

**First Reader Date:** 9/24/12

**Note Date:** 10/13/12

**Legislation Title: City Finance Requirements**

**Description:** For the purpose of amending the Charter of the City of Annapolis to establish an unrestricted fund balance as part of the annual budget process, authorizing an Audit committee; and setting a time line for the Finance Director to provide the Comprehensive Annual Financial Report to the City Council.

**Analysis of Fiscal Impact:** This legislation has the potential to produce a positive fiscal impact if it helps secure a triple-A bond rating from the credit rating agencies, which can be expected to lower the cost of borrowing for the City.

1 **CITY COUNCIL OF THE**  
2 **City of Annapolis**

3  
4 **Ordinance No. O-30-12**

5 Introduced by: Alderman Arnett  
6  
7

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
9/24/12	10/22/12 To be considered jointly with R-39-12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	9/24/12		

8  
9 **AN ORDINANCE** concerning

10 **Parking and Storage of Automobiles, Motorcycles, Trailers, Motor Homes, Recreational**  
11 **Vehicles, Boats, and Personal Watercraft in Residential Zoning Districts**

12 **FOR** the purpose of designating certain areas for parking and storage of automobiles,  
13 motorcycles, trailers, motor homes, recreational vehicles, boats, and personal watercraft  
14 in residential zoning districts.

15 **BY** repealing and re-enacting with amendments the following portions of the Code of the  
16 City of Annapolis, 2011 Edition  
17

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

20 **Chapter 17.40 – RESIDENTIAL PROPERTY MAINTENANCE CODE**

21 **Article I - Definitions.**

22 **17.40.265 - Property Maintenance Code.**

23 A. The International Property Maintenance Code, 2012 Edition, as published by the  
24 International Code Council, Inc., a copy of which is on file in the Department of Neighborhood  
25 and Environmental Programs, is adopted as the Property Maintenance Code of the City of  
26 Annapolis in the State of Maryland for the control of buildings and structures with the following  
27 amendments:

- 28 1. In Section 101.1 for "[NAME OF JURISDICTION]" insert "City of Annapolis"  
29 2. In Section 103.5 for "[APPROPRIATE SCHEDULE]" insert "Fees established by  
30 resolution of the City Council"

1 3. In Section 304.14 for "[DATES IN TWO LOCATIONS]" insert "April 15th - October  
2 31st"

3 4. In Section 602.3 for "[DATES IN TWO LOCATIONS]" insert "April 15th - October  
4 31st"

5 5. In Section 602.4 for "[DATES IN TWO LOCATIONS]" insert "April 15th - October  
6 31st"

7 6. Strike the entire Section 404.5 Overcrowding and substitute Section 17.40.460 of the  
8 Code of the City of Annapolis.

9 7. AMEND SECTION 302.8 TO READ AS FOLLOWS:

10 **302.8 Motor vehicles.**

11 **302.8.1 MAINTENANCE.** Except as provided for in other regulations, no inoperative or  
12 unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle  
13 shall at any time be in a state of major disassembly, disrepair, or in the process of being  
14 stripped or dismantled. Painting of vehicles is prohibited unless conducted inside  
15 an approved spray booth.

16 **Exception:** A vehicle of any type is permitted to undergo major overhaul, including body  
17 work, provided that such work is performed inside a structure or similarly enclosed area  
18 designed and approved for such purposes.

19 **302.8.2 STORAGE.** RESIDENT STORING OR PARKING OF, OR ALLOWING ANY  
20 OTHER PERSON TO STORE OR PARK, ANY AUTOMOBILE, MOTORCYCLE,  
21 TRAILER, MOTOR HOME, RECREATIONAL VEHICLE, BOAT, PERSONAL  
22 WATERCRAFT, OR ANY OTHER MOTOR VEHICLE SHALL BE LIMITED TO GARAGES,  
23 STREETS, OR CITY AUTHORIZED DRIVEWAYS OR PARKING LOTS WITHIN A  
24 RESIDENTIAL ZONING DISTRICT. STORAGE OR PARKING IS NOT ALLOWED ON  
25 YARDS OR OTHER UNPAVED AREAS.

26 B. In the event of any inconsistencies between the provisions of the International Property  
27 Maintenance Code and the City Code, the more stringent shall govern.

28 Appendix A - Boarding standard shall be adopted as the City of Annapolis standard.  
29

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

32  
33 **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
34

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.

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[brackets] indicate matter stricken from existing law.  
Underlining indicates amendments.

**O-30-12**

**Designating Certain Areas for Parking and Storage of Automobiles, Motorcycles, Trailers, Motor Homes, Recreational Vehicles, Boats, and Personal Watercraft in Residential Zoning Districts**

**R-39-12**

**Fines Schedule Updated for Violations of Parking and Storage of Automobiles, Motorcycles, Trailers, Motor Homes, Recreational Vehicles, Boats, and Personal Watercraft in Undesignated Areas within Residential Zoning Districts**

**Policy Report**

The proposed ordinance would designate garages, driveways, parking lots, and streets as the only areas for parking and storage of automobiles, motorcycles, trailers, motor homes, recreational vehicles, boats, personal watercraft, or other motor vehicles in the 12 residential zoning districts. The residential zoning districts include all districts beginning with an "R" and C1, Conservation Residence, and C1-A, Special Conservation Residence.

The fine for violating this provision would be \$25 for the first violation and \$25 per violation per day for repeat or continuous violations.

Prepared by: Jessica Cowles, City of Annapolis Office of Law, JCCowles@annapolis.gov or (410) 263-1184.

FISCAL IMPACT NOTE

**Legislation No:** O-30-12

**First Reader Date:** 9/24/12

**Note Date:** 10/13/12

**Legislation Title:** Parking and Storage of Automobiles, Motorcycles, Trailers, Motor Homes, Recreational Vehicles, Boats, and Personal Watercraft in Residential Zoning districts

**Description:** For the purpose of designating certain areas for parking and storage of automobiles, motorcycles, trailers, motor homes, recreational vehicles, boats, and personal watercraft in residential zoning districts.

**Analysis of Fiscal Impact:** This legislation produces no significant fiscal impact. Accompanying legislation R-39-12 provides for a fine of \$25 for the first violation and \$25 per violation day for repeat or continuous violations.

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**CITY COUNCIL OF THE  
City of Annapolis**

**Resolution No. R-39-12**

**Introduced by: 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
9/24/12	10/22/12 To be considered jointly with O-30-12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	9/24/12		

8  
9  
10

**A RESOLUTION** concerning

**Fines Schedule Updated for Violations of Parking and Storage of Automobiles, Motorcycles, Trailers, Motor Homes, Recreational Vehicles, Boats, and Personal Watercraft in Undesignated Areas within Residential Zoning Districts**

**FOR** the purpose of establishing a fine for parking and storage of automobiles, motorcycles, trailers, motor homes, recreational vehicles, boats, and personal watercraft in undesignated areas within residential zoning districts.

**WHEREAS,** Pending ordinance O-30-12 authorizes designated areas within residential zoning districts for parking and storage of automobiles, motorcycles, trailers, motor homes, recreational vehicles, boats, and personal watercraft as garages, driveways, parking lots, and streets; and

**WHEREAS,** R-39-12 establishes the fine for violations of O-30-12.

**NOW, THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the Fines Schedule is hereby amended as follows:

28

Section in Code	Section Name	Fine for Initial Offense	Fine for Repeat or Continuous Violations
17.40.265	RESIDENTIAL PROPERTY MAINTENANCE CODE – PARKING IN UNDESIGNATED AREAS	\$25 PER VIOLATION	\$25 PER VIOLATION PER DAY

29

1 **AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that this Resolution  
2 shall take effect from the date of its passage.

3  
4 **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

5 ATTEST: THE ANNAPOLIS CITY COUNCIL

\_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC, City Clerk

BY \_\_\_\_\_  
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.

FISCAL IMPACT NOTE

**Legislation No:** R-39-12

**First Reader Date:** 9/24/12

**Note Date:** 10/13/12

**Legislation Title: Fines Schedule Updated for Violations of Parking and Storage of Automobiles, Motorcycles, Trailers, Motor Homes, Recreational Vehicles, Boats, and Personal Watercraft in Residential Zoning Districts**

**Description:** For the purpose establishing a fine for parking and storage of automobiles, motorcycles, trailers, motor homes, recreational vehicles, boats, and personal watercraft in residential zoning districts.

**Analysis of Fiscal Impact:** This legislation provides for a fine of \$25 for the first violation and \$25 per violation day for repeat or continuous violations. The fiscal impact from fines depends on the number of violations cited.

1 CITY COUNCIL OF THE  
2 City of Annapolis

3  
4 Ordinance No. O-36-12

5 Introduced by: Mayor Cohen and Alderman Arnett  
6  
7

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
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	9/24/12		

8  
9 AN ORDINANCE concerning

10 Permitted Hours of Sidewalk Cafes

11 FOR the purpose of authorizing permitted sidewalk cafes to remain open during the normal  
12 business hours governing such establishments.

13 BY repealing and re-enacting with amendments the following portions of the Code of the  
14 City of Annapolis, 2011 Edition  
15 Chapter 7.42  
16

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

19 Chapter 7.42 – Sidewalk Cafes

20 7.42.010 - Sidewalk café—Defined—Permit required.

21 A. A person shall not construct, maintain, use or operate a sidewalk café without first  
22 obtaining a permit as provided in this chapter.

23 B. An application for a sidewalk café permit shall be made to the City Clerk on forms provided  
24 by the City Clerk. The application shall be made by the operating establishment.

25 C. A sidewalk café permit shall be for one year from May 1st in each year until the following  
26 April 30th, except that, for the 1996-1997 term, the permit shall be valid from the date on which  
27 the permit is issued, even if prior to May 1, 1996. The holder of a permit shall pay an annual fee  
28 as established by resolution of the City Council. The annual fee shall be paid with the original  
29 permit application and with the request for renewal of the permit.

30 D. For purposes of this chapter, "sidewalk café" means any area situated on a public sidewalk  
31 where food, refreshments, and/or beverages are sold by a restaurant, delicatessen, ice cream  
32 shop or coffee shop (hereinafter "operating establishment") for public consumption at tables or  
33 counters located on the sidewalk fronting the operating establishment. Sidewalk cafés shall

1 operate only as authorized pursuant to this chapter.

2

3 **7.42.020 - Standards.**

4 A. No part of a sidewalk café area shall encroach upon any part of the sidewalk frontage of  
5 any adjacent premises, right-of-way or alley.

6 B. A sidewalk café must leave a minimum six-foot unobstructed passageway for pedestrians  
7 along the length of the café. For operating establishments adjacent to sidewalks less than ten  
8 feet wide at the location of the proposed sidewalk café, the City Clerk, with the consent of the  
9 Department of Public Works, may reduce the unobstructed passageway to not less than that  
10 required by the Americans With Disabilities Act (42 U.S.C. 12101 et seq.) or its successors.

11 C. The holder of a sidewalk café permit shall fully insure, indemnify, defend and hold  
12 harmless the City and in their capacity as such, the officers, agents and employees thereof from  
13 and against any and all claims and damages in any way arising out of or through the acts or  
14 omissions of the permit holder or its employees in the construction, operation, maintenance,  
15 use, placement or condition of the sidewalk café. An applicant for sidewalk café shall provide  
16 proof of such insurance before a permit may be issued or renewed under this chapter.

17 D. A sidewalk café shall close and all café seating shall be removed from the café area no  
18 later than [eleven p.m.] THE PERMITTED CLOSING TIME OF THE OPERATING  
19 ESTABLISHMENT. The café area shall be cleared of all other furniture (excepting any furniture  
20 approved pursuant to Section 21.08.060(C) to remain in the café area overnight), debris and  
21 obstructions to the sidewalk no later than [midnight] THE PERMITTED CLOSING TIME OF  
22 THE OPERATING ESTABLISHMENT.

23 E. An operating establishment shall not sell, serve or allow consumption of alcoholic  
24 beverages on its sidewalk café without obtaining the required license from the Alcoholic  
25 Beverage Control Board. Alcoholic beverages shall be served on the sidewalk café only in  
26 conjunction with the service of food. Notwithstanding any contrary or different hours of operation  
27 in its alcoholic beverages license, an operating establishment shall not sell, serve or allow  
28 consumption of alcoholic beverages on its sidewalk café after the [sidewalk café's]  
29 OPERATING ESTABLISHMENT'S PERMITTED closing time.

30 F. Sidewalk café furniture shall comply with any and all guidelines adopted pursuant to  
31 Section 21.08.060(C) of this code. Except as otherwise provided pursuant to Section  
32 21.08.060(C), all sidewalk café furniture shall be readily moveable and shall be stored indoors  
33 when not in use. No permanent structures or improvements shall be installed in or near the café  
34 area.

35 G. The following are prohibited in the café area: cooking of food; unshielded trash or refuse  
36 storage; advertisements (exclusive of menus intended to be read from café); outdoor  
37 entertainment, music, speakers, or public address system; exclusively carry-out transactions.

38 H. A sidewalk café shall comply with all applicable building, health, safety, fire, zoning and  
39 environmental standards.

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**7.42.030 - Existing sidewalk cafés.**

Sidewalk cafés in existence in the C2 district as of November 13, 1995 under authority of a lease agreement with the City, may, at the option of the lessee, continue to operate pursuant to either the existing terms of such lease agreement or the terms of this chapter.

**7.42.040 - Sidewalk café violation.**

The provisions of this chapter shall be enforced by the Department of Public Works. A person who continues to violate this chapter after a written request to take corrective action is guilty of a municipal infraction and shall be fined for each violation as established by resolution of the City Council plus costs. In addition, the City Council may revoke or suspend a permit issued pursuant to this chapter upon a second or subsequent conviction under this section in any twelve month period.

**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

**EXPLANATION**

CAPITAL LETTERS indicate matter added to existing law.  
[brackets] indicate matter stricken from existing law.  
Underlining indicates amendments.

**O-36-12**

**Permitted Hours of Sidewalk Cafes**

**Policy Report**

The proposed ordinance would authorize permitted sidewalk cafes to remain open during the operating hours of such establishments. For permitted sidewalk cafes, the operating hours for such establishments are authorized generally in the zoning code or may be subject to a special exception or restrictions from the Alcoholic Beverage Control Board (ABCB). If there is a discrepancy in operating hours between a special exception or ABCB restrictions, the special exception operating hours prevail.

Prepared by: Jessica Cowles, City of Annapolis Office of Law, JCCowles@annapolis.gov or (410) 263-1184.

FISCAL IMPACT NOTE

**Legislation No:** O-36-12

**First Reader Date:** 9/24/12

**Note Date:** 10/13/12

**Legislation Title:** **Permitted Hours of Sidewalk Cafes**

**Description:** For the purpose of authorizing permitted sidewalk cafes to remain open during the normal business hours governing such establishments.

**Analysis of Fiscal Impact:** This legislation should produce no significant fiscal impact.

1 **CITY COUNCIL OF THE**  
2 **City of Annapolis**

3 **Ordinance No. O-16-12**

4 **Introduced by: Mayor Cohen and Alderman Arnett**  
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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
4/23/12	6/11/12	5/4/12	7/27/12
Referred to	Referral Date	Meeting Date	Action Taken
Public Safety	4/23/12	6/14/12 7/16/12 9/1//12	Favorable

8  
9 **AN ORDINANCE** concerning

10 **Distribution of Unsolicited Materials**

11 **FOR** the purpose of establishing Section 11.36.025 of the Code of the City of Annapolis  
12 regarding the distribution of unsolicited materials.

13 **BY** repealing and re-enacting with amendments the following portions of the Code of the  
14 City of Annapolis, 2011 Edition  
15 Section 11.36.010  
16

17 **BY** adding to the following portions of the Code of the City of Annapolis, 2011 Edition  
18 Section 11.36.025  
19

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

22 **CHAPTER 11.36 – OFFENSES AGAINST PROPERTY.**

23 **11.36.010 - Advertising—Distribution in streets.**

24 No person shall distribute, or cause to be distributed, any pamphlets, dodgers, papers or other  
25 advertising matter upon or about the streets or alleys, or fasten, or cause to be fastened, the  
26 advertising matter to poles, or place, or cause them to be placed in or on automobiles. [This  
27 section does not restrict the distribution of advertising matter from house to house; provided,  
28 that it is so distributed that it will not be blown or cast into the street.]  
29

30 **11.36.025 – LITTERING – UNSOLICITED MATERIALS.**

31 NO PERSON SHALL DISTRIBUTE, OR CAUSE TO BE DISTRIBUTED, ANY UNSOLICITED  
32 MATERIALS UPON OR ABOUT THE STREETS, ALLEYS, RESIDENTIAL OR COMMERCIAL  
33 PROPERTY, OR PUBLIC RIGHTS OF WAY. THIS SECTION DOES NOT RESTRICT THE  
34 DISTRIBUTION OF UNSOLICITED MATERIALS (A) DELIVERED THROUGH THE U.S.

1 POSTAL SERVICE, (B) DEPOSITED ON RESIDENTIAL OR COMMERCIAL DOOR STEPS,  
2 PORCHES, STOOPS OR (C) SECURED OR FASTENED THROUGH THE USE OF A DOOR  
3 HANGER SO THAT THE MATERIALS WILL NOT BE BLOWN OR CAST INTO THE STREETS,  
4 ALLEYS, RESIDENTIAL OR COMMERCIAL PROPERTY, OR PUBLIC RIGHTS OF WAY.  
5

6 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**  
7 **ANNAPOLIS CITY COUNCIL** that this Ordinance shall take effect from the date of its passage.  
8

9 **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

12  
13  
14 **EXPLANATION**

15 CAPITAL LETTERS indicate matter added to existing law.

16 [brackets] indicate matter stricken from existing law.

17 Underlining indicates amendments.  
18

## **Policy Report**

**O-16-12**

### **Distribution of Unsolicited Materials**

The proposed ordinance would prohibit the distribution of unsolicited materials upon or about the streets, alleys, residential or commercial property, or public rights of way. The proposed ordinance would not restrict the distribution of unsolicited materials (a) delivered through the U.S. Postal Service, (b) deposited on residential or commercial door steps, porches, stoops or (c) secured or fastened through the use of a door hanger so that the materials will not be blown or cast into the streets, alleys, residential or commercial property, or public rights of way.

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



City of Annapolis City Council  
Standing Committee Referral Action Report

Date: 7/16/12

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

The Public Safety Committee has reviewed 0-16-12 and has taken the following action:

Favorable

Favorable with amendments

Unfavorable

No Action

Other Postpone to September 24. Request the Law department work with the papers to create a MOU.

Comments:

Roll Call Vote:

Ald. Finlayson, Chair yes

Ald. Paone N/A

Ald. Silverman yes

Meeting Date 7/16/12

Signature of Chair Chela M. Finlayson



City of Annapolis City Council  
Standing Committee Referral Action Report

Date: 9/17/12

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

The Public Safety Committee has reviewed B-16-12 and has taken the following action:

Favorable

Favorable with amendments

Unfavorable

No Action

Other Postpone, request postponement by full Council

Comments:

Roll Call Vote:

Ald. Finlayson, Chair yes

Ald. Paone yes

Ald. Silverman yes

Meeting Date 9/17/12

Signature of Chair Sheila M. Finlayson



City of Annapolis City Council  
Standing Committee Referral Action Report

Date: 6/14/12

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

The Public Safety Committee has reviewed 0-16-12 and has taken the following action:

Favorable

Favorable with amendments

Unfavorable

No Action

Other

Comments:

Roll Call Vote:

Ald. Finlayson, Chair yes

Ald. Paone Recused

Ald. Silverman JLS

Meeting Date 6/14/12

Signature of Chair Sheila M. Finlayson

FISCAL IMPACT NOTE

**Legislation No:** O-16-12

**First Reader Date:** 4-23-12

**Note Date:** 5-4-12

**Legislation Title:** **Distribution of Unsolicited Materials**

**Description:** For the purpose of establishing Section 11.36.025 of the Code of the City of Annapolis regarding the distribution of unsolicited materials.

**Analysis of Fiscal Impact:**

This legislation produces no significant fiscal impact.

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**CITY COUNCIL OF THE  
City of Annapolis**

**Resolution No. R-34-12**

**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
7/9/12			10/8/12
Referred to	Referral Date	Meeting Date	Action Taken
Finance	7/9/12		
Public Safety	7/9/12		

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9

**A RESOLUTION** concerning

**Establishing a Fine for Violations of Distributing Unsolicited Materials**

**FOR** the purpose of establishing a fine for violations of distributing unsolicited materials.

13

**WHEREAS,** proposed ordinance O-16-12 amends the Code of the City of Annapolis by regulating litter caused by the distribution of unsolicited materials; and

16

**WHEREAS,** O-16-12 authorizes the City Council to establish a fine for violating the ordinance.

18

**NOW THEREFORE BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that that the Fines Schedule is hereby amended as follows:

21

Section in Code	Section Name	Fine for Initial Offense	Fine for Repeat or Continuous Violations
11.36.025	LITTERING – UNSOLICITED MATERIALS	\$250 PER VIOLATION PER DAY.	\$250 PER VIOLATION PER DAY.

22  
23

**AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that this resolution shall take effect on the date of adoption.

26  
27

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

28  
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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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**EXPLANATION**

CAPITAL LETTERS indicate matter added to existing law.

[brackets] indicate matter stricken from existing law.

Underlining indicates amendments.

**Policy Report**

**R-34-12**

**Establishing a Fine for Violations of Distributing Unsolicited Materials**

The proposed resolution would establish a fine for violations of distributing unsolicited materials. Proposed ordinance O-16-12 amends the Code of the City of Annapolis by regulating litter caused by the distribution of unsolicited materials and O-16-12 authorizes the City Council to establish a fine for violating the ordinance.

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: 7/16/12

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

The Public Safety Committee has reviewed R-34-12 and has taken the following action:

Favorable

Favorable with amendments

Unfavorable

No Action

Other Postpone to September 24

Comments:

Roll Call Vote:

Ald. Finlayson, Chair yes

Ald. Paone N/A

Ald. Silverman yes

Meeting Date \_\_\_\_\_

Signature of Chair Heila M. Finlayson



City of Annapolis City Council  
Standing Committee Referral Action Report

Date: 9/17/12

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

The Public Safety Committee has reviewed R-34-12 and has taken the following action:

Favorable

Favorable with amendments

Unfavorable

No Action

Other Postpone, request that fall council postpone

Comments:

Roll Call Vote:

Ald. Finlayson, Chair yes

Ald. Paone yes

Ald. Silverman yes

Meeting Date 9/17/12

Signature of Chair Sheila M. Finlayson

## FISCAL IMPACT NOTE

**Legislation No:** R-34-12

**First Reader Date:**

7-9-12

**Note Date:**

7-17-12

**Legislation Title:** Establishing a Fine for Violations of Distributing Unsolicited Materials

### **Description:**

For the purpose of establishing a fine for violations of distributing unsolicited materials.

### **Analysis of Fiscal Impact:**

This legislation provides for a fine of \$250 per violation per day for the initial offense and \$250 per violation per day for repeat or continuous violations of proposed O-16-12 which prohibits the distribution of unsolicited materials. The positive fiscal impact will depend on the number of violations.

1 CITY COUNCIL OF THE  
2 City of Annapolis

3 Ordinance No. O-28-12

4 Introduced by: Mayor Cohen  
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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	180 Day Rule
7/23/12	9/24/12	9/14/12	1/21/13
Referred to	Referral Date	Meeting Date	Action Taken
Rules and City Gov't	7/23/12	NA	NA
Planning Commission	7/23/12	9/13/12	Favorable

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9 **AN ORDINANCE** concerning

10 **Amending the Procedures for the Sale and Rental of Moderately Priced Dwelling Units**

11 **FOR** the purpose of amending the procedures for the sale and rental of moderately priced  
12 dwelling units.

13 **BY** repealing and re-enacting with amendments the following portions of the Code of the  
14 City of Annapolis, 2011 Edition  
15 Section 20.30.130  
16

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

19 **CHAPTER 20.30 – MODERATELY PRICED DWELLING UNITS.**

20 **20.30.130 - Procedures for sale and rental of MPDUs.**

21 [A. Procedures for Sale or Rental of MPDUs.]

22 [1]A. Every MPDU required under this chapter [must] SHALL be [rented or] sold OR RENTED to  
23 eligible persons to be used for his or her OR THEIR own residence.

24 [2]B. Before offering any MPDUs for sale or rent, the applicant [must] SHALL notify the  
25 Department of Planning and Zoning of the proposed offering and the date on which the  
26 applicant will be ready to begin marketing to eligible persons. The notice [must] SHALL include:

27 1. THE ADDRESS OF EACH MPDU OFFERED FOR SALE OR RENT; [a. Whether the units  
28 will be sold or rented;]

29 2. IDENTIFICATION OF WHICH MPDUS SHALL BE SOLD AND WHICH SHALL BE  
30 OFFERED FOR RENT;

- 1 [b. The number of units offered;]  
2 [c]3. The number of bedrooms IN EACH MPDU OFFERED;  
3 [d]4. The floor area for each [unit type] MPDU;  
4 [e]5. A description of the amenities [offered] in each MPDU; [unit and a statement of the  
5 availability of each unit for sale or rent;]  
6 [f]6. A vicinity map of the offering; and  
7 [g]7. Other information or documents as the Department of Planning and Zoning finds  
8 necessary [to determine] FOR compliance with this chapter. [This notice by the Department of  
9 Planning and Zoning shall be issued within thirty days of the date from which the applicant first  
10 submitted its notice to commence marketing.]

11 [3]C. The Department of Planning and Zoning [will] SHALL maintain a list of eligible persons and  
12 [must] SHALL SEND WRITTEN NOTICE TO [notify] eligible persons OF AN MPDU OFFERING  
13 [by mail and by newspaper] prior to the start of the marketing period. THE NOTICE SHALL  
14 INCLUDE A STATEMENT INDICATING THAT IF NO ELIGIBLE PERSON RESPONDS IN  
15 WRITING TO THE NOTICE WITHIN FIFTEEN (15) BUSINESS DAYS AFTER THE DATE OF  
16 THE NOTICE, OR IF ELIGIBLE PERSONS DO RESPOND WITHIN FIFTEEN (15) BUSINESS  
17 DAYS AFTER THE DATE OF THE NOTICE BUT DO NOT QUALIFY FOR FINANCING OR  
18 CANNOT PURCHASE THE MPDU FOR ANY OTHER REASON, OR IF NO ELIGIBLE  
19 PERSON HAS ENTERED INTO A CONTRACT OF SALE FOR THE MPDU WITHIN NINETY  
20 (90) DAYS AFTER THE START OF THE MARKETING PERIOD, THE CITY MAY PURCHASE  
21 THE MPDU AT THE PURCHASE PRICE ESTABLISHED FOR THE MPDU, BUT THAT IF THE  
22 CITY DOES NOT OPT TO PURCHASE THE MPDU, THE DEPARTMENT OF PLANNING AND  
23 ZONING INTENDS TO ISSUE A WRITTEN NOTICE TO THE APPLICANT AUTHORIZING  
24 THE APPLICANT TO OFFER THE MPDU TO THE GENERAL PUBLIC FOR SALE. THE  
25 DEPARTMENT OF PLANNING AND ZONING SHALL NOT BE REQUIRED TO ISSUE ANY  
26 FURTHER NOTICE TO ELIGIBLE PERSONS BEFORE AUTHORIZING THE APPLICANT TO  
27 OFFER THE MPDU FOR SALE TO THE GENERAL PUBLIC.

28 [4]D. An applicant [must] SHALL not sell or rent any [unit] MPDU to aN ELIGIBLE [qualified]  
29 person as defined in this chapter] until such person has obtained a certificate of eligibility issued  
30 by the Department of Planning and Zoning. [from the buyer or lessee. A copy of each certificate  
31 must be maintained on file by the Department of Planning and Zoning.]

32 [5]E. IF NO ELIGIBLE PERSON HAS ENTERED INTO A CONTRACT OF SALE FOR ANY  
33 MPDU OFFERED FOR SALE WITHIN ninety (90) days after the start of a marketing period,  
34 THE CITY [Department of Planning and Zoning] may purchase THE MPDU AT THE  
35 PURCHASE PRICE ESTABLISHED FOR THE MPDU [a for sale MPDU if no eligible person  
36 has entered into a purchase agreement or contracted to buy that MPDU]. IF THE CITY  
37 PURCHASES AN MPDU UNDER THESE CIRCUMSTANCES, THE STATUS OF THE MPDU  
38 AS A FOR SALE MPDU SHALL NOT CHANGE. THE CITY [The Department of Planning and  
39 Zoning] shall only [rent or] sell the CITY OWNED MPDU to an eligible person AND THE CITY  
40 OWNED MPDU SHALL BE SUBJECT TO THE PROVISIONS OF THIS CHAPTER.

41 F. IF THE CITY OPTS NOT TO PURCHASE AN MPDU FOR WHICH NO ELIGIBLE PERSON  
42 HAS ENTERED INTO A CONTRACT OF SALE WITHIN THE NINETY (90)  
43 DAY MARKETING PERIOD TO ELIGIBLE PERSONS, THE DEPARTMENT OF PLANNING  
44 AND ZONING SHALL PROVIDE WRITTEN NOTICE TO THE APPLICANT CONTAINING AN

1 AUTHORIZATION TO MARKET THE MPDU TO THE GENERAL PUBLIC FOR SALE AT THE  
2 APPROVED PURCHASE PRICE. THE DEPARTMENT OF PLANNING AND ZONING SHALL  
3 NOT ISSUE AN AUTHORIZATION TO MARKET TO THE GENERAL PUBLIC UNLESS ALL  
4 REQUIREMENTS OF THIS CHAPTER HAVE BEEN SATISFIED. THE STATUS OF AN MPDU  
5 FOR SALE SHALL NOT CHANGE AS A RESULT OF AN OFFERING TO THE GENERAL  
6 PUBLIC, AND ALL MPDUS THAT ARE SOLD TO THE GENERAL PUBLIC SHALL BE  
7 SUBJECT TO MPDU INCOME REQUIREMENTS AND SHALL BE OFFERED TO RESIDENTS  
8 OF ANNE ARUNDEL COUNTY.

9 [6]G. The deposit required with the sales contract for the purchase of an MPDU shall not exceed  
10 one thousand dollars.

11 [7]H. Every buyer or renter of an MPDU, INCLUDING THOSE MPDUS BOUGHT OR LEASED  
12 BY MEMBERS OF THE GENERAL PUBLIC UNDER THE PROVISIONS OF THIS CHAPTER,  
13 [must] SHALL occupy the [unit] MPDU as his or her OR THEIR primary residence during the  
14 [control] OCCUPANCY period. [Each] EVERY buyer and renter [must] SHALL certify before  
15 taking occupancy that he or she OR THEY SHALL [will] occupy the [unit] MPDU as his or her  
16 primary residence during [the] ANY occupancy period. The Director of Planning and Zoning may  
17 require an MPDU owner who does not occupy the [unit] MPDU as [his or her] A primary  
18 residence to offer the unit for resale [to an eligible person] under the [resale] provisions of THIS  
19 CHAPTER [Section 20.30.140] OR MAY REQUIRE A RENTER WHO IS NOT AN ELIGIBLE  
20 PERSON TO VACATE. [Every MPDU required under this chapter must be offered to the  
21 general public for sale or rental to a good-faith purchaser or renter to be used for his or her own  
22 primary residence, except units offered for sale or rent to a non-profit corporation, whose  
23 purpose is to provide housing for persons of moderate income.]

24 [8]I. An owner of an MPDU [may] SHALL not rent the [unit] MPDU unless the renter is an  
25 eligible person, and the rental is approved in writing by the Department of Planning and Zoning  
26 annually. ALL ANNUAL RENTAL RENEWALS SHALL BE GOVERNED BY TITLE 17 OF THE  
27 ANNAPOLIS CITY CODE.

28 [9]J. ANY MPDU OWNER WHO RENTS AN MPDU TO AN INELIGIBLE PERSON [Any rent  
29 obtained for a MPDU that is rented to an ineligible person must] SHALL [be paid] PAY ALL  
30 SUCH RENT into the CITY'S Homeownership Assistance Trust Fund [by the owner within  
31 ninety] THIRTY (30) days after the Department of Planning and Zoning notifies the owner of the  
32 rental violation. THE DEPARTMENT OF PLANNING AND ZONING MAY ASSESS THE  
33 OWNER [Any amount unpaid after ninety days is grounds for the Department of Planning and  
34 Zoning to assess] a monthly fee that is equal to the HUD fair market rent for the MPDU[." ] FOR  
35 EACH MONTH THAT RENT WAS CHARGED AND RECEIVED IN VIOLATION OF THIS  
36 CHAPTER.  
37

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

40  
41 **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

42  
43  
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.

1 **Policy Report**

2  
3 **O-28-12**

4  
5 **Amending the Procedures for the Sale and Rental**  
6 **of Moderately Priced Dwelling Units**

7  
8 The proposed ordinance would amend the procedures for the sale and rental of  
9 moderately priced dwelling units (MPDU). Specifically, if the City opts not to purchase  
10 an MPDU for which no eligible person has entered into a contract of sale within the 90  
11 day marketing period to eligible persons, the Department of Planning and Zoning shall  
12 provide written notice to the applicant containing an authorization to market the MPDU  
13 to the general public for sale at the approved purchase price. The Department of  
14 Planning and Zoning shall not issue an authorization to market to the general public  
15 unless all requirements of Chapter 20.30 of the City Code have been satisfied. The  
16 status of an MPDU for sale shall not change as a result of an offering to the general  
17 public and all MPDUs that are sold to the general public shall be subject to MPDU  
18 income requirements and shall be offered to residents of Anne Arundel County.

19  
20 Any MPDU owner who rents an MPDU to an ineligible person shall pay all such rent into  
21 the City's Homeownership Assistance Trust Fund 30 days after the Department of  
22 Planning and Zoning notifies the owner of the rental violation. The Department of  
23 Planning and Zoning may assess the owner a monthly fee that is equal to the HUD fair  
24 market rent for the MPDU for each month that rent was charged and received in  
25 violation of this chapter.

26  
27 Prepared by Jessica Cowles, Legislative and Policy Analyst, Office of Law at  
28 [JCCowles@annapolis.gov](mailto:JCCowles@annapolis.gov) or (410) 263-1184.  
29



PLANNING COMMISSION  
(410) 263-7961  
MUNICIPAL BUILDING  
ANNAPOLIS, MARYLAND 21401

September 13, 2012

**MEMORANDUM**

**To: Annapolis City Council**

**From: Planning Commission**

**Re: Findings on Ordinance 0-28-12; Procedures for the Sale and Rental of Moderately Priced Dwelling Units.**

**SUMMARY**

The proposed amendment to City Code Title 20 Chapter 20.30.130 modifies the procedure for developers to sell their MPDUs if the City cannot find eligible buyers within the specified marketing period. The amendment would change the law to allow sale to the public once the 90-day marketing period is completed and the Department is not interested in purchasing the MPDU.

On September 6, 2012, the Planning Commission held its regularly scheduled meeting and heard the proposed amendment, being properly advertised in accordance with the Annapolis City Code.

**STAFF RECOMMENDATION**

At the meetings referenced above, the Planning and Zoning staff presented their analysis of the amendment in a report dated August 29, 2012. Staff recommended approval of the amendment.

**PUBLIC HEARING AND DELIBERATION**

In accordance with the Annapolis City Code a public hearing was held and the public was invited to comment on the Application. No member of the public spoke at the public hearing.

**RECOMMENDATION**

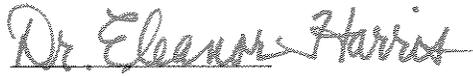
In the discussion, it became clear that there was an inadvertent grammatical error in the language of the proposed amendment. The correct wording should be:

“IF NO BUYER WHO IS INCOME ELIGIBLE AND AN ANNE ARUNDEL COUNTY RESIDENT IS FOUND WITHIN 30 DAYS OF THE NOTICE TO SELL TO THE GENERAL PUBLIC THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING SHALL HAVE THE AUTHORITY TO WAIVE THESE REQUIREMENTS.” (Change underlined).

The Planning Commission, by a vote of 5-0-1, recommends approval of the amendment, as further amended.

Adopted this 4th day of October, 2012

Annapolis City Council  
"Rodgers Property" Findings  
October 20, 2005  
Page 2

A handwritten signature in cursive script that reads "Dr. Eleanor Harris". The signature is written in dark ink and is positioned above the printed name.

Dr. Eleanor Harris, Chair

FISCAL IMPACT NOTE

**Legislation No:** O-28-12

**First Reader Date:** 7-23-12

**Note Date:** 9-14-12

**Legislation Title: Amending the Procedures for the Sale and Rental of Moderately Priced Dwelling Units**

**Description:** For the purpose of amending the procedures for the sale and rental of moderately priced dwelling units.

**Analysis of Fiscal Impact:**

This legislation produces no significant fiscal impact.

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**CITY COUNCIL OF THE  
City of Annapolis**

**Resolution No. R-36-12**

**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
Referred to	Referral Date	Meeting Date	Action Taken
7/23/12	10/22/12	9/13/12	10/19/12
Economic Matters	7/23/12	10/15/12	Favorable

8  
9  
10 **A RESOLUTION** concerning

11 **A Request to the Maryland General Assembly Regarding the Residency Requirement for**  
12 **Alcoholic Beverage License Holders**

13 **FOR** the purpose of respectfully requesting that the Maryland General amend Article 2B of the  
14 Annotated Code of Maryland (Alcoholic Beverages) to allow the alcoholic beverage  
15 residency requirement for a City of Annapolis alcoholic beverage license to be fulfilled by  
16 a resident of Anne Arundel County.

17  
18 **WHEREAS,** Section 10-103 (b) of Article 2B of the Annotated Code of Maryland states that  
19 "...every new application for a license shall be made to the Board of License  
20 Commissioners on forms prescribed by the Comptroller and sworn to by the  
21 applicant. Every application for a license shall contain ... a statement that the  
22 applicant has been for two years next preceding the filing of the application a  
23 resident of the county or of the City of Baltimore in which the applicant  
24 proposes to operate under the license applied for"; and  
25

26 **WHEREAS,** the City of Annapolis is granted specific authority for regulating alcoholic  
27 beverages through Article 2B of the Annotated Code of Maryland, although  
28 applicants for an alcoholic beverage license are still subject to Section 10-103,  
29 which has been interpreted to mean that at least one applicant for an alcoholic  
30 beverage license must have been a resident in the City of Annapolis for the two  
31 years preceding filing the application; and  
32

33 **WHEREAS,** the Citizens Committee to Review Alcoholic Beverage Laws (CCRABL)  
34 recommended that the City of Annapolis seek an amendment to Article 2B of  
35 the Annotated Code of Maryland that would allow the residency requirement for  
36 an alcoholic beverage license in the City of Annapolis to be fulfilled by a  
37 resident of Anne Arundel County.  
38

1 **NOW THEREFORE BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the City  
2 Council of the City of Annapolis respectfully requests that the General Assembly amend Article  
3 2B of the Annotated Code of Maryland to allow the alcoholic beverage residency requirement  
4 for a City of Annapolis alcoholic beverage license to be fulfilled by a resident of Anne Arundel  
5 County.  
6

7  
8 **AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the City Clerk  
9 shall send a copy of this resolution to the Governor, the Speaker of the House of Delegates, the  
10 President of the Senate and the Maryland Municipal League.  
11

12  
13 **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
14  
15

ATTEST: THE ANNAPOLIS CITY COUNCIL

BY \_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC, City Clerk Joshua J. Cohen, Mayor

16  
17  
18 **EXPLANATION**  
19 CAPITAL LETTERS indicate matter added to existing law.  
20 [brackets] indicate matter stricken from existing law.  
21 Underlining indicates amendments.

**Policy Report**

**R-36-12**

**A Request to the Maryland General Assembly Regarding the Residency Requirement for Alcoholic Beverage License Holders**

The proposed resolution would respectfully request that the Maryland General amend Article 2B of the Annotated Code of Maryland (Alcoholic Beverages) to allow the alcoholic beverage residency requirement for a City of Annapolis alcoholic beverage license to be fulfilled by a resident of Anne Arundel County. The Citizens Committee to Review Alcoholic Beverage Laws (CCRABL) recommended that the City of Annapolis seek an amendment to Article 2B of the Annotated Code of Maryland that would allow the residency requirement for an alcoholic beverage license in the City of Annapolis to be fulfilled by a resident of Anne Arundel County.

Section 10-103 (b) of Article 2B of the Annotated Code of Maryland states that "...every new application for a license shall be made to the Board of License Commissioners on forms prescribed by the Comptroller and sworn to by the applicant. Every application for a license shall contain ... a statement that the applicant has been for two years next preceding the filing of the application a resident of the county or of the City of Baltimore in which the applicant proposes to operate under the license applied for."

The City of Annapolis is granted specific authority for regulating alcoholic beverages through Article 2B of the Annotated Code of Maryland, although applicants for an alcoholic beverage license are still subject to Section 10-103, which has been interpreted to mean that at least one applicant for an alcoholic beverage license must have been a resident in the City of Annapolis for the two years preceding filing the application.

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: 10/15/12

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

The Economic Matters Committee has reviewed R-36-12 and has taken the following action:

Favorable

Favorable with amendments

Unfavorable

No Action

Other

Comments:

Roll Call Vote:

Ald. Paone, Chair yes

Ald. Finlayson yes

Ald. Pfeiffer N/A

Meeting Date \_\_\_\_\_ Signature of Chair \_\_\_\_\_

FISCAL IMPACT NOTE

**Legislation No:** R-36-12

**First Reader Date:** 7-23-12

**Note Date:** 9-13-12

**Legislation Title: A Request to the Maryland General Assembly Regarding the y Requirement for Alcoholic Beverage License Holders**

**Description:**

For the purpose of respectfully requesting that the Maryland General amend Article 2B of the Annotated Code of Maryland (Alcoholic Beverages) to allow the alcoholic beverage residency requirement for a City of Annapolis alcoholic beverage license to be fulfilled by a resident of Anne Arundel County.

**Analysis of Fiscal Impact:**

This legislation produces no significant fiscal impact.

1 CITY COUNCIL OF THE  
2 City of Annapolis

3  
4 Resolution No. R-42-12

5 Introduced by: Mayor Cohen  
6  
7

LEGISLATIVE HISTORY			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	9/24/12	10/15/12	Favorable

8  
9 **A RESOLUTION** concerning

10 **Colonel John Ripley Memorial 5K Race**

11 **FOR** the purpose of authorizing City Council approval of the Colonel John Ripley Memorial 5K  
12 Race on November 4, 2012 per R-14-12, implementing a moratorium on administrative  
13 approvals for events at City Dock; and the reimbursement of full fees to the City for the  
14 cost associated with the event.

15 **WHEREAS,** the Semper Fi Fund seeks the City's approval through the City's Special Event  
16 Application to hold an event on November 4, 2012 in Ward 2 and the City Dock  
17 area based on the following:

- 18  
19
  - Location: Ward 2 and the City Dock area (see attached route race map).
  - The Semper Fi Fund, or its designee, is required to obtain all necessary  
20 City permits and comply with the terms of the Special Event Application for  
21 the safe execution of the event.  
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25 **WHEREAS,** Section 6.04.210 of the City Code states that "whenever a person leases, uses  
26 or occupies a City facility, the person shall be charged and pay a minimum of  
27 full fees for the use of the facility." Examples of City facilities include public  
28 spaces, grounds, parks, athletic facilities, fields, docks, piers, wet slips,  
29 moorings, developable waters, buildings, motor vehicles, equipment,  
30 structures, rooms or other parts of public buildings. Examples of City services  
31 include traffic control, crowd control, public safety support (police or fire), trash  
32 removal, sanitary services, recycling, bulk pick-up, the provision of water,  
33 sewer, electricity, communications or other utilities, transportation, and labor.  
34 Full fees "means the value of the right to lease, use or occupy the City facility  
35 as determined by the Finance Director in a fiscal impact note, plus all costs  
36 incurred by the City... including but not limited to utility costs and costs  
37 associated with municipal services (public safety, public works, custodial,  
38 renovations, repairs, maintenance, transportation and parking)..."  
39

40 **NOW THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the City  
41 Council authorizes this special event.



# Route Race Map

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## Ripley Race 2012

[www.ripleyrace.com](http://www.ripleyrace.com)  
November 4, 2012, 9:00am at Navy Stadium

**Navy-Marine Corps Memorial Stadium**  
(Start/Finish and Parking)

**Park Here**  
(Use Gate 5 entrance from Taylor Ave.)

**Volunteer Positions – 0800 Depart for positions, 0830 put out cones**  
 (1) – Race start intx with Taylor  
 - 3 Mile A-Frame Sign  
 - 60 cones  
 (2) – Intx Rowe Blvd & Taylor Ave  
 - help with #1 cones, 4 cones Grauls lot  
 (3) – Intx Rowe Blvd & College Ave  
 - 1 Mile A-Frame Sign  
 (4) – Intx College Ave with Church Circle  
 - 5 cones to block School St.  
 (5) – Intx Main St. and Conduit St.  
 (6) – Bottom of Main St. at Green St. and City Dock (on center island)  
 (7) – Intx Dock St. @ Stevens Hardware  
 (8) – Intx Randall St. and Prince George St.  
 (9) – Intx Gate 1 and King George St.  
 (10) – Intx King George and Martin St.  
 (11) – Intx King George and Maryland Ave  
 - 2 Mile A-Frame Sign  
 (12 – 16) – Top of King George to Taylor Ave  
 - 18 cones, plus help with #1 cones

**Fado Irish Pub @ Park Place**  
(Post Party – Music – Festivities)

**United States Naval Academy**

**Downtown Annapolis**

**Police Positions**

**Route Volunteers**

3

## **Staff Report**

**R-42-12**

### **Colonel John Ripley Memorial 5K Race**

The proposed resolution would authorize City Council approval of the Colonel John Ripley Memorial 5K Race on November 4, 2012 per R-14-12, implementing a moratorium on administrative approvals for events at City Dock; and the reimbursement of full fees to the City for the cost associated with the event.

Prepared by Michelle LeFurge, Special Events Coordinator at [mmlefurge@annapolis.gov](mailto:mmlefurge@annapolis.gov) and Jessica Cowles, Legislative and Policy Analyst in the Office of Law at [JCCowles@annapolis.gov](mailto:JCCowles@annapolis.gov)



City of Annapolis City Council  
Standing Committee Referral Action Report

Date: 10/15/12

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

The Economic Matters Committee has reviewed R-42.12 and has taken the following action:

Favorable

Favorable with amendments

Unfavorable

No Action

Other

Comments:

Roll Call Vote:

Ald. Paone, Chair yes

Ald. Finlayson yes Ald. Pfeiffer NA

Meeting Date 10/15/12 Signature of Chair [Signature]

FISCAL IMPACT NOTE

**Legislation No:** R-42-12                      **First Reader Date:** 9/24/12  
**Note Date:**    10/13/12

**Legislation Title: Colonel John Ripley Memorial 5K Race**

**Description:** For the purpose of authorizing City Council approval of the Colonel John Ripley Memorial 5K Race on November 4, 2012 per R-14-12, implementing a moratorium on administrative approvals for events at City Dock; and the reimbursement of full fees to the City for the cost associated with the event.

**Analysis of Fiscal Impact:** This legislation should produce no significant direct fiscal impact as it requires the sponsor, Semper Fi Fund, to pay to the City full fees including costs associated with use of public spaces, traffic control, crowd control, public safety support, trash removal, sanitary services, recycling, bulk pickup, provision of water, sewer, electricity, communications, transportation and labor.

**CITY COUNCIL OF THE  
City of Annapolis**

**Resolution No. R-43-12**

**Introduced by: Mayor Cohen 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
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Finance	9/24/12	10/16/12	Favorable
Economic Matters	9/24/12	10/15/12	Favorable

**A RESOLUTION** concerning

**Eastport Yacht Club Lights Parade**

**FOR** the purpose of authorizing City Council approval of the Eastport Yacht Club Lights Parade per R-14-12, implementing a moratorium on administrative approvals for events at City Dock and waiving the reimbursement of full fees to the City for the cost associated with the event on December 8, 2012.

**WHEREAS,** the Eastport Yacht Club seeks the City's approval through the City's Special Event Application to hold a parade on Spa Creek based on the following:

- Time of activities: 5:00 p.m. to 9:00 p.m.
- Event is open to the public free of charge.
- Location: Spa Creek and Susan Campbell Park.
- The Eastport Yacht Association, or its designee, is required to obtain all necessary City permits and comply with the terms of the Special Event Application for the safe execution of the event.

**WHEREAS,** Section 6.04.210 of the City Code states that "whenever a person leases, uses or occupies a City facility, the person shall be charged and pay a minimum of full fees for the use of the facility." Examples of City facilities include public spaces, grounds, parks, athletic facilities, fields, docks, piers, wet slips, moorings, developable waters, buildings, motor vehicles, equipment, structures, rooms or other parts of public buildings. Examples of City services include traffic control, crowd control, public safety support (police or fire), trash removal, sanitary services, recycling, bulk pick-up, the provision of water, sewer, electricity, communications or other utilities, transportation, and labor. Full fees "means the value of the right to lease, use or occupy the City facility as determined by the Finance Director in a fiscal impact note, plus all costs incurred by the City... including but not limited to utility costs and costs

1 associated with municipal services (public safety, public works, custodial,  
2 renovations, repairs, maintenance, transportation and parking)..."

3  
4 **NOW THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the City  
5 Council authorizes this special event.

6  
7 **AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that there shall be  
8 a waiver of full fees.

9  
10 **AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that a  
11 representative of the City will be present to resolve matters relating to this special event and  
12 his/her cell phone number shall be posted on the City's website during the hours the event is  
13 open to the public.

14  
15  
16 **ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

17  
18  
ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

\_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC, City Clerk

\_\_\_\_\_  
Joshua J. Cohen, Mayor

19  
20 **EXPLANATION**

21 CAPITAL LETTERS indicate matter added to existing law.

22 [brackets] indicate matter stricken from existing law.

23 Underlining indicates amendments.  
24

## **Staff Report**

**R-43-12**

### **Eastport Yacht Club Lights Parade**

The proposed resolution would authorize City Council approval of the Eastport Yacht Club Lights Parade per R-14-12, implementing a moratorium on administrative approvals for events at City Dock and waiving the reimbursement of full fees to the City for the cost associated with the event on December 8, 2012.

Prepared by Michelle LeFurge, Special Events Coordinator at [mmlefurge@annapolis.gov](mailto:mmlefurge@annapolis.gov) and Jessica Cowles, Legislative and Policy Analyst in the Office of Law at [JCCowles@annapolis.gov](mailto:JCCowles@annapolis.gov)



City of Annapolis City Council  
Standing Committee Referral Action Report

Date: 10/15/12

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

The Economic Matters Committee has reviewed R-43-12 and has taken the following action:

Favorable

Favorable with amendments

Unfavorable

No Action

Other

Comments:

Roll Call Vote:

Ald. Paone, Chair yes

Ald. Finlayson yes

Ald. Pfeiffer N/A

Meeting Date 10/15/12 Signature of Chair Fredrick M. Paone



City of Annapolis City Council  
Standing Committee Referral Action Report

Date: 10/16/12

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

The Finance Committee has reviewed R-43-12 and has taken the following action:

Favorable

Favorable with amendments

Unfavorable

No Action

Other

Comments:

Roll Call Vote:

Ald. Israel, Chair yes

Ald. Arnett yes

Ald. Finlayson yes

Meeting Date 10/16/12

Signature of Chair Ross H. Arnett

FISCAL IMPACT NOTE

**Legislation No:** R-43-12

**First Reader Date:** 9/24/12

**Note Date:** 10/16/12

**Legislation Title: Eastport Yacht Club Lights Parade**

**Description:** For the purpose of authorizing City Council approval of the Eastport Yacht Club Lights Parade per R-14-12, implementing a moratorium on administrative approvals for events at City Dock and waiving the reimbursement of full fees to the City for the cost associated with the event on December 8, 2012.

**Analysis of Fiscal Impact:**

The estimated negative fiscal impact of the Eastport Yacht Club Lights Parade will be about \$3,925 for Police services and about \$76 lost revenue for parking spaces.

1 CITY COUNCIL OF THE  
2 City of Annapolis

3 Resolution No. R-44-12

4 Introduced by: Mayor Cohen  
5  
6  
7

LEGISLATIVE HISTORY			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	9/24/12	10/15/12	Favorable

8  
9 A RESOLUTION concerning

10 TCS Annapolis Half Marathon

11 FOR the purpose of authorizing City Council approval of the TCS Annapolis Half Marathon  
12 per R-14-12, implementing a moratorium on administrative approvals for events at City  
13 Dock; designating Saturday, December 1, 2012 as a date for the sale of arts-related  
14 merchandise in the Historic District in conjunction with the event; and the reimbursement  
15 of full fees to the City for the cost associated with the event.

16 WHEREAS, the TCS Half Marathon seeks the City's approval through the City's Special  
17 Event Application to hold an event on December 1, 2012 in Ward 1 and the  
18 City Dock area based on the following:

- 19  
20
- Location: Ward 1 and the City Dock area.
  - The TCS Half Marathon (Second Wind Productions), or its designee, is required to obtain all necessary City permits and comply with the terms of the Special Event Application for the safe execution of the event.
  - 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.
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28 WHEREAS, Section 7.40.090 of the City Code allows the City Council to designate certain  
29 days when peddlers, hawkers and itinerant merchants may sell in the Historic  
30 District or a nonresidential area; and

31  
32 WHEREAS, Section 6.04.210 of the City Code states that "whenever a person leases, uses  
33 or occupies a City facility, the person shall be charged and pay a minimum of  
34 full fees for the use of the facility." Examples of City facilities include public  
35 spaces, grounds, parks, athletic facilities, fields, docks, piers, wet slips,  
36 moorings, developable waters, buildings, motor vehicles, equipment,  
37 structures, rooms or other parts of public buildings. Examples of City services  
38 include traffic control, crowd control, public safety support (police or fire), trash  
39 removal, sanitary services, recycling, bulk pick-up, the provision of water,  
40 sewer, electricity, communications or other utilities, transportation, and labor.

1 Full fees “means the value of the right to lease, use or occupy the City facility  
2 as determined by the Finance Director in a fiscal impact note, plus all costs  
3 incurred by the City... including but not limited to utility costs and costs  
4 associated with municipal services (public safety, public works, custodial,  
5 renovations, repairs, maintenance, transportation and parking)...”  
6

7 **NOW THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the City  
8 Council authorizes this special event.  
9

10 **NOW THEREFORE BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that sales of  
11 merchandise may be sold in conjunction with the TCS Annapolis Half Marathon event on  
12 December 1, 2012.  
13

14 **AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that there shall be  
15 no waiver of full fees. However, notwithstanding any other provision of law, the Director of  
16 Finance shall determine the full fees incurred by the City government and the organizers of the  
17 event shall reimburse the City for full fees.  
18

19 **AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that a  
20 representative of the City will be present to resolve matters relating to this special event and  
21 his/her cell phone number shall be posted on the City’s website during the hours the event is  
22 open to the public.  
23

24 **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
25  
26  
27

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

\_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC, City Clerk

\_\_\_\_\_  
Joshua J. Cohen, Mayor

28 **EXPLANATION**

29 CAPITAL LETTERS indicate matter added to existing law.

30 [brackets] indicate matter stricken from existing law.

31 Underlining indicates amendments.  
32

## **Staff Report**

**R-44-12**

### **TCS Annapolis Half Marathon**

The proposed resolution would authorize City Council approval of the TCS Annapolis Half Marathon per R-14-12, implementing a moratorium on administrative approvals for events at City Dock; designate Saturday, December 1, 2012 as a date for the sale of arts-related merchandise in the Historic District in conjunction with the event; and the reimbursement of full fees to the City for the cost associated with the event.

Prepared by Michelle LeFurge, Special Events Coordinator at [mmlefurge@annapolis.gov](mailto:mmlefurge@annapolis.gov) and Jessica Cowles, Legislative and Policy Analyst in the Office of Law at [JCCowles@annapolis.gov](mailto:JCCowles@annapolis.gov)



City of Annapolis City Council  
Standing Committee Referral Action Report

Date: 10/15/12

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

The Economic Matters Committee has reviewed R-44-12 and has taken the following action:

Favorable

Favorable with amendments

Unfavorable

No Action

Other

Comments:

Roll Call Vote:

Ald. Paone, Chair YES

Ald. Finlayson YES Ald. Pfeiffer N/A

Meeting Date 10/15/12 Signature of Chair [Signature]

## FISCAL IMPACT NOTE

**Legislation No:** R-44-12

**First Reader Date:** 9/24/12

**Note Date:** 10/13/12

**Legislation Title: TCS Annapolis Half Marathon**

**Description:** For the purpose authorizing City Council approval of the TCS Annapolis Half Marathon per R-14-12, implementing a moratorium on administrative approvals for events at City dock; designating Saturday, December 1, 2012 as a date for the sale of arts-related merchandise in the Historic District in conjunction with the event; and the reimbursement of full fees to the City for the cost associated with the event.

**Analysis of Fiscal Impact:** This legislation will produce no significant direct fiscal impact as it requires the TCS Half Marathon to pay to the City full fees including costs associated with the use of public spaces, traffic control, crowd control, public safety support, trash removal, sanitary services, recycling, bulk pick-up, provision of water, sewer, electricity, communications, transportation and labor.

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**CITY COUNCIL OF THE  
City of Annapolis**

**Resolution No. R-45-12**

**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
9/24/12	10/22/12	10/13/12	12/21/12
Referred to	Referral Date	Meeting Date	Action Taken
Public Safety	9/24/12	10/15/12	Favorable

**A RESOLUTION** concerning

**Abney Lane**

**FOR** the purpose of declaring that South Bates Street in the College Creek Terrace Community shall be renamed "Abney Lane" to honor the contributions of the Abney Family to the City of Annapolis.

**WHEREAS,** The Housing Authority of the City of Annapolis (HACA) has been dedicating buildings, streets, and communities after individuals who have given their time and energy to the advancement of public housing residents; and

**WHEREAS,** the newly renovated College Creek Terrace Community is about to be leased for low income housing stewards; and

**WHEREAS,** HACA has recommended renaming South Bates Street in the College Creek Terrace Community after the Abney Family, the first family to reside in low income housing in the State of Maryland; and

**WHEREAS,** the April 17, 1940 *Evening Capital* stated that "The Housing Authority considers the Abneys a good example of the type of young family which low rent housing is designed to benefit: industrious and thrifty;" and

**WHEREAS,** since the Abney family has served the City of Annapolis and the stewards of public housing for over 42 years, renaming South Bates Street where they once resided is a fitting honor; and

**WHEREAS,** the renaming of this street does not conflict with any other City street names nor Anne Arundel County street names in the Annapolis area.

**NOW, THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that South Bates Street in the College Creek Terrace Community shall be renamed "Abney Lane" in honor of the Abney family.

1 **AND BT IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that all  
2 “Abney Lane” street signage shall bear the former designation of South Bates Street, as is the  
3 custom on other street signs in the City of Annapolis.  
4

5 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that a copy of this  
6 resolution shall be provided to the Abney family.  
7

8 **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
9

10 ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

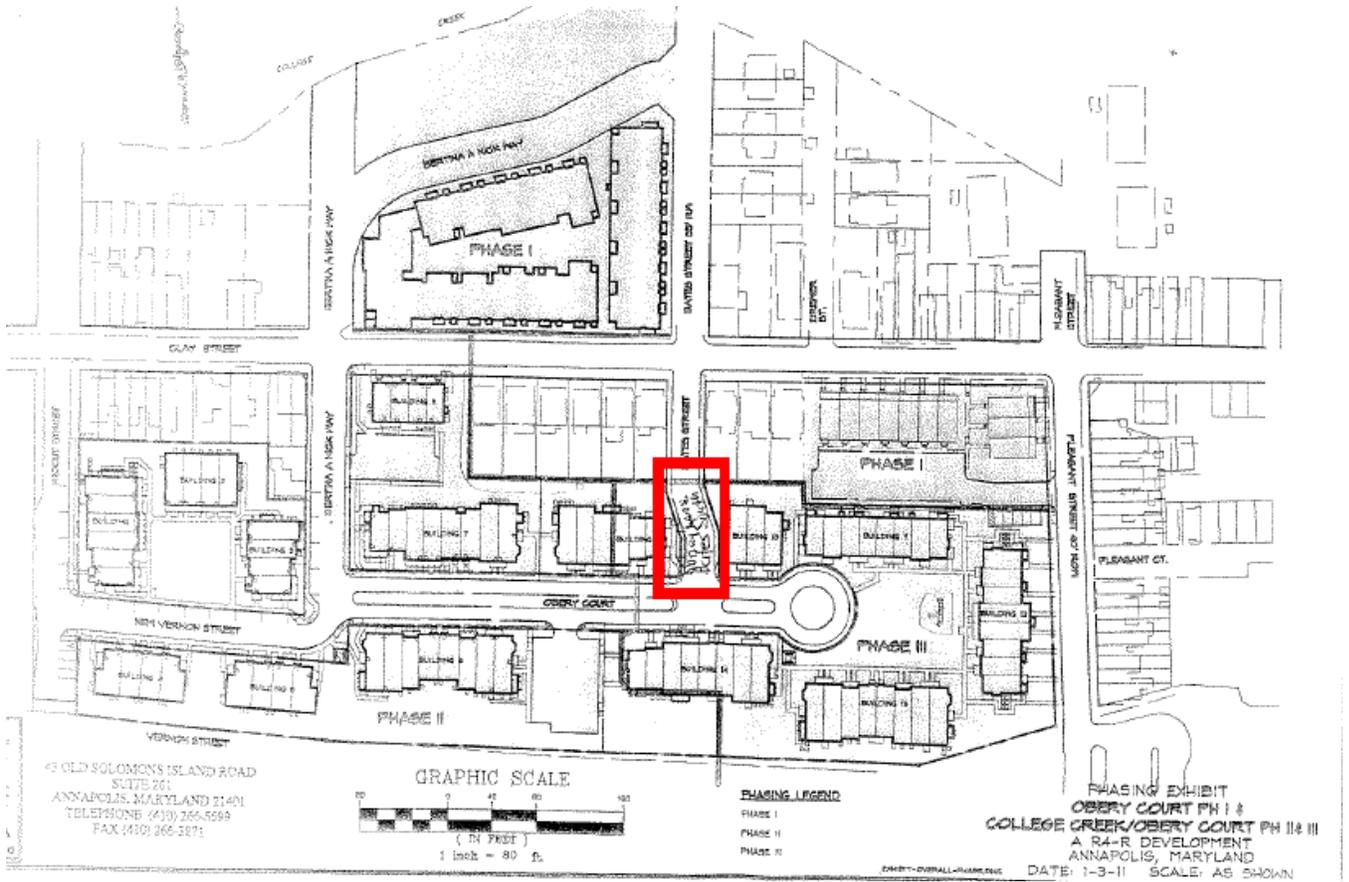
\_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC, City Clerk

\_\_\_\_\_  
Joshua J. Cohen, Mayor

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15  
16 **EXPLANATION**

17 CAPITAL LETTERS indicate matter added to existing law.  
18 [brackets] indicate matter stricken from existing law.  
19 Underlining indicates amendments.  
20

## Map of Proposed Street Name Change: South Bates Street to Abney Lane



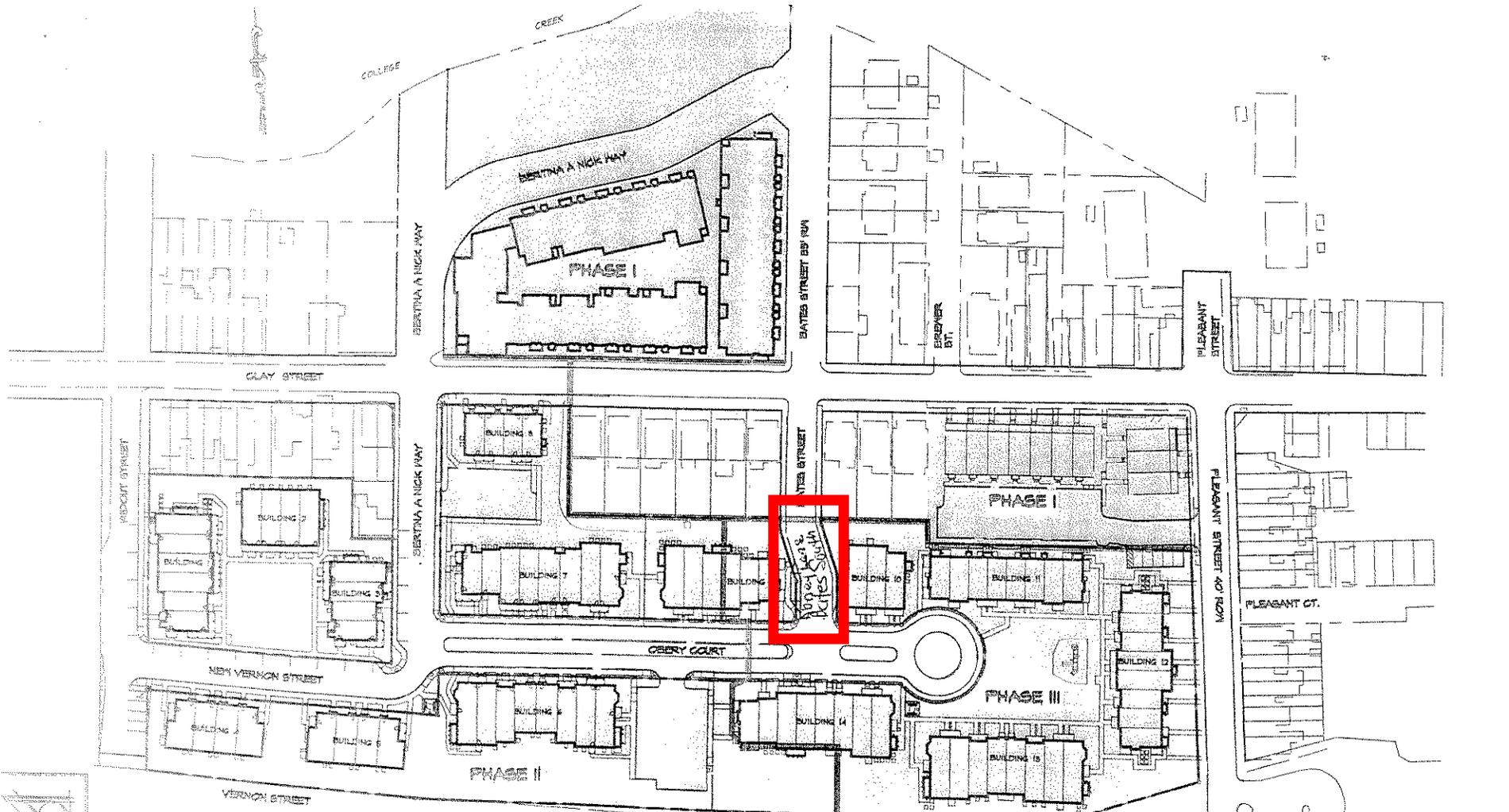
## **Policy Report**

**R-45-12**

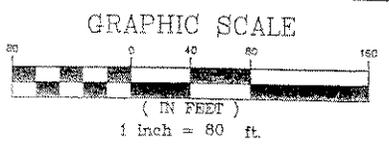
### **Abney Lane**

The proposed resolution would rename South Bates Street in the College Creek Terrace Community to Abney Lane to honor the Abney family's contributions to the City of Annapolis.

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



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PHASING LEGEND  
 PHASE I  
 PHASE II  
 PHASE III

PHASING EXHIBIT  
 CHERRY COURT PH I &  
 COLLEGE CREEK/CHERRY COURT PH II & III  
 A R4-R DEVELOPMENT  
 ANNAPOLIS, MARYLAND  
 EXHIBIT-OVERALL-PHASE.DWG DATE: 1-3-11 SCALE: AS SHOWN



City of Annapolis City Council  
Standing Committee Referral Action Report

Date: 10/15/12

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

The Public Safety Committee has reviewed R-45-12 and has taken the following action:

Favorable

Favorable with amendments

Unfavorable

No Action

Other

Comments:

Roll Call Vote:

Ald. Finlayson, Chair Yes

Ald. Paone Yes Ald. Silverman N/A

Meeting Date October 15, 12

Signature of Chair Sheila M. Finlayson



City of Annapolis City Council  
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Date: 10/15/12

To: Jessica Cowles,  
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Comments:

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Ald. Finlayson, Chair Yes

Ald. Paone Yes

Ald. Silverman N/A

Meeting Date October 15, 12

Signature of Chair Sheila M. Finlayson

FISCAL IMPACT NOTE

**Legislation No:** R-45-12

**First Reader Date:** 9/24/12

**Note Date:** 10/13/12

**Legislation Title:** **Abney Lane**

**Description:** For the purpose declaring that South Bates Street in the College Creek Terrace community shall be renamed "Abney Lane" to honor the contributions of the Abney Family to the City of Annapolis.

**Analysis of Fiscal Impact:** This legislation should produce no fiscal impact other than the cost of signage.

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**CITY COUNCIL OF THE  
City of Annapolis**

**Ordinance No. O-39-12  
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
10/22/12	11/05/22 To be considered jointly with R-47-12.		1/13/13
Referred to	Referral Date	Meeting Date	Action Taken
Environmental Matters	10/22/12	11/15/12	
Finance	10/22/12	11/20/12	
Financial Advisory Commission	10/22/12		

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**AN ORDINANCE** concerning

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**Water Treatment Plant Financing**

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**FOR** the purpose of authorizing and empowering the City of Annapolis (the “City”) to fund the design, construction, renovation and equipping of a water treatment plant through the issuance and sale, upon its full faith and credit, of general obligation bonds or notes in an aggregate principal amount not to exceed Thirty-Five Million Dollars (\$35,000,000), 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, as amended; prescribing the form and tenor of said bonds or notes; determining the method of sale of said bonds or notes and other matters relating to the issuance and sale thereof; providing for the disbursement of the proceeds of said bonds and notes; providing that said bonds and notes may be issued in connection with a loan from the Maryland Water Quality Financing Administration; covenanting to levy and collect all taxes necessary to provide for the payment of the principal of and interest on said bonds and notes; and generally providing for and determining various matters relating to the issuance, sale and delivery of all said bonds and notes.

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**RECITALS**

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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”.

1           The authority for the powers herein exercised is contained in Article VII, Section 11 of  
2 the Charter of the City (the “Charter”) and in Sections 31 through 39, inclusive, of Article 23A of  
3 the Annotated Code of Maryland (2011 Replacement Volume), as amended, such authority  
4 being hereinafter sometimes referred to collectively as the “Enabling Act”.

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

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

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

25           The City proposes to spend the proceeds of the bonds and notes authorized pursuant to  
26 this Ordinance to (i) fund the costs of a water treatment plant of the City (project number:  
27 724/71001), subject to the provisions of this Ordinance and (ii) pay the costs of issuing such  
28 bonds and notes.

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

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

1           **NOW, THEREFORE, BE IT ESTABLISHED AND ORDAINED BY THE CITY**  
2 **COUNCIL, that:**

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

5           SECTION 2. It is in the best interest of the City to borrow money and incur indebtedness  
6 and the City is authorized and empowered to issue and sell, upon its full faith and credit, its  
7 general obligation, fully registered bonds and notes (such bonds and notes collectively referred  
8 to herein as the "Bonds") in an aggregate principal amount not to exceed Thirty-Five Million  
9 Dollars (\$35,000,000) to be known by such designation as deemed appropriate by the Mayor of  
10 Annapolis (the "Mayor") and the City Manager of Annapolis (the "City Manager") for the  
11 purposes of funding the costs of a water treatment plant (project number: 724/71001) (the  
12 "Project") and the costs of issuing such Bonds, including, without limitation, the establishment of  
13 reserves.

14           The costs of the Project shall include (without limitation) the costs of the planning,  
15 construction, reconstruction, demolition, improvement, refurbishing, renovation, restoration,  
16 extension, alteration, installation, repair, acquisition, conversion and modernization of  
17 structures; the acquisition of structures and sites for structures; the acquisition of rights of way  
18 for roads; architectural and engineering services, including preparation of plans, drawings and  
19 specifications; development and restoration of grounds; and all customary and necessary  
20 furnishings and fixed permanent equipment for structures.

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

27           SECTION 4. The Bonds authorized by this Ordinance shall be dated the date of their  
28 delivery, shall be fully registered bonds without coupons in the denomination of Five Thousand  
29 Dollars (\$5,000) each or any integral multiple thereof (or such other denomination deemed  
30 appropriate by the Mayor) and shall bear interest at the fixed or variable interest rate or rates  
31 determined at the time of the awarding of the Bonds in accordance with an executive order of  
32 the Mayor and the provisions of this Ordinance as hereinafter provided. Interest on the Bonds  
33 shall be payable on the dates and in the years as may be determined by the Mayor in an  
34 executive order. The Bonds shall mature, subject to the option of prior redemption, in annual

1 installments, including any mandatory sinking fund installments, in the years as shall be  
2 determined by the Mayor pursuant to an executive order; provided however, that the final  
3 maturity of the Bonds shall not exceed 30 years from the date of delivery of the Bonds. Each  
4 Bond shall bear interest from the interest payment date next preceding the date on which it is  
5 authenticated, unless authenticated upon an interest payment date, in which event it shall bear  
6 interest from such interest payment date, or unless authenticated prior to the first interest  
7 payment date, in which event it shall bear interest from the date of the Bonds; provided,  
8 however, that if at the time of authentication of any bond interest is in default, such bond shall  
9 bear interest from the date to which interest has been paid.

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

14 The Bonds shall be redeemed only in integral multiples of \$5,000 (or such other  
15 denomination authorized by the Mayor). If less than all of the Bonds of any one maturity are  
16 called for redemption, the particular bonds to be redeemed from such maturity shall be selected  
17 by lot by the bond registrar for the Bonds (the "Bond Registrar") in such manner as the Bond  
18 Registrar in its sole discretion may determine or under the procedures for book-entry bonds if  
19 the Bonds are under a book-entry system.

20 When less than all of a Bond in a denomination in excess of \$5,000 shall be so  
21 redeemed, then upon the surrender of such Bond, there shall be issued to the registered owner  
22 thereof, without charges, for the unredeemed balance of the principal amount of such Bond, at  
23 the option of such owner, Bonds in any of the authorized denominations, the aggregate face  
24 amount of such Bonds not to exceed the unredeemed balance of the Bond so surrendered, and  
25 to bear the same interest rate and to mature on the same date as said unredeemed balance.

26 If the City elects to redeem all or a portion of the Bonds outstanding, it shall give a  
27 redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for  
28 redemption to each registered owner appearing on the books kept by the Bond Registrar.  
29 Notwithstanding the foregoing, so long as all of the Bonds are registered in the name of Cede &  
30 Co., as nominee for the Depository Trust Company, New York, New York ("DTC"), such notice  
31 shall be given by a secure means (e.g. legible facsimile transmission, registered or certified mail  
32 or overnight express delivery) in a timely manner designed to assure that such notice is in DTC  
33 possession no later than the close of business on such 30th day; provided, however, that the  
34 failure to mail the redemption notice or any defect in the notice so mailed or in the mailing

1 thereof shall not affect the validity of the redemption proceedings. The redemption notice shall  
2 state (i) whether the Bonds are to be redeemed in whole or in part and, if in part, the maturities  
3 and numbers of the Bonds to be redeemed, (ii) the date fixed for redemption and the  
4 redemption price or prices, (iii) that the Bonds to be redeemed shall be presented for  
5 redemption at the office of the Bond Registrar and (iv) that interest on the Bonds called for  
6 redemption shall cease to accrue on the date fixed for redemption.

7 From and after the date fixed for redemption, if notice has been duly and properly given  
8 and if funds sufficient for the payment of the redemption price of the Bonds called for  
9 redemption plus accrued interest due thereon are available on such date, the Bonds so called  
10 for redemption shall become due and payable at the redemption price or prices provided for  
11 redemption of such Bonds on such date, interest on the Bonds shall cease to accrue and the  
12 registered owners of the Bonds so called for redemption shall have no rights in respect thereof  
13 except to receive payment of the redemption price plus accrued interest to the date fixed for  
14 redemption. Upon presentation and surrender of a Bond called for redemption in compliance  
15 with the redemption notice, the Bond Registrar shall pay the redemption price of such bond plus  
16 accrued interest thereon to the date fixed for redemption. If bonds so called for redemption are  
17 not paid upon presentation and surrender as described above, such bonds shall continue to  
18 bear interest at the rates stated therein until paid.

19 SECTION 6. The Bonds shall be executed in the name of the City and on its behalf by  
20 the Mayor. Such signature of the Mayor shall be imprinted on such Bonds by manual or  
21 facsimile and a facsimile of the corporate seal of Annapolis shall also be imprinted thereon,  
22 attested by the manual or facsimile signature of the City Clerk of Annapolis, all in accordance  
23 with and pursuant to the authority of the Maryland Uniform Facsimile Signature of Public  
24 Officials Act, being Sections 2-301 through 2-306 of the State Finance and Procurement Article  
25 of the Annotated Code of Maryland.

26 In the event any official whose signature shall appear on such Bonds shall cease to be  
27 such official prior to the delivery of the Bonds, or in the event any such official whose signature  
28 shall appear on the Bonds shall have become such after the date of issue thereof, the Bonds  
29 shall nevertheless be valid and legally binding obligations of Annapolis in accordance with their  
30 terms.

31 All Bonds shall be issued as fully registered bonds without coupons and shall be  
32 registered in the name or names of the owner or owners thereof on books kept for such purpose  
33 at the principal office of the Bond Registrar. The Bonds may be issued in book-entry form  
34 without any physical distribution of certificates made to the public. DTC may act as securities

1 depository for the Bonds and the Bonds may be registered in the name of DTC's partnership  
2 nominee, Cede & Co. The City reserves the right to terminate maintenance of the Bonds in a  
3 book-entry only system and to issue fully certificated bonds. The Mayor or his designee is  
4 hereby authorized to appoint a financial institution to act as the Bond Registrar and as paying  
5 agent (the "Paying Agent") for the Bonds, unless the Mayor determines after consulting with the  
6 financial advisor to the City (the "Financial Adviser") that the City shall act as the Bond Registrar  
7 or the Paying Agent or both. Payment of the principal of and interest on the Bonds shall be  
8 made to the person appearing on the registration books maintained by the Bond Registrar as  
9 the registered owner thereof, such principal to be payable at the principal office of the Paying  
10 Agent upon presentation and surrender of such bonds as the same become due and payable,  
11 and such interest to be payable by check mailed by the Paying Agent to the persons in whose  
12 names the bonds are registered on the regular record date which shall be the fifteenth day of  
13 the month immediately preceding each regular interest payment date, or such other day  
14 specified in the bond (the "Regular Record Date"), at the registered owner's address as shown  
15 on the registration books maintained by the Bond Registrar.

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

21 (1) The City may elect to make payment of any Defaulted Interest on the Bonds to  
22 the persons in whose names such Bond is registered at the close of business on a record date  
23 for the payment of such Defaulted Interest (the "Special Record Date"), which shall be fixed in  
24 the following manner. The City shall notify the Paying Agent in writing of the amount of  
25 Defaulted Interest proposed to be paid on the Bonds and the date of the proposed payment  
26 (which date shall be such as will enable the Paying Agent to comply with the next sentence  
27 hereof), and at the same time the City shall deposit or cause to be deposited with the Paying  
28 Agent an amount of money equal to the aggregate amount proposed to be paid in respect of  
29 such Defaulted Interest or shall make arrangements satisfactory to the Paying Agent for such  
30 deposit prior to the date of the proposed payment, such money when deposited to be held in  
31 trust for the benefit of the persons entitled to such Defaulted Interest as provided in this  
32 paragraph. Thereupon the Paying Agent shall fix a Special Record Date for the payment of  
33 such Defaulted Interest which shall be not more than fifteen (15) nor less than ten (10) days  
34 prior to the date of the proposed payment after the receipt by the Paying Agent of the notice of

1 the proposed payment. The Paying Agent shall promptly notify the City of such Special Record  
2 Date and, in the name of the City, shall cause notice of the proposed payment of such Defaulted  
3 Interest and the Special Record Date therefor to be mailed, first-class postage prepaid, to each  
4 registered owner at his address as it appears in the registration books maintained by the Bond  
5 Registrar not less than ten (10) days prior to such Special Record Date. The Paying Agent  
6 may, in its discretion, in the name of the City, cause a similar notice to be published at least  
7 once in a newspaper of general circulation in Annapolis, Maryland but such publication shall not  
8 be a condition precedent to the establishment of such Special Record Date. Notice of the  
9 proposed payment of such Defaulted Interest and the Special Record Date therefor having been  
10 mailed as aforesaid, such Defaulted Interest shall be paid to the registered owners of the Bonds  
11 as of the close of business on such Special Record Date.

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

17 Except as provided hereinafter or in ordinances of the Mayor and Aldermen of the City of  
18 Annapolis adopted prior to the issuance and delivery of the Bonds, all Bonds shall be  
19 substantially in the following form, with appropriate insertions as therein indicated and such  
20 other modifications as shall be approved by the Mayor, which form and all of the covenants  
21 therein contained are hereby adopted by Annapolis as and for the form of obligation to be  
22 incurred by Annapolis, and said covenants and conditions are hereby made binding upon  
23 Annapolis, including the promise to pay therein contained:

1 No. R-\_\_\_\_\_  
2 \$ \_\_\_\_\_  
3

4 (Form of Bond)  
5

6  
7 UNITED STATES OF AMERICA  
8 STATE OF MARYLAND  
9 CITY OF ANNAPOLIS, MARYLAND

10  
11 GENERAL OBLIGATION BOND

12  
13 \_\_\_\_\_ BOND  
14 2012 SERIES

15  
16 Interest Rate Per Annum      Maturity Date      Date of Original Issue      CUSIP

17  
18 REGISTERED OWNER:

19  
20 PRINCIPAL AMOUNT      DOLLARS

21  
22 CITY OF ANNAPOLIS (the "City"), a municipal corporation created and existing under the laws  
23 of the State of Maryland, hereby acknowledges itself indebted, and, for value received,  
24 promises to pay to the Registered Owner shown above or registered assigns or legal  
25 representatives on the Maturity Date shown above (unless this bond shall be redeemable, shall  
26 have been called for prior redemption and payment of the redemption price made or provided  
27 for), the Principal Amount shown above or so much thereof as shall not have been paid upon  
28 prior redemption in any coin or currency which, at the time of payment, is legal tender for the  
29 payment of public and private debts upon presentation and surrender of this bond on the date  
30 such principal is payable or if such date is not a Business Day (hereinafter defined) then on the  
31 next succeeding Business Day at the principal office of the Paying Agent, and to pay to the  
32 registered owner hereof by check or draft, mailed to such registered owner at his address as it  
33 appears on said registration books (the "Bond Register") maintained by the Bond Registrar  
34 interest on said principal amount at the Interest Rate shown above until payment of such  
35 principal amount, or until the prior redemption hereof, such interest being payable [semi-  
36 annually] on the first days of \_\_\_\_\_ and \_\_\_\_\_ in each year, in like coin or  
37 currency to the registered owner in whose name this bond is registered on the Bond Register as  
38 of the close of business on the regular record date, which shall be the fifteenth day of the month  
39 immediately preceding each regular interest payment date (the "Regular Record Date"). Any  
40 such interest not so punctually paid or duly provided for shall forthwith cease to be payable to  
41 the registered owner on the Regular Record Date, and may be paid to the person in whose  
42 name this bond is registered at the close of business on a date fixed by the Paying Agent for  
43 such defaulted interest payment (the "Special Record Date"), notice of which is given to the  
44 registered owner hereof not less than ten (10) days prior to such Special Record Date, or may  
45 be paid at any time in any other lawful manner not inconsistent with the requirement of any  
46 securities exchange on which the bonds of this series may be listed and upon such notice as  
47 may be required by such exchange.  
48

49 "Business Day" means a day other than a Saturday, Sunday or day on which banking  
50 institutions under the laws of the State governing the Paying Agent are authorized or obligated  
51 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 \_\_\_\_\_ in each of the years 20\_ to 20\_, inclusive, and bear interest per annum  
9 as follows:

10  
11 Year of Principal Interest Year of Principal Interest  
12 Maturity Amount Rate Maturity Amount Rate  
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 \_\_\_\_\_ 1, 202\_\_ are not subject to redemption prior to  
29 their maturities. The bonds which mature on or after \_\_\_\_\_ 1, 202\_\_ are subject to  
30 redemption prior to their maturities on or after \_\_\_\_\_ 1, 202\_\_ at the option of the City either  
31 as a whole or in part at any time, in any order of maturities, at a redemption price expressed as  
32 a percentage of the principal amount of the bonds to be redeemed, set forth in the table below,  
33 together with interest accrued to the date fixed for redemption:  
34

35 Redemption Period (both dates inclusive) Redemption Price  
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 the form hereinafter set forth, with the insertions therein indicated. The terms and conditions  
27 stated in such Notice of Sale are hereby adopted and approved as the terms and conditions  
28 under which and the manner in which such Bonds shall be sold, issued and delivered at public  
29 sale, subject to such insertions, alterations, additions or deletions as the Mayor may deem  
30 advisable due to financial or market conditions prevailing at the time based upon the advice of  
31 the Financial Advisor.

1  
2 **NOTICE OF SALE**

3  
4 \$ \_\_\_\_\_  
5 **CITY OF ANNAPOLIS, MARYLAND**  
6 **General Obligation Bonds**  
7 \_\_\_\_\_, **2012 Series**  
8

9 Electronic bids via the BiDCOMP/Parity Competitive Bidding System (“PARITY”) will be  
10 received until 11:00 a.m., prevailing Eastern time, on \_\_\_\_\_, 2012 (unless postponed as  
11 described herein) by City of Annapolis (the “City”) for the City’s General Obligation Bonds,  
12 \_\_\_\_\_, 2012 Series (the “Bonds”).  
13

14 **Terms of the Bonds**

15 The Bonds shall be dated the date of their delivery.

16 Interest on the Bonds is payable on \_\_\_\_\_, 2012 and semi-annually thereafter on  
17 \_\_\_\_\_ 1 and \_\_\_\_\_ 1 until maturity. The Bonds will mature on \_\_\_\_\_ in the following  
18 respective years and principal amounts:  
19  
20  
21  
22

<u>Maturing</u> <u>1*</u>	<u>Principal</u> <u>Amount*</u>	<u>Maturing</u> <u>1*</u>	<u>Principal</u> <u>Amount*</u>
2013		2023	
2014		2024	
2015		2025	
2016		2026	
2017		2027	
2018		2028	
2019		2029	
2020		2030	
2021		2031	
2022		2032	

23  
24 \_\_\_\_\_  
25 \*Preliminary, subject to change. See “Adjustments of Principal Amounts.”  
26

27 The proceeds of the Bonds will be used to finance the costs of certain public projects of  
28 the City and pay the costs of issuing the Bonds. The Bonds will be fully registered bonds without  
29 coupons in the denomination of \$5,000 each or any integral multiple thereof.  
30

31 **Authority**

32  
33 The Bonds are issued pursuant to Sections 31 through 39, inclusive, of Article 23A of the  
34 Annotated Code of Maryland (2011 Replacement Volume) and Article VII, Section 11 of the  
35 Charter of the City of Annapolis, as amended. The Bonds are authorized pursuant to Ordinance  
36 O-\_\_\_\_-12.  
37

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 \_\_\_\_\_, 2012 are not subject to redemption prior to  
26 their stated maturities. Bonds maturing on or after \_\_\_\_\_, 2012 are subject to  
27 redemption prior to their maturities at the option of the City on or after \_\_\_\_\_, 2012 either  
28 as a whole or in part at any time in any order of maturity at the option of the City, at par plus  
29 accrued interest thereon to 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](http://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 \_\_\_% on an "all-or-none" basis, no oral bid and no  
38 bid for less than all of the Bonds described in this Notice of Sale, will be considered. The Bonds  
39 are expected to be awarded by approximately 4:00 p.m., prevailing Eastern Time, on \_\_\_\_\_  
40 \_\_\_, 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 \_\_\_% and no interest rate  
44 may exceed \_\_\_%. 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, 2<sup>nd</sup>  
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 \_\_\_\_\_, 2012. Prior to that time, a prospective bidder may (1) submit the  
11 proposed terms of its bid via PARITY, (2) modify the proposed terms of its bid, in which event  
12 the proposed terms as last modified will (unless the bid is withdrawn as described herein)  
13 constitute its bid for the Bonds or (3) withdraw its proposed bid. Once the bids are  
14 communicated electronically via PARITY to the City, each bid will constitute an irrevocable offer  
15 to purchase the Bonds on the terms therein provided. For purposes of the electronic bidding  
16 process, the 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 \_\_\_\_\_, 2012 (unless a notice of a change  
37 in the delivery date is provided) through the facilities of DTC in New York, New York, against  
38 payment therefor 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 the Project  
18 described in this Ordinance, or if the City Council determines that the public interest requires a  
19 change in the capital improvements program of Annapolis, the funds so borrowed and not  
20 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. The City is hereby authorized to borrow money and incur indebtedness  
25 authorized to be borrowed and incurred hereinunder in the form of Bonds by obtaining a loan (a  
26 "Water Quality Loan") from the Maryland Water Quality Financing Administration (the "Water  
27 Quality Administration") pursuant to and in accordance with Sections 9-1601 to 9-1622,  
28 inclusive, of the Environment Article of the Annotated Code of Maryland (2007 Replacement  
29 Volume and 2012 Supplement) (the "Water Quality Act"). Any such Water Quality Loan shall be  
30 evidenced by a loan agreement (a "Water Quality Loan Agreement") between the City and the  
31 Water Quality Administration and a bond or note issued by the City (the Water Quality Loan  
32 Agreement and such bond or note being referred to herein as a "Water Quality Obligation").

33 It is acknowledged that the proceeds of any Water Quality Loan will be used for the  
34 public purposes of funding the costs of the Project and any related costs, including costs of the

1 Water Quality Administration and the funding of reserves, to the extent permitted by the Water  
2 Quality Act.

3 Subject to and in accordance with the provisions of this Ordinance, the Mayor shall  
4 determine by order, for each and every Water Quality Obligation, all matters relating thereto,  
5 including (without limitation) the purposes for which such Water Quality Obligation is issued, the  
6 prepayment provisions, if any, thereof, the manner of authentication of such Water Quality  
7 Obligation, if any, the date from which interest on such Water Quality Obligation shall accrue,  
8 the rate or rates of interest borne by such Water Quality Obligation or the method of determining  
9 the same, the interest payment and maturity dates thereof and the provisions for the registration  
10 of Water Quality Obligations.

11 The Mayor is hereby authorized to determine the form of Water Quality Obligations and  
12 the execution and delivery thereof shall be conclusive evidence of the approval of the form of  
13 such Water Quality Obligations on behalf of the City. Water Quality Obligations shall be  
14 executed by the Mayor by manual or facsimile signature, and a facsimile of the corporate seal of  
15 Annapolis shall also be imprinted thereon, attested by the manual or facsimile signature of the  
16 City Clerk of Annapolis, all in accordance with and pursuant to the authority of the Maryland  
17 Uniform Facsimile Signature of Public Officials Act, being Sections 2-301 through 2-306 of the  
18 State Finance and Procurement Article of the Annotated Code of Maryland

19 Water Quality Obligations may be sold for a price at or above par, plus accrued interest  
20 to the date of delivery through a private (negotiated) sale, without solicitation of competitive bids  
21 and such sale is hereby determined to be in the best interests of the City.

22 Notwithstanding any other provision in this Ordinance, Water Quality Obligations shall  
23 mature not later than the earlier of 30 years after the date of their execution and delivery or the  
24 maximum maturity permitted under the Water Quality Act.

25 Any Water Quality Obligation shall be secured as provided in Section 11 of this  
26 Ordinance.

27 SECTION 11. In order to provide for the payment of the principal of and interest on the  
28 Bonds hereby authorized when due, there shall be appropriated in the next ensuing fiscal year  
29 of Annapolis and in each fiscal year thereafter, so long as any of the Bonds are outstanding and  
30 unpaid, or until sufficient funds had been accumulated and irrevocably set aside for the purpose,  
31 an amount sufficient to meet the debt service on the Bonds coming due in such fiscal year and  
32 there shall be levied ad valorem taxes upon all property within the corporate limits of the City  
33 subject to assessment for full City taxes, in rate and amount sufficient in each such year to fund  
34 such appropriations and to provide for the payment when due of the principal of and interest on

1 all Bonds maturing in each such fiscal year. In the event the proceeds from the taxes so levied  
2 in each such fiscal year shall prove inadequate for the above purposes, additional taxes shall be  
3 levied in the subsequent fiscal year to make up any deficiency. Thereafter, prior to each interest  
4 payment date, the Finance Director shall deposit with the Paying Agent, from the tax proceeds  
5 above described, the amounts needed to pay the principal of and interest on the Bonds coming  
6 due on each such interest payment date. All moneys so deposited with the Paying Agent shall  
7 be deemed and treated by the Paying Agent as trust funds for the use and benefit of the holders  
8 from time to time of the Bonds hereby authorized. Any such trust funds so held by the Paying  
9 Agent for the payment of particular Bonds for periods of more than two years from the dates of  
10 such Bonds, upon the expiration of any such two-year period and the failure of the holders of  
11 said Bonds to present the same for payment within such period, shall be returned by the Paying  
12 Agent to the City and, therefor, the holders of any such Bonds shall have claims only against the  
13 City for payment of the obligations held by them and the Paying Agent shall be relieved of the  
14 trust hereby imposed.

15 To assure the performance by the City of the provisions of this Section, the full faith and  
16 credit and unlimited taxing power of the City are hereby irrevocably pledged to the payment to  
17 maturity of the principal of and interest on the Bonds hereby authorized as and when the same  
18 respectively mature and become payable and to the levy and collection of the taxes  
19 hereinabove described as and when such taxes may become necessary in order to provide  
20 sufficient funds to meet the debt service requirements of the Bonds hereby authorized to be  
21 issued. This pledge is made hereby for the benefit of the holders, from time to time, of the  
22 Bonds hereby authorized.

23 The City hereby solemnly covenants and agrees with each holder of any of the Bonds  
24 hereby authorized to levy and collect the taxes hereinabove described and to take any other  
25 action that may be appropriate from time to time during the period that any of such Bonds  
26 remain outstanding and unpaid to provide the funds necessary to make principal and interest  
27 payments thereon when due.

28 The City may apply any funds received by it to the payment of principal of and interest  
29 on the Bonds if such funds are provided for the purpose of obtaining, operating or maintaining  
30 water treatment facilities, and to the extent that any such funds received or receivable in any  
31 fiscal year are applied to such purposes as provided herein, the taxes hereby required to be  
32 levied shall be reduced proportionately.

1           SECTION 12. This Ordinance and the question of the issuance of Bonds hereunder  
2 shall not be submitted to a referendum of the registered voters of Annapolis, as permitted by  
3 law, unless, within ten days after the passage of this Ordinance, there shall be served upon the  
4 Mayor a notice signed by not fewer than 200 of the registered voters of Annapolis, advising that  
5 a petition for a referendum on the issuance of said bonds is being circulated by one or more of  
6 the persons signing said notice and unless, within 20 days after the delivery of such notice,  
7 there shall also be filed with the Mayor a petition or petitions requesting the holding of such a  
8 referendum, properly signed as required by the Charter, by not fewer than 25% of the registered  
9 voters of Annapolis, as shown by the registered voters books of Annapolis, maintained by the  
10 Board of Supervisors of Elections of the City (the "Board of Supervisors"). In view of the  
11 foregoing, no action shall be taken by Annapolis pursuant to this Ordinance for a period of ten  
12 days following its passage. If, within such ten day period, the notice above described is filed as  
13 aforesaid, then no action shall be taken by Annapolis pursuant to this Ordinance for a period of  
14 20 days following the filing of such notice. If, within such 20 day period, a petition for  
15 referendum, as above-described, shall be filed as aforesaid, then no action shall be taken by  
16 Annapolis under this Ordinance unless and until the Mayor shall receive written advice from the  
17 City Attorney and the Board of Supervisors that such referendum petition does not meet the  
18 requirements of the Charter or unless and until the referendum requested in such petition shall  
19 be duly held in accordance with law and the Board of Supervisors shall certify to Annapolis that,  
20 in the election at which such referendum is held, a majority of the registered voters of Annapolis  
21 voting on the question referred duly cast their ballots in favor of the issuance of the Bonds  
22 hereby authorized. If this Ordinance shall be ratified or approved on any such referendum, then  
23 the Mayor and City Clerk may proceed with the issuance of the Bonds hereby authorized,  
24 without further action by Annapolis.

25           SECTION 13. That CUSIP numbers may be printed on the Bonds; provided, however,  
26 that the printing of CUSIP numbers on the Bonds (even if incorrect) shall have no legal effect  
27 and shall not in any way affect the enforceability or validity of any Bond. Any expenses in  
28 relation to the printing of CUSIP numbers on the Bonds, including any CUSIP Service Bureau  
29 charge for the assignment of such numbers, in the discretion of the Finance Director, may be  
30 paid for by the City from the proceeds of the Bonds.

31           SECTION 14. In addition to the insertions and variations prescribed by this Ordinance,  
32 the Mayor is hereby authorized to make such further modifications in such forms. In connection  
33 with the issuance of any Bonds pursuant to this Ordinance, the City is hereby authorized to  
34 enter into one or more agreements as the Mayor shall deem necessary or appropriate for the

1 issuance, sale, delivery or security of such Bonds, which may include (without limitation) (i)  
2 underwriting, purchase or placement agreements for Bonds sold at private (negotiated) sale in  
3 accordance with the provisions of this Ordinance; (ii) trust agreements with commercial banks or  
4 trust companies providing for the issuance and security of such Bonds; (iii) any dealer,  
5 remarketing or similar agreements providing for the placement or remarketing of such Bonds;  
6 (iv) agreements providing for any credit or liquidity facilities supporting any Bonds; (v)  
7 agreements with commercial banks or trust companies providing for the deposit of proceeds of  
8 any Bonds; (vi) agreements with fiscal agents providing for the issuance of Bonds and their  
9 authentication and registration; and (vii) continuing disclosure agreements, including any such  
10 agreements required to enable the underwriters of any Bonds to meet the requirements of  
11 paragraph (b)(5) of Rule 15c2-12 promulgated by the United States Securities and Exchange  
12 Commission. Each such agreement shall be in such form as shall be determined by the Mayor  
13 by executive order. The execution and delivery of each such agreement by the Mayor shall be  
14 conclusive evidence of the approval of the form of such agreement on behalf of the City.

15 SECTION 15. The Mayor and the Finance Director shall be the officers of the City  
16 responsible for the issuance of the Bonds within the meaning of the “Arbitrage Regulations”  
17 (defined herein).

18 The Mayor and the Finance Director shall also be the officers of the City responsible for  
19 the execution and delivery (on the date of issuance of the Bonds) of a certificate of the City (the  
20 “Tax and Section 148 Certificate”) which complies with the requirements of Section 148 of the  
21 Internal Revenue Code of 1986, as amended (“Section 148”), and the applicable regulations  
22 thereunder (the “Arbitrage Regulations”), and such officials are hereby authorized and directed  
23 to execute the Tax and Section 148 Certificate and to deliver the same to Bond Counsel on the  
24 date of the issuance of the Bonds.

25 The City shall set forth in the Tax and Section 148 Certificate its reasonable  
26 expectations as to relevant facts, estimates and circumstances relating to the use of the  
27 proceeds of the Bonds, or of any moneys, securities or other obligations to the credit of any  
28 account of the City which may be deemed to be proceeds of the Bonds pursuant to Section 148  
29 or the Arbitrage Regulations (collectively, “Bond Proceeds”). The City covenants with each of  
30 the holders of any of the Bonds that the facts, estimates and circumstances set forth in the Tax  
31 and Section 148 Certificate will be based on the City’s reasonable expectations on the date of  
32 issuance of the Bonds and will be, to the best of the certifying officials’ knowledge, true and  
33 correct as of that date.

1           In the event that Bonds are issued pursuant to this Ordinance with the expectation that  
2 interest on such Bonds will be excludable from gross income for federal income tax purposes,  
3 the City covenants with each of the registered owners of any of the Bonds that it will not make,  
4 or (to the extent that it exercises control or direction) permit to be made, any use of the Bond  
5 Proceeds which would cause the Bonds to be “arbitrage bonds” within the meaning of Section  
6 148 and the Arbitrage Regulations. The City further solemnly covenants that it will comply with  
7 Section 148 and the regulations thereunder which are applicable to the Bonds on the date of  
8 issuance of the Bonds and which may subsequently lawfully be made applicable to the Bonds  
9 as long as the Bonds remain outstanding and unpaid. The Mayor, the City Manager, and the  
10 Finance Director are hereby authorized and directed to prepare or cause to be prepared and to  
11 execute any certification, opinion or other document, including, without limitation, the Tax and  
12 Section 148 Certificate, which may be required to assure that the Bonds will not be deemed to  
13 be “arbitrage bonds” within the meaning of Section 148 and the regulations thereunder.

14           The City further covenants with each of the registered owners of any of the Bonds (i) that  
15 it will not take any action or (to the extent that it exercises control or direction) permit any action  
16 to be taken that would cause the Bonds or a portion of the Bonds to be “federally guaranteed”  
17 within the meaning of Section 149(b) of the Internal Revenue Code of 1986, as amended, and  
18 (ii) that it will not make, or (to the extent that it exercises control or direction) permit to be made,  
19 any use of the proceeds of the Bonds or a portion of such proceeds that would cause the Bonds  
20 or a portion of the Bonds to be “private activity bonds” within the meaning of Section 141 of the  
21 Internal Revenue Code of 1986, as amended.

22           In the event that the Bonds are being issued hereunder with the expectation that interest  
23 on such Bonds will be excludable from gross income for federal income tax purposes, the Mayor  
24 may make such covenants or agreements in connection with the issuance of such Bonds as he  
25 shall deem advisable in order to assure the registered owners of such Bonds that interest  
26 thereon shall be and remain excludable from gross income for federal income tax purposes and  
27 such covenants or agreements shall be binding on the City so long as the observance by the  
28 City of any such covenants or agreements is necessary in connection with the maintenance of  
29 the exclusion of the interest on such Bonds from gross income for federal income tax purposes.  
30 The foregoing covenants or agreements may include such covenants or agreements on behalf  
31 of the City regarding compliance with the provisions of the Internal Revenue Code of 1986, as  
32 amended, as the Mayor shall deem advisable in order to assure the registered owners of the  
33 Bonds that the interest thereon is and shall remain excludable from gross income for federal  
34 income tax purposes, including (without limitation) covenants or agreements relating to the

1 investment of Bond Proceeds, the payment of certain earnings resulting from such investment  
2 to the United States, limitations on the times within which, and the purposes for which, Bond  
3 Proceeds may be expended, or the use of specified procedures for accounting for and  
4 segregating Bond Proceeds. Any covenant or agreement made by the Mayor pursuant to this  
5 paragraph may be set forth in or authorized by the Tax and Section 148 Certificate or an order  
6 executed by the Mayor.

7 SECTION 16. This Ordinance shall take effect from the date of its approval by the  
8 Mayor, on or following the date of its final adoption and, thereafter, within not more than three  
9 calendar days of such approval, notice of the adoption of this Ordinance shall be duly given by  
10 publication of the title hereof at least once in "The Capital," or another newspaper published and  
11 of general circulation in the City.

12 **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.  
13  
14

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.

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**CITY COUNCIL OF THE  
City of Annapolis**

**Resolution No. R-47-12**

**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
10/22/2012	11/05/2012 To be considered jointly with O-39-12.		01/13/2013
Referred to	Referral Date	Meeting Date	Action Taken
Finance Committee	10/22/12	11/15/12	
Planning Commission	10/22/12	11/20/12	
Financial Advisory Commission	10/22/12		

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**A RESOLUTION** concerning

**A Revision to the Capital Improvement  
Budget and Program: FY 2013 to FY 2018**

**FOR** the purposes of revising the capital improvement budget for the Fiscal Year 2013, and the capital improvement program (Water Treatment Plant) 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 the capital improvement program and budget for each fiscal year on a six-year basis; and

**WHEREAS,** on April 30, 2012, the Annapolis City Council held a public hearing on the budget for the City of Annapolis for the Fiscal Year 2013; and

**WHEREAS,** the capital improvement budget for the Fiscal Year 2013 and the capital improvement program for the six-year period from July 1, 2012 to June 30, 2018 was prepared and proposed by the Mayor and submitted to the Annapolis City Council for its consideration and approval; and

**WHEREAS,** on June 4, 2012, the Annapolis City Council considered and approved the capital improvement budget for the Fiscal Year 2013 and the capital improvement program for the six-year period from July 1, 2012, to June 30, 2018;

**WHEREAS,** on November 5, 2012, the Annapolis City Council shall hold a public hearing on a proposed revision to the capital improvement for the City of Annapolis for

1 the Fiscal Year 2013 and the capital improvement program (Water Treatment  
2 Plant) for the six-year period from July 1, 2012 to June 30, 2018 budget, which is  
3 attached to this resolution.  
4

5 **NOW, THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that pursuant  
6 to the provisions of Section 6.16.030 of the Code of the City of Annapolis, it hereby adopts the  
7 revision to the capital improvement budget for the Fiscal Year 2013, and the Capital  
8 Improvement Program for the City of Annapolis for the six year period from July 1, 2012, to  
9 June 30, 2018, a copy of which is attached to this Resolution and is made part hereof.

10  
11 **AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the Budget for  
12 the Capital Improvement Program for the Fiscal Year 2013, which is attached to this Resolution  
13 and made a part hereof, be and the same is hereby adopted and approved.  
14

15  
16 **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.  
17  
18

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

\_\_\_\_\_  
Regina C. Watkins-Eldridge, MMC, City Clerk

\_\_\_\_\_  
Joshua J. Cohen, Mayor

19  
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21  
22 **EXPLANATION:**

23 CAPITAL LETTERS indicate matter added to existing law.

24 [Brackets] indicate matter deleted from existing law.

25 Underline indicates amendments.  
26  
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1 **CITY COUNCIL OF THE CITY OF ANNAPOLIS**

2  
3 **ORDINANCE NO. O-40-12**

4  
5 **Introduced by Mayor Cohen**

LEGISLATIVE HISTORY			
First Reading	Public Hearing	Fiscal Impact Note	90 Day Rule
10/22/12	11/05/12012		01/13/13
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	10/22/12		

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9  
10 **AN ORDINANCE** concerning

11  
12 **An Amendment to Lease of City Property: Boat Shows in Fall 2013**

13  
14 **FOR** the purpose of authorizing an amendment to a lease of certain municipal property  
15 to the United States Sailboat Shows, Inc. and United States Powerboat Shows,  
16 Inc., to conduct boat shows for a certain period of time, including time in October  
17 2013, subject to certain terms, provisions and conditions; and all matters relating  
18 to the amendment of the lease.

19  
20 \* \* \* \* \*

21  
22 **WHEREAS,** pursuant to Ordinance O-35-08 of the Annapolis City Council, and a lease  
23 agreement dated January 21, 2009, the City of Annapolis has leased to  
24 the United States Sailboat Shows, Inc., and United States Powerboat  
25 Shows, Inc., certain municipal property to conduct boat shows during the  
26 period October 7, 2013 through October 22, 2013, inclusive; and

27  
28 **WHEREAS,** the Lessee has requested that the City of Annapolis amend the lease to  
29 change the dates October 7, 2013 through October 22, 2013 to  
30 September 30, 2013 through October 15, 2013;

31  
32 **WHEREAS,** except as specifically amended above, all other provisions of the January  
33 21, 2009 lease are to remain in full force and effect;

34  
35 **WHEREAS,** the Annapolis City Council believes that these proposed boat shows  
36 benefit the City of Annapolis; and

37  
38 **WHEREAS,** Article III, Section 8 of the Charter of the City of Annapolis requires the  
39 passage of an ordinance to authorize a lease;

1  
2 **WHEREAS**, an amended lease setting forth terms has been prepared and is  
3 considered satisfactory; and  
4

5 **NOW THEREFORE:**  
6

7 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS**  
8 **CITY COUNCIL** that the amended lease, a copy of which is attached hereto, between  
9 the City of Annapolis and United States Sailboat Shows, Inc., and United States  
10 Powerboat Shows, Inc., amending the January 21, 2009 lease between the City of  
11 Annapolis and United States Sailboat Shows, Inc., and United States Powerboat  
12 Shows, Inc., a copy of which is attached hereto, deleting "2013 - October 7 through  
13 October 22, inclusive, and replacing this with 2013 - September 30 through October 15,  
14 inclusive with all other provisions of the January 21, 2009 lease remaining in full force  
15 and effect, is hereby approved and the Mayor is hereby authorized to execute the  
16 amended lease on behalf of the City of Annapolis.  
17

18 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**  
19 **ANNAPOLIS CITY COUNCIL** that it is expressly found by the Annapolis City Council  
20 that the property which is the subject of the amended lease will better serve the public  
21 need for which the property was acquired by stimulating local interest in the boating  
22 industry, by encouraging visitors and residents of the City to visit the harbor and dock  
23 area, by generating tax revenues and rental income to the City of Annapolis, and by  
24 otherwise providing economic benefits to the City of Annapolis.  
25

26 **SECTION III: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**  
27 **ANNAPOLIS CITY COUNCIL** that this Ordinance shall take effect from the date of its  
28 passage.  
29

30  
31 **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

32  
33 **ATTEST:**

**THE ANNAPOLIS CITY COUNCIL**

34  
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36  
37 \_\_\_\_\_  
38 Regina C. Watkins-Eldridge, CMC  
39 City Clerk

**BY:** \_\_\_\_\_  
Joshua J. Cohen, MAYOR

**LEASE AGREEMENT**

Authorized by O-35-08

**THIS AGREEMENT**, made this \_\_\_\_\_ day of \_\_\_\_\_, 2009, by and between **THE CITY OF ANNAPOLIS**, a municipal corporation (hereinafter called "Lessor") on the one hand and the **UNITED STATES SAILBOAT SHOWS, INC.** and **UNITED STATES POWERBOAT SHOWS, INC.** (hereinafter jointly and severally called "Lessee").

**Article I**

**Section 1.1. Premises and Term:** Lessor hereby leases to Lessee, for the purpose of holding two boat shows, that property and water hereinafter called the "premises" described and shown on Exhibit A, (the sidewalk on Dock Street between Craig Street and the bulkhead at the Department of Natural Resources is not within the "premises" and is to be left open for public access), which is attached hereto and made a part hereof, for the periods of time hereinafter designated, subject to the provisions and terms of this agreement:

2013 – October 7 through October 22, inclusive

2014 – October 6 through October 21, inclusive

**Section 1.2. Revisions to Premises:** Lessor shall have the right to change the area of the premises from time to time in order to reflect any change in ownership or infrastructure. If the total area of the premises (exclusive of the Edgewood Road property) is reduced pursuant to this paragraph by five percent (5%) or more of the total area, Lessee shall be entitled to pro rata reduction in the Base Rent. If the total area of the premises is reduced pursuant to this paragraph by ten percent (10%) or more of the total area, Lessee shall have the right to pro rata reduction or to terminate the Lease. If Base Rent is determined using Ticket Sales Base Rent, then the reduction hereunder shall be calculated by reducing the fifty percent (50%) multiplier under Section 1.3(a) to reflect the area reduction (e.g. If the premises is reduced ten percent (10%) then Base Rent will equal: [50% x 90%] x gross ticket receipts). If the Base Rent is determined using Minimum Base Rent, then the reduction hereunder shall be determined using Minimum Base Rent, then the reduction hereunder shall be calculated by reducing the Base Rent by the percentage of the reduction of the total area. For purposes of this Section, the Edgewood Road property shall not be included in premises area calculations or in rent adjustments.

**Section 1.3. Rent:** Except as provided in Section 2.3, Base Rent shall be: (A) the greater of (i) 50% of Lessee's gross receipts (after deducting admission taxes) from the sale by Lessee of tickets for admission to the shows for that year (hereinafter "Ticket Sales Base Rent") or, (ii) Three Hundred Seventy-Five Thousand Nine Hundred Fifty Dollars (\$375,950.00) (hereinafter "Minimum Base

1 Rent"); plus (B) if the Edgewood Road property is used, Two Thousand Sixty  
2 Dollars (\$2,060.00) each year used (hereinafter "Edgewood Road Rent"), Lessee  
3 shall pay Lessor the Minimum Base Rent, in full, within thirty (30) days of the  
4 close of the show. Any further monies over the Minimum Base Rent due to  
5 Lessor as a result of ticket sales shall be paid by Lessee to Lessor  
6 simultaneously with the payment of the State admissions tax. Proof of gross  
7 receipts form ticket sales shall be supplied at that time to the City of Annapolis  
8 Director of Finance in a form satisfactory to the said Director. In addition to the  
9 Base rent, Lessee shall pay Lessor, Additional Rent equal to Twenty-Five  
10 Thousand Seven Hundred Fifty Dollars (\$25,750.00) toward the costs incurred by  
11 the City in providing electricity, water, inspections and public safety services to  
12 the Boat Shows and in providing increased public services during the Shows.  
13 Lessee shall pay Lessor the Additional Rent and (if applicable) Edgewood Road  
14 rent, in full, at the time Lessee pays the Minimum Base Rent.

15  
16 **Article II**

17 **Section 2.1. Number of Days:** Lessor grants to Lessee the right to add  
18 one day at the end of either or both of the two boat shows for general public  
19 admission. Lessee shall have the right, in its sole discretion, to reduce the  
20 number of days of either or both of the boat shows.

21 **Section 2.2. Other Boat Shows:** Lessor covenants that it will not lease  
22 the premises for the purpose of holding boat shows on the premises from June 1  
23 through November 30 in each of the years of 2013 and 2014. Lessee may, within  
24 its sole discretion, provide written authority to waive these restrictions. These  
25 restrictions shall be deemed to be waived by Lessee automatically as to either  
26 boat show (power or sail) reduced to less than one 10-hour day under Section  
27 2.1.

28 **Section 2.3. Adjustment to Rent:** The Minimum Base Rent and  
29 Additional Rent shall be increased or reduced proportionately, if Lessee  
30 exercises its rights to extend or shorten the number of days pursuant to Section  
31 2.1. Notice of any such extension or shortening shall be given by Lessee in  
32 writing to Lessor by June 1 of the year in which the affected show is to be held.  
33 All of the other provisions of the lease shall remain in full force and effect.

34  
35 **Article III**

36 **Section 3.1. Facilities and Services:** Lessee shall have the use of the  
37 following facilities and services without additional charge:

38 All that area indicated on Exhibit A (except as the area may be revised pursuant  
39 to Paragraph 1.2 hereof), which is attached hereto and made a part hereof,  
40 including Lessor's right and interest in the so-called "Fawcett's Lot", and all  
41 related facilities including ingress and egress, existing and normal street and  
42 harbor lighting, existing and normal electricity, water supply for said area, and  
43 normal police and fire protection.

1           **Section 3.2. Police Services:** Lessor agrees to provide police services  
2 related to traffic control outside the show, security for Boat Show office within the  
3 show and liaison with Lessee's security guards inside the show without further  
4 charge.

5           **Section 3.3. Fire Services:** Lessor agrees to provide fire protection as  
6 required without further charge. Following the erection of all booths and other  
7 show structures as described under Section 7.1 hereof but before the show  
8 opens, the parties shall meet at the premises to assure compliance with Fire  
9 Department regulations and accessibility of fire lanes and turning radius. No  
10 open flame devices or running of watercraft propulsion engines shall be  
11 permitted on the demised premises during the open hours of the shows.

12           **Section 3.4. Utilities:** Lessor shall provide water and electricity without  
13 further charge. Lessee at its own expense shall install all temporary electrical  
14 equipment, lines and devices required to provide power to the premises in  
15 compliance with National Electric Code. Lessee shall be responsible for refuse  
16 removal as provided under Section 8.1 hereof.

17           **Section 3.5. Parking and Transportation:** The Lessee shall coordinate  
18 all plans for the provision of any intra-city mode of transportation during the  
19 course of the boat shows with the City of Annapolis Department of  
20 Transportation. Lessee shall furnish to Lessor a transportation plan including a  
21 parking element.

22           **Section 3.6. Pre-Show Meetings and Inspection:** Prior to the opening of  
23 each show, representatives of the Department of Neighborhood and  
24 Environmental Programs, Annapolis Police Department, Annapolis Fire  
25 Department, Harbormaster, and Annapolis Department of Public Works shall  
26 inspect the premises and nearby areas with Lessee's representative to determine  
27 compliance with City requirements and for determination of the condition of City  
28 property to be leased. Written approval by representatives of all these  
29 departments is required before Lessee may open the show. The opening of the  
30 show shall not be delayed by any department whose representative is not  
31 present for said inspection. Lessor shall not refuse permission to open the show  
32 or any part of the show under this paragraph unless a threat to health or safety  
33 has been identified. Lessor shall make every effort to limit that part of the show  
34 not opened in the event of such threat and to allow Lessee to open the closed  
35 portion of the show as soon as the threat is abated to Lessor's satisfaction. All  
36 other federal, state or county permits which may be required shall be the  
37 responsibility of the Lessee.

38           **Section 3.7. Transportation:** The Lessee shall prepare and submit to the  
39 Director of Transportation a Transportation Plan with a Parking Element. The  
40 Plan shall address matters specified by the Director and shall be submitted no  
41 later than August 15 of each year for which the premises are leased. Except for  
42 public ways within the leased premises, the Plan shall not provide for the closure  
43 of any street or restrict parking to those associated with the boat shows.

1 Moreover in publicizing the boat shows, the Lessee will direct all persons  
2 attending the event to park their vehicles at satellite lots and ride the shuttle to  
3 the site of the boat shows. Upon receipt of the Plan, the Director shall make  
4 copies available to relevant agencies and to interested parties who have  
5 requested a copy.

6  
7 **Article IV**

8 **Section 4.1. Insurance:** Lessee shall, at its own expense, obtain and  
9 keep in full force and effect comprehensive commercial general liability insurance  
10 of no less than Two Million Dollars (\$2,000,000.00) combined single limit, bodily  
11 injury and property damage; and Eight Million Dollars (\$8,000,000.00) umbrella  
12 policy; which shall be effective during the entire period of time during which the  
13 Lessee shall use or occupy the premises, or any part thereof.

14 Such insurance policy shall specifically name the City of Annapolis, and in their  
15 capacity as such, the officers, agents and employees thereof, as additionally  
16 insured, and insure against any and all loss, costs, damages, and expenses  
17 suffered by any person, or to any property, including property owned by Lessor,  
18 due to or alleged to be due to: an act, omission or the negligence of Lessee, its  
19 officers, agents, employees, vendors, subtenants or contractors; or directly or  
20 indirectly to the use of the premises, or any part thereof by Lessee, its officers,  
21 agents, employees, vendors, subtenants or contractors.

22 The insurer or insurers of the policy or policies referred to in the preceding  
23 paragraph shall be: authorized to write the required insurance; approved by the  
24 Insurance Commissioner of the State of Maryland; and subject to the reasonable  
25 approval of the City Attorney of Annapolis. The form and substance of the policy  
26 or policies of insurance shall also be subject to reasonable approval by the City  
27 Attorney of the City of Annapolis, and shall be submitted to the City Attorney for  
28 such approval not less than thirty (30) days prior to Lessee's occupancy of the  
29 premises. Said policy or policies of insurance shall then be secured by Lessee  
30 and filed with the City Attorney of the City of Annapolis not less than fifteen (15)  
31 days prior to Lessee's occupancy of the premises. Said approvals shall not be  
32 unreasonably withheld.

33 The Certificate for each such insurance policy shall contain a statement on its  
34 face that the insurer will not cancel the policy or fail to renew the policy, whether  
35 for nonpayment of premium, or otherwise, and whether at the request of Lessee  
36 or for any other reason, except after thirty (30) calendar days advance written  
37 notice mailed by the insurer to the City Attorney of the City of Annapolis and that  
38 such notice shall be transmitted postage prepaid, with return receipt requested.

39 The obligations of Lessee under this Article are part of but do not limit or satisfy  
40 Lessee's obligations under Article V.

41  
42 **Article V**

43 **Section 5.1. Indemnity:** Lessee agrees that it shall forever indemnify,

1 defend and hold harmless the Lessor, its officers, agents, employees, from and  
2 against any and all claims, suits, actions, judgments, and liability for loss, injury,  
3 damages and/or expenses suffered or alleged to have been suffered by any  
4 person or to any property due to or alleged to be due to: an act, omission or the  
5 negligence of Lessee, its officers, agents, employees, vendors, subtenants or  
6 contractors; or directly or indirectly the use of the leased premises, or any part  
7 thereof, by Lessee, its officers, agents, employees, vendors, subtenants or  
8 contractors.

9 Lessee agrees to reimburse Lessor, within thirty (30) days after demand for such  
10 reimbursement, for any damage done to Lessor's buildings, facilities, equipment  
11 or property caused by an act, omission or the negligence of Lessee, its officers,  
12 agents, employees, vendors, subtenants or contractors during Lessee's use and  
13 occupancy of the leased premises or any part thereof.

14  
15 **Article VI**

16 **Section 6.1.** Security: Lessee shall contract with and pay, as independent  
17 contractors, security guards from an agency duly licensed by the State of  
18 Maryland, in numbers sufficient to maintain security, peace and order at the boat  
19 shows inside the premises during the lease term.

20  
21 **Article VII**

22 **Section 7.1. Interior Construction:** Lessee shall have the right to  
23 construct, install or erect seats, platforms, booths, tanks, scaffolding, rigging,  
24 floating piers, pilings, docks, catwalks, tents, exhibits, and any other apparatus or  
25 structure which Lessee may deem necessary or desirable for the purpose of  
26 presenting the boat shows. In addition, the Lessee shall have the right to erect  
27 and construct a temporary fence so as to enclose the premises in such a manner  
28 as to limit entry onto the premises through controlled entrances. Such fence shall  
29 not contain barbed wire, razor wire or any similar materials.

30 **Section 7.2. Exterior Construction:** Lessee agrees to erect and  
31 construct temporary wooden sidewalks, wherever necessary to provide for  
32 pedestrian traffic, outside of the leased premises where the existing sidewalks  
33 are enclosed in the premises by said temporary fence described in Section 7.1.  
34 Said walks shall be handicap accessible and illuminated during the hours of  
35 darkness and maintained by Lessee in a safe and secure condition.

36 **Section 7.3. ADA and Other Permits:** Lessee hereby assumes exclusive  
37 responsibility for compliance with any and all applicable provisions of the  
38 Americans with Disabilities Act of 1990, as amended from time to time at the  
39 demised premises, during the entire time Lessee uses or occupies those  
40 premises, or any part thereof, pursuant to this Lease Agreement. Subject to the  
41 inspection provisions of Section 3.7 and to standard public safety and health  
42 approvals, any and all permit, license or authorization required to be obtained  
43 from the City or any agency thereof by the Lessee during the term of this Lease

1 for the purpose of constructing or erecting the temporary structures described in  
2 Sections 7.1 and 7.2 above or for operating the shows, shall be deemed granted  
3 and issued upon the execution of this Lease by the Lessor and Lessee. All other  
4 federal, state or county permits, which may be required, shall be the  
5 responsibility of the Lessee.

6  
7 **Article VIII**

8 **Section 8.1. Trash:** Lessee, at its own expense, shall provide an  
9 adequate number of trash containers for its use within the show grounds during  
10 the entire occupancy period of the premises and shall provide for the prompt  
11 removal of said containers, trash and refuse. Lessor, at its own expense, shall  
12 provide an adequate number of trash dumpsters outside the show grounds for  
13 the use of Lessee during the occupancy period and shall provide for the prompt  
14 removal of trash and refuse in these dumpsters.

15 **Section 8.2. Cleanliness:** Lessee shall be responsible for keeping the  
16 premises free of debris, trash and refuse and shall place the same in dumpsters  
17 or receptacles.

18 **Section 8.3. Sanitation and Toilets:** Lessee shall, at its own expense,  
19 provide adequate and sanitary toilet facilities throughout the demised premises  
20 for use by the general public and others attending or participating in the boat  
21 shows.

22  
23 **Article IX**

24 **Section.9.1. Quiet Enjoyment:** Lessor covenants with Lessee that at all  
25 times during the term of this Lease Agreement, Lessee shall peacefully hold and  
26 quietly enjoy the demised premises without any disturbance or hindrance from  
27 Lessor or from any other person claiming through Lessor, except that the City or  
28 others claiming through the Lessor, may enter onto the demised premises to  
29 effect necessary repairs to their own facilities as reasonably contemplated by the  
30 terms of this Agreement and to assure compliance with the terms of this  
31 Agreement. Lessee shall cooperate with the Lessor to effect this access to the  
32 demised premises.

33 **Section 9.2. Trash and Public Safety Cooperation:** The parties agree to  
34 cooperate with each other and use their best efforts to ensure that there is  
35 prompt trash removal, public safety protection and adequate traffic control during  
36 the designated period of occupancy by the Lessee of the premises.

37  
38 **Article X**

39 **Section 10.1. Condition of Premises After Show:** Following the  
40 occupancy period, the Lessee, at Lessee's sole expense, shall return the  
41 premises in the same or superior condition than received, natural wear and tear  
42 excepted.

43 **Section 10.2. Lessee's Equipment After Show:** Prior to the expiration of

1 the lease term, Lessee shall immediately remove all of its property, fixtures and  
2 chattels from the leased premises. In the event that Lessee, its officers, agents,  
3 employees, vendors, subtenants or contractors fail to remove any item of  
4 property, Lessor reserves the right to remove and store any such property after  
5 the expiration or termination of the lease term at Lessee's expense or as an  
6 alternative, to leave the property at the leased premises. In either case, Lessor  
7 shall charge Lessee per diem rental for storage of such property. Lessor shall  
8 bear no responsibility or liability for damage to or expense incurred as a result of  
9 property left, removed or stored under the provisions of this Section. Lessee shall  
10 pay to Lessor any expenses or charges under this Section billed to Lessee by  
11 Lessor within thirty (30) days after delivery of any such bill by Lessor to Lessee.

12 **Section 10.3. Post-Show Inspection:** Within ten (10) days following the  
13 expiration of the occupancy period, Lessee shall accompany Lessor during a tour  
14 of the premises to determine the condition thereof. Items corrected or repaired by  
15 Lessor, deemed by Lessor to be the responsibility of Lessee, shall be billed by  
16 Lessor and paid by Lessee within thirty (30) days after receipt of such bill.

## 17 **Article XI**

18 **Section 11.1. Remedies:** It is understood and agreed that any and all  
19 duties, liabilities and/or obligations imposed upon or assumed by Lessee and  
20 Lessor by or under this lease shall be taken or construed as cumulative and that  
21 the mention of any specified duty, liability or obligation imposed upon or assumed  
22 by Lessee or Lessor under this Lease, shall not be taken or construed as a  
23 limitation or restriction upon any or all of the other duties, liabilities, or obligations  
24 imposed upon or assumed by Lessee under this Lease. The remedies provided  
25 herein shall be construed to be cumulative and in addition to any other remedies  
26 provided herein, or any remedies provided in law or equity which Lessor or  
27 Lessee would have in any case. It is understood and agreed that Lessor shall  
28 have the right to seek and obtain in any court of competent jurisdiction an  
29 injunction without the necessity of posting a bond to restrain a violation or alleged  
30 violation by Lessee of any covenant or covenants contained in this agreement,  
31 anything to the contrary notwithstanding. In no case shall a waiver by either party  
32 of the right to seek relief under this provision constitute a waiver of any other or  
33 further violation. The remedies provided hereunder shall not be deemed  
34 exclusive of other remedies not specified.

## 35 **Article XII**

36 **Section 12.1. Impossibility of Performance:** If, for any reason, an  
37 unforeseen event not the act of Lessor occurs, including but not limited to fire,  
38 casualty, act of God, labor strike or other unforeseen occurrence which renders  
39 impossible the fulfillment of any rental period of this Lease, Lessee shall have no  
40 right to nor claim for damages against Lessor; but Lessee shall not be liable for  
41 the payment of rent for said rental period, except that if such impossibility relates  
42  
43

1 only to more than five percent (5%) of the rental period, Base Rent, if determined  
2 under Section 1.3(A)(ii) hereof, shall be prorated to account for the number of  
3 scheduled hours the Show is not open to the public.

4  
5 **Article XIII**

6 **Section 13.1. Payment:** Lessee shall make all payments due under this  
7 Agreement by check, made payable to the City of Annapolis. In addition to all  
8 other amounts due hereunder, Lessee shall pay Lessor a monthly late fee of  
9 1.5% (18% per annum) of any payment more than sixty (60) days past due, until  
10 paid.

11  
12 **Article XIV**

13 **Section 14.1. Time is of the Essence:** Time is of the essence in the  
14 performance of this Agreement, and the times herein granted shall not be  
15 extended for any reason, except as provided herein, for the occupancy or use of  
16 the aforementioned premises or for the installation or removal of equipment,  
17 materials or displays therefrom without written permission from the Lessor.

18  
19 **Article XV**

20 **Section 15.1. Assignment:** Lessee shall not assign, transfer, or  
21 otherwise dispose of this Lease without the prior written consent of Lessor, but  
22 such consent shall not be unreasonably or arbitrarily withheld. The foregoing  
23 shall not prevent Lessee from subleasing portions of the premises to boat show  
24 exhibitors provided the portion of the premises subleased to any exhibitor does  
25 not exceed twenty-five percent (25%) of the total area of the Premises.

26  
27 **Article XVI**

28 **Section 16.1. Independent Contractor:** Lessee herein is an  
29 independent contractor and not the agent or employee of the Lessor. Under no  
30 circumstances shall this Lease be considered a partnership or joint venture.

31  
32 **Article XVII**

33 **Section 17.1. Liens, Etc:** Lessee hereby consents to and Lessor shall  
34 have a lien upon all property of Lessee located from time to time upon the  
35 premises for any and all unpaid charges which arise under this Lease. Lessee  
36 hereby consents to and Lessor shall have the power to impound and retain the  
37 possession of such property until all such charges and late fees due under Article  
38 XIII have been paid, in full, to the satisfaction of Lessor. In the event such  
39 charges remain unpaid ten (10) days after the termination of the rental period,  
40 the Lessor shall have the power to sell such property at public auction, and apply  
41 the receipts from such auction to all such unpaid charges.

42  
43 **Article XVIII**



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**INC. UNITED STATES SAILBOAT SHOWS,**

\_\_\_\_\_  
Witness

BY: \_\_\_\_\_  
C. EDWARD HARTMAN, PRESIDENT

**UNITED STATES POWERBOAT SHOWS, INC.**

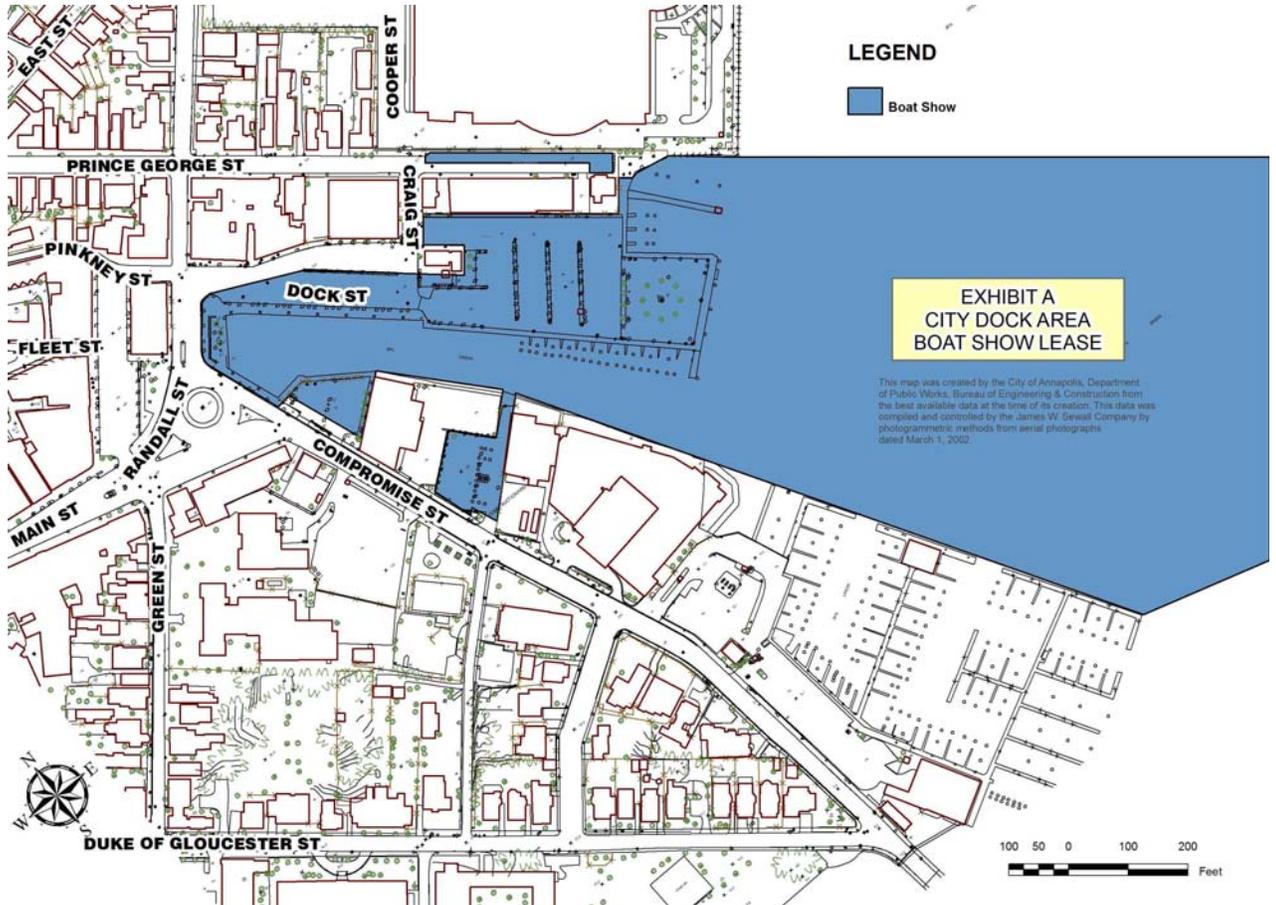
\_\_\_\_\_  
Witness

BY: \_\_\_\_\_  
C. EDWARD HARTMAN, PRESIDENT

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Steve Kling                      Date  
Acting City Attorney

Exhibit A



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**AMENDMENT TO LEASE AGREEMENT**

**THIS AMENDEMENT TO LEASE AGREEMENT** is made this \_\_\_\_ day of \_\_\_\_\_, 2012, by and between **THE CITY OF ANNAPOLIS**, a municipal corporation of the State of Maryland (“Lessor”), and **UNITED STATES SAILBOAT SHOWS, INC.**, and **UNITED STATES POWERBOAT SHOWS, INC.** (jointly and severally “Lessee”)

**PREAMBLE**

By a lease agreement dated January 21, 2009, Lessor leased to Lessee City property for use for boat shows for a term in 2013 beginning October 7 and ending October 22, inclusive. The parties now desire to change the dates of occupancy, but otherwise retain in full force effect all remaining portions of the lease agreement.

**AMENDMENT**

Line eight of **ARTICLE I, SECTION 1.1, PREMISES and TERM** of the original Lease Agreement reading: “2013 – October 7 through October 22, inclusive” shall be and is hereby deleted and is hereby replaced with the following language: “2013 – September 30 through October 15.”

Except as specifically amended above, all of the remaining provisions of the January 21, 2009 lease agreement shall remain in full force and effect and are hereby ratified by all parties.

**IN WITNESS WHEREOF**, the parties have duly executed this Amendment to Lease Agreement the day and year first written above.

**ATTEST:**

**CITY OF ANNAPOLIS**

\_\_\_\_\_  
Regina C. Watkins-Eldridge, CMC, City Clerk

By: \_\_\_\_\_  
Joshua J. Cohen, Mayor

**UNITED STATES SAILBOAT SHOWS, INC.,**

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
C. Edward Hartman II, President

**INC.**

**UNITED STATES POWERBOAT SHOWS,**

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
C. Edward Hartman II, President

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Gary M. Elson, Assistant City Attorney

\_\_\_\_\_  
Date

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**Staff Paper**

**O-35-08 Lease of City property: Boat Shows in 2013 & 2014**

Under Article II, Section 8 of the Annapolis City Charter, it is necessary for the City Council to enact an ordinance to authorize a lease of City property. O-35-08 seeks to do just that for the Boat Shows in 2013 & 2014. Areas of the City to be leased include municipal property located in the general harbor, Dock Street, and the Edgewood Road area.

The lease would be executed as between the City of Annapolis (Lessor) and United States Sailboat Shows, Inc., and United States Powerboat Shows, Inc. (Lessee). Under the terms of the lease, rent shall be (A) the greater of (i) 50% of Lessee's gross receipts (after deducting admission taxes) from the sale by Lessee of tickets for admission to the shows for that year (hereinafter "Ticket Sales Base Rent") or, (ii) Three Hundred Seventy-Five Thousand Nine Hundred Fifty Dollars (\$375,950.00) (hereinafter "Minimum Base Rent"); plus (B) if the Edgewood Road property is used, Two Thousand Sixty Dollars (\$2,060.00) each year used (hereinafter "Edgewood Road Rent"). In addition to the Base rent, Lessee shall pay Lessor, Additional Rent equal to Twenty-Five Thousand Seven Hundred Fifty Dollars (\$25,750.00) toward the costs incurred by the City in providing electricity, water, inspections and public safety services to the Boat Shows and in providing increased public services during the Shows. Lessee shall pay Lessor the Additional Rent and (if applicable) Edgewood Road rent, in full, at the time Lessee pays the Minimum Base Rent.

Just as with the lease executed last year (O-01-07; for years 2009, 2010, and 2011), the Lessee is responsible for the development of a transportation plan which includes a parking element.

Prepared by Seth B. Zirkle, Office of Law

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**CITY COUNCIL OF THE  
City of Annapolis**

**Resolution No. R-48-12**

**Introduced by: Mayor Cohen and Alderman Arnett**

LEGISLATIVE HISTORY			
First Reading	Public Hearing	Fiscal Impact Note	120 Day Rule
10/22/12	NA	NA	01/13/13
Referred to	Referral Date	Meeting Date	Action Taken
Economic Matters	NA	NA	Suspension of the rules requested.

8  
9 **A RESOLUTION** concerning

10 **The Maritime Republic of Eastport (MRE) Tug of War 2012**

11  
12 **FOR** the purpose of designating dates for the sale of food, beverages and merchandise in  
13 the Historic District on the Annapolis side of The Maritime Republic of Eastport (MRE)  
14 Tug of War 2012 and the waiver of full fees to the City for the cost associated with the  
15 events.

16  
17 **WHEREAS,** the MRE seeks the City's approval through the City's Special Event Application  
18 to hold an event on November 3, 2012 based on the following:  
19 

- 20 ▪ Time of activities: 11:00am to 5:00pm.
- 21 ▪ Amplified entertainment from: 11:00am to 5:00pm (no testing outside these  
22 hours is permitted).
- 23 ▪ Event is open to the public and free of charge
- 24 ▪ Setup and breakdown time: 8:00am to 9:00pm on November 3, 2012.
- 25 ▪ Location: Susan Campbell Park and City Dock as on the attached site plan.
- 26 ▪ No street closings are requested or required.
- 27 ▪ Alcohol will be served and a one-day liquor licenses is required.
- 28 ▪ MRE is required to obtain all City permits for temporary structures, electrical  
29 connections, pre/post event inspections determined necessary for the safe  
30 execution of the event when those elements are required for the execution  
31 of the day's activities.
- 32 ▪ Vendors will be located in consultation with the Special Events Coordinator.  
33 Vendors must be permitted with a City vendor's permit and must post  
34 applicable business licenses.

35 **NOW THEREFORE BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that sales of  
36 food and merchandise may be sold on Susan Campbell Park, as designated, by those entities  
37 associated with the MRE Tug-of-War to be held November 3, 2012.

38  
39 **AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that there shall be  
40 a waiver of full fees. However, notwithstanding any other provision of law, the Director of  
41 Finance shall determine the full fees incurred by the City government.



## **Boards and Commissions Appointments and Reappointments**

**October 22, 2012**

### **New Appointments**

- Julie Kizer Ball Education Commission
- Heidi Petras Education Commission
- Trisha Irvin Education Commission
- Janet Norman Education Commission
- Jeffrey Macris Education Commission
- Rani Jenkins Education Commission
- Heather Macintosh Education Commission
- Pamela Bukowski Education Commission
- Matthew Evans Building Board of Appeals

### **Reappointments**

- Mark Hall Building Board of Appeals

## Education Commission Appointments

September 20, 2012

<b>Ward 1</b>	<b>Julie Kizer Ball</b>
<b>Ward 2</b>	<b>Heidi Petras</b>
<b>Ward 3</b>	<b>Trisha Irvin</b>
<b>Ward 4</b>	
<b>Ward 5</b>	
<b>Ward 6</b>	
<b>Ward 7</b>	<b>Janet Norman</b>
<b>Ward 8</b>	
<b>At Large</b>	<b>Jeffrey Macris (Currently serving as chair)</b>
<b>At Large</b>	<b>Rani Jenkins (Currently serving as Vice-Chair)</b>
<b>At Large</b>	<b>Heather Macintosh</b>
<b>At Large</b>	<b>Pamela Bukowski</b>



# JULIE L. KIZER BALL

9 Silopanna Road ▪ Annapolis, Maryland 21403 ▪ 410.626.1630 ▪ juliekb@comcast.net

## HIGHLIGHTS OF QUALIFICATIONS

- Over 24 years of staff, project, and operational management experience
- Outstanding record recruiting, training, and motivating employees
- Creative and flexible in organizing, planning, and maximizing resources to achieve results

## PROFESSIONAL EXPERIENCE

### MANAGEMENT and OPERATIONS

- Managed logistics and directed staffs for events ranging in size from 10-2000 participants
- Managed subscription operations of 7-acre Community Supported Agriculture (CSA) farm
- Directed all aspects of a 16,000 sq. ft., 55-member office move 10% under budget
- Administered total overhead budget of \$1 million
- Negotiated 50+ vendor contracts to reduce overhead budget and produce greater efficiency
- Developed publication production system emphasizing quality control, efficiency, and increased volume
- Restructured filing system and developed effective document maintenance procedure
- Directed department operations, staff of 20, and volunteer workforce of 6000 for major international event
- Directed archiving of Presidential Inaugural Committee's documents for future Presidential Library
- Managed all aspects of \$1.2 million/year retail business

### HUMAN RESOURCES and PERSONNEL ADMINISTRATION

- Recruited, screened, and interviewed candidates to fill administrative- and executive-level positions
- Initiated overall hiring guidelines and procedures
- Designed and executed a multi-purpose orientation for newly hired employees
- Developed and implemented office procedures and company policies
- Conceptualized, researched, and negotiated expanded employee benefit package
- Administered semi-monthly payroll
- Created and implemented volunteer department infrastructure and office policy
- Developed and executed successful corporate recruiting and training programs

### WORK HISTORY

2011-present	The Summit School, Edgewater, MD	Marketing & Development Associate
2002- 2011	Elementary-Middle School PTAs, Annapolis, MD	Officer, Chairmanship, Project Management & Event Coordinating Positions (volunteer)
2004-2006	Bell Nursery, Burtonsville, MD	Merchandiser & Trainer
2002-2004	Ivy Brand CSA, Harwood, MD	Manager
2001-2002	The Wellness Community-National, Washington, DC	Interim National Administrator
1993-2001	Democratic Leadership Council/Progressive Policy Institute/Progressive Foundation, Washington, DC	Payroll & Benefit Manager (2000-2001) Administrative Director (1995-2000) Production Manager (1994-1995) Executive Assistant (1993-1994)
1992-1993	Presidential Inaugural Committee, Washington, DC	Deputy Director of Volunteer Management
1988-1992	Various Retail, Cincinnati, OH & Washington, DC	Manager

### EDUCATION

B.A. Sociology and Gerontology - Miami University - Oxford, Ohio - 1988







**City of Annapolis**  
Office of the Mayor  
160 Duke of Gloucester Street  
Annapolis, MD 21401-2517

[Mayor@annapolis.gov](mailto:Mayor@annapolis.gov) • 410-263-7997 • Fax 410-216-9284 • [www.annapolis.gov](http://www.annapolis.gov)  
Deaf, hard of hearing or speech disability - use MD Relay or 711

### Boards and Commissions Application

**Personal information**

Name Tricia L. Irvin

Address 110 S Cherry Grove Ave.

City Annapolis ST MD Zip 21401

Phone Home 410-268-1949 Other 443-458-2166

E-mail irvintrish@yahoo.com

**Statement of interest – Why should you be appointed to this board/commission?**

I am asking for consideration to be appointed to the Annapolis Education Commission for 2012-2013. As a parent of two public school students, I have been actively involved with the PTA for three years. I have also taken an active role as a volunteer in my children's classrooms. I am also making the effort to not only understand my children's education within the halls of Germantown Elementary but I have been attending the AEC meetings over the past year. I was also one of Germantown's PTA representatives on the countywide Citizen Advisory Committee (CAC) last year.

This experience builds on 15 years experience in education. I hold a Master's Degree in Education. I have taught for fifteen years in both the public and private schools. Currently, I am employed by Anne Arundel County Public Schools as a long-term substitute for PK/K media at Germantown Elementary and as a home/hospital tutor. I am also employe

Are you a resident of the City of Annapolis?  Yes  No

Are you an employee of the City of Annapolis?  Yes  No

If yes, please state your job title, department & duties

Do you do business with the City of Annapolis?  Yes  No

If yes, please detail

Are you currently serving on any city boards or commissions?  Yes  No

If yes, please list board(s)

**Work experience (titles and duties)**

Anne Arundel County Public Schools                      Annapolis, MD  
 Substitute Teacher, elementary grades  
 October 2011 to present  
 Provide interim classroom instruction and management for absent teaching staff.

Anne Arundel County Public Schools                      Annapolis, MD  
 Long Term Substitute Teacher, PK/K Media  
 October 2011 to present  
 Provide classroom instruction in the media center at Germantown Elementary School for PK/K classes.

Anne Arundel County Public Schools                      Annapolis, MD  
 Home/Hospital Tutor  
 January 2012 to present  
 Provide tutoring to a child who is unable to return to school due to an extended illness.

The Key School    Annapolis, MD  
 Substitute Teacher, elementary grades  
 April 2006 to present

**Educational background (certificates, diplomas, degrees, seminars, etc)**

Bachelor of Science in Interdisciplinary Studies/Teacher Preparation, Old Dominion University, May 1997  
 Master of Science in Education, Old Dominion University, May 1998

Currently working on teacher re-certification with the State of Maryland.  
 State of Virginia Collegiate Postgraduate Professional, Early Education NK-4 and Middle Education Grades 4-8. This certificate was issued in 1998.

**Other experience (volunteer experience, memberships etc)**

Education Commission Member    Annapolis, MD  
 Calvary United Methodist Church    January 2011 to present

Children's Ministries Chair    Annapolis, MD  
 Calvary United Methodist Church    January 2010 to present

Girl Scout Leader    Annapolis, MD  
 Daisy/Brownies - Girl Scouts of Central MD    October 2009 to present

Germantown Elementary PTA                      Annapolis, MD  
 Member  
 September 2009 to present

Pre School and Elementary Sunday School Volunteer    Annapolis, MD  
 Calvary United Methodist Church    Spring 2007 to present

**References**

Name Lynann Derrick Phone 443-949-5746  
 Address 211 S Cherry Grove Ave. Annapolis, MD 21401

Name Julie Tisinger Phone 410-206-9242  
 Address Calvary United Methodist Church 301 Rowe Blvd. Annapolis, MD 21401

Name Jeannie Radisi Phone 443-223-9218  
 Address Germantown Elementary 200 Windell Ave. Annapolis, MD 21401

Appointees are subject to the provisions of the City of Annapolis Ethics Code, Annapolis City Code Ch. 2.08. Appointees are strongly encouraged to review this Code and contact the City of Annapolis Office of Law and/or City of Annapolis Ethics Commission with all inquiries.

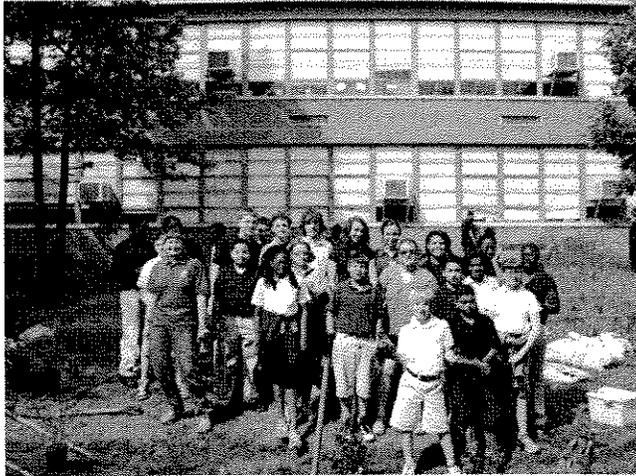
Signature \_\_\_\_\_ Date \_\_\_\_\_

E-mail electronically completed form to Hilary Roggio Raftovich at [hraftovich@annapolis.gov](mailto:hraftovich@annapolis.gov). Paper copies may be faxed to 410-216-8284 or mailed to the Mayor's Office address above, attention Boards and Commissions Coordinator.



# Janet Norman

*787 Annapolis Neck Road  
Annapolis, MD 21403  
City Ward 7*



*Annapolis Middle School courtyard planting w/ 160  
7th grade students.*

410-263-5094  
M 410-320-5519  
J\_E\_Norman@yahoo.com

---

## SUMMARY

I am seeking to represent the interests of Ward 7 children on the Annapolis Education Commission. I am a very active volunteer in our public schools, having donated over 1,200 hours during the past 7+ years. I have obtained over \$6,500 in grants for Hillsmere Elem. and a \$1,000 grant for Annapolis Middle School.

Hillsmere Elem. PTA Landscaping Coordinator 2008 - present

Hillsmere Elem. PTA Robotics Coordinator/Founder 2010 - present

Hillsmere Elem. PTA member 2005 - present

Annapolis Middle PTSA member 2011 - present

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## EDUCATION

Master of Science, University of Michigan, Ann Arbor, MI. Natural Resources, 1996.

Bachelor of Arts, Colgate University, Hamilton, NY. Biology, 1987.



## Jeffrey R. Macris, PhD

- Resident of Wardour/West Annapolis (Ward 2)
- Nominated by Alderman Mike Christman as member of Mayor's Education Advisory Commission
- Proud parent of 5 present/future public school students
- Coordinator of Annapolis Schools' Cluster Citizens' Advisory Committee, 2005- present
- Led successful campaign to bring world-class International Baccalaureate Middle Years' Program to Annapolis Middle School 2005-2007
- Parent Member, Middle Schools Task Force, Anne Arundel County Public Schools 2007
- Parent Member, Magent, Signature, and Consortia Schools Task Force, AACPS 2007
- Parent Member, County-wide school facilities study - 2005-6
- Active member, County-wide Citizens' Advisory Committee AACPS
- PTA, West Annapolis Elementary School
- West Annapolis Civic Association - Board Member 2003 - present; Traffic Safety Coordinator, 2002-present



Rani Orlan Jenkins  
140 Georgetown Road #9  
Annapolis, Maryland 21403  
(410) 990-9333

## Administration/Management/Consultation

### Resumé

#### Education:

- 2000: Master of Arts, Montclair State University, Upper Montclair, NJ.
- 1999: College Business Management Institute, University of Kentucky, Lexington, KY.
- 1989: Bachelor of Fine Arts, Howard University, Washington, DC.

#### Experience:

- 2010-Present: **Chief Executive Officer**, NEI, Incorporated, a non-profit consultation and management organization for special events and theatrical productions focusing on education and cultural heritage. Annapolis, MD.
- 2008-Present: **Public Relations Specialist**, Image Power, Incorporated, a public relations and marketing firm. Annapolis, MD.
- 2006-Present: **Executive Director**, The Summer Enrichment Academy, a reading enhancement and motivational program in collaboration with Anne Arundel Count Public Schools. Annapolis, MD.
- 2010-2012: **Educational Consultant**, Housing Authority City of Annapolis. Annapolis, MD.

#### Related Experience:

- 2008-10: Education Commission, City of Annapolis.
- 2007-08: Anne Arundel County/City of Annapolis Growth Task Force.
- 2006-08: Arts in Public Places Commission, City of Annapolis.
- 2006: Chairman, Come Together Annapolis Festival, City of Annapolis.

References Available Upon Request



## Hilary Raftovich - Fw: AEC Membership Application

---

**From:** "Heather Macintosh" <heathermac@verizon.net>  
**To:** <hrraftovich@annapolis.gov>  
**Date:** 7/6/2012 3:33 PM  
**Subject:** Fw: AEC Membership Application

---

----- Original Message -----

**From:** Heather Macintosh  
**To:** hrraftovich@annapolis.gov  
**Cc:** gsmith@annapolis.gov  
**Sent:** Friday, July 06, 2012 2:46 PM  
**Subject:** AEC Membership Application

Hi Ms Raftovich,

I'd like to apply for membership in AEC.

Since I've been attending AEC meetings, I've seen the success of the Bates PVA magnet and the planned renovation of Annapolis Elementary School -- two of the many achievements due in part to the involvement of the commission.

My two children have attended Annapolis Schools since 2008, and now are at Bates and Annapolis High School where I look forward to my daughter entering the IB program in 2014. I've served as PTA President at Annapolis Elementary School and continue to be active in PTA at their current schools. Last summer I helped research the Heterogeneous Grouping issue for the AEC and served on the working group with some amazing and dedicated individuals. Since last fall, I've also been involved with researching and advocating on behalf of Start School Later, a grass-roots group dedicated to "health, safety, academics and equity in education".

I continue to be motivated by the desire to see the Annapolis cluster of schools improve in academics, opportunity and environment and would like to contribute in whatever way possible.

Sincerely,

Heather Macintosh  
6 Lawrence Avenue,  
Annapolis  
21403



114 Edgemere Drive  
Annapolis, MD 21403

30 May 2012

Ms. Hilary Raftovich  
[boards@Annapolis.gov](mailto:boards@Annapolis.gov)

Dear Ms. Raftovich:

Having been a member of the Mayor's Education Committee/Commission since 2004, I wish to submit this letter and attached resume to indicate my interest in serving as one of the at-large commission positions. Because I am a resident of Hillsmere, I do not qualify as a city resident and am not living in any of the 9 city wards. However, I have very strong ties with and have had a vested interest for the last 26 years in the public schools and students of the Annapolis cluster.

My six children have been fortunate enough to benefit from the quality education received at Hillsmere, Annapolis Middle and/or Annapolis High. During the years that my children were students in the schools, I was an AACPS volunteer and involved myself in as many aspects/activities as possible. I have always advocated for our cluster schools, believing that the Annapolis cluster presents with unique challenges yet extraordinary opportunities. In 2004 and 2005, I pursued a seat on the school board believing that it was important to provide a voice for the Annapolis schools. I have taught at Annapolis High, and am currently assigned as a Speech-Language Pathologist to the Phoenix Center.

I served as chairperson of the Commission from 2005-2009. At that time, we were a committee, and then in 2008 with support from Alderwoman Sheila Finlayson, the City Council approved transition to a commission and several of us were sworn in as commissioners. After stepping down from the chair position, I remained active. I continue to attend meetings even though my youngest graduated in 2010. Concerns such as eliminating the achievement gap, providing mentoring to our Annapolis cluster students, and supporting our schools so that they succeed continue to be issues that need solutions. These have been initiatives for the Commission over the last few years, and continue to require attention. I feel that I can provide a more objective view now that my children are no longer "part of the equation."

We, in the Annapolis cluster, are fortunate to have the Commission as part of the Annapolis city government structure. I would be honored to serve as a Commissioner and humbly request your consideration.

Sincerely,  
Pam Bukowski

Pamela Bukowski  
114 Edgemere Drive Annapolis, MD 21403  
410.263.8081 [pkbukowski@msn.com](mailto:pkbukowski@msn.com)

Education:

B.A. Hearing and Speech Sciences, University of Maryland, College Park, 1980  
M.A. Speech Pathology and Audiology, George Washington University, 1980  
Graduate Work towards M.Div., Washington Theological Union, 1998-2000  
Graduate Courses in Special Education, Notre Dame College, 2006-2010  
Post Baccalaureate Certificate in Assessment and Evaluation, UMCP, 2010-2012

Professional Certifications:

MSDE APC for Speech Pathology K-12  
MD State License for Speech Pathology  
Archdiocese of Baltimore Professional Certificate in Catechesis and Youth Ministry

Relevant Professional Experience:

AACPS	Speech/Language Pathologist	2006-Present
AACPS	Special Ed Math Co-Teacher	2005-2006
AACPS	Latin Teacher	2004-2005
AACPS	Substitute Teacher	2001-2004
St. Mary's Ch.	Parish Youth Minister	1998-2000
St. Mary's Ch.	Coordinator of Religious Ed	1997-2000
Calvary Meth.	Kindergarten Teacher	1994-1996
Kneseth Israel	Pre-School Teacher	1991-1992
Self-Emp.	Day Care Provider	1985-1991
Self-Emp.	Tutor/Private Practice SLP	1985-2004
PGCPS	Speech/Language Pathologist	1981-1985

Other Relevant Activities/Experience:

Teachers Association of Anne Arundel County	
Board of Directors	2009-Present
Special Ed Task Force	2008-Present
High School Concerns Committee	2005-Present
1 <sup>st</sup> Vice-President, AACPTAs	2010-Present
PTSA President/Annapolis High School	2007-2010
Mayor's Educational Advisory Commission	2006-Present
Chairperson	2006-2009
Annapolis Middle School SIT	1997-Present
Annapolis High PTA, CAC	1998-Present
Annapolis Middle CAC Chair	1998-2002
Hillsmere Elem CAC Chair	1996-2003
Annapolis HS Volunteer	1996-Present
Annapolis MS Volunteer	1998-2006
Hillsmere ES Volunteer	1992-2003
AACRC Mediator/IEP Facilitator	2000-2007

Recognitions:

Mills-King Award for Excellence in Human Relations in Education	2009
<i>What's Up, Annapolis?</i> Volunteer of the Month	2009
<i>The Capital Newspaper</i> Make-A-Difference Day Recognition	1999
Archdiocese of Baltimore Award for Service Outreach	1996



Chartered 1708

Joshua J. Cohen, Mayor  
City of Annapolis  
160 Duke of Gloucester Street  
Annapolis, Maryland 21401

July 13, 2012

To: Alderpersons, City Of Annapolis

From: Mayor Joshua J. Cohen

Re: Building Board of Appeals

Pending your approval I would like to appoint Mr. Matthew S. Evans to the Building Board of Appeals. Mr. Evans is a resident of Ward one and this appointment fills a vacancy on the Commission. His resume is attached.

Matthew S. Evans, III  
181 Duke of Gloucester Street  
Annapolis MD 21401  
410-570-1784

Thank You.

JJC/hrr

<p>Reviewed by: <u>Economic Matters</u></p> <p><input checked="" type="checkbox"/> Favorable      <input type="checkbox"/> Unfavorable</p> <p><u>Spencer M. Paine</u>      <u>10/15/12</u></p> <p>Committee Chair      Date</p>
---

# Matthew S. Evans, III, Esquire, LEED-AP

181 Duke of Gloucester Street  
Annapolis, MD 21401  
(410) 570-1784

## PRACTICE AREA

Drafting, Negotiations and Litigation at the administrative, pretrial, trial, and appellate levels regarding civil litigation, with a focus in Real Estate and Construction law. Real estate and construction contract and litigation expertise founded upon 10 years first hand real estate law and construction law experiences. Source and build teams of legal experts to address client needs.

## EDUCATION

Auburn University, Auburn, Alabama (B.A., 1991)  
Cumberland School of Law of Samford University, Birmingham, Alabama (J.D., 1998).  
The Severn School, Severna Park, Maryland (1987)

## EMPLOYMENT

Council, Baradel, Kosmerl & Nolan, P.A.	Annapolis, Maryland
Associate	1999 – 2007
Partner	2008 - Present

Secured judgments as first-chair in arbitrations, summary judgments and trial  
Litigate high volume revolving docket  
Secured judgments as first-chair on arbitrations, hearings on motion and trial and all other aspects of litigation  
Managed defense litigation of counterclaims against client(s)  
Trial experience; numerous mediations  
Attend hundreds of contested hearings; statewide practice with some travel  
Conducted depositions and drafted and responded to all forms of discovery  
Drafted pleadings, motions and discovery for civil litigation  
Lead contract drafting, review and negotiation in real estate, construction and land development initiatives  
Review real estate transactions  
Litigation: represent companies and individuals in state and federal courts  
Lead informal dispute resolution  
Draft legal memoranda interpreting applicable laws and rules  
Prepare and maintain a library of corporate records  
Drafted, reviewed and negotiated contracts on clients' behalf  
Advised senior management on project legal issues, potential claims and on contract execution

Judicial Clerk to the Honorable Michael E. Loney 5 <sup>th</sup> Clerkship	Judicial Circuit of Maryland August 1998 – August 1999
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Drafted legal opinions  
Coordinated documents, exhibits and discovery for litigation  
Researched and reviewed and prepared legal briefs for Judge  
Extensive litigation trial preparation for Judge  
Researched and analyzed motions  
Prepared orders and other documents for Judge during jury trial / hearings

## Professional

Admitted to practice in Maryland (1999) and the District of Columbia (2002). Admitted to practice before the U.S. District Courts for the District of Maryland (1999) and District of Columbia (2007). Admitted to practice before the U.S. Court of Appeals for the Fourth Circuit (2009)

Leadership in Energy and Environmental Design Accredited Professional (LEED-AP), U.S. Green Building Council, 2009

## Professional Memberships and Associations

- Maryland State Bar Association
  - 5<sup>th</sup> Circuit Rep., Young Lawyers' Section, 2000-2001
  - Co-Chair, Education Committee
  - Young Lawyers' Section, 2001-2002
  - Co-Chair, Disaster Relief Committee
  - Young Lawyer's Section, 2002-2003
  - Co-Chair, Membership Committee, 2004
  - Fellow, Leadership Academy, 2001-2002
  - MICPEL, Editor for the Practice Manual for the Maryland Lawyer Update, 2002 – 2009
- District of Columbia Bar Association
- U.S. District Court for the District of Maryland
- U.S. District Court for the District of Columbia
- Anne Arundel County Bar Association
- Chairman, New Lawyers' Committee, 2000-2001
- Annapolis & Anne Arundel County Chamber of Commerce
- American Bar Association
- Associated Builders and Contractors, Member, 2007-present
- U.S. Green Building Council, Maryland Chapter, Member, 2009-present
- Maryland Residential Green Building Council, Member, 2009-present
- Anne Arundel Commercial & Industrial Association, Member, 2009-present

## SKILLS

- Advanced multi-tasking and time management skills
- Advanced brief writing and drafting experience with proven results
- First chair trial experience
- Proven track record building professional relationships with opposing counsel(s) and courts
- Supervisory experience in law firm setting
- Proprietary database experience
- Proficient in Windows based applications, including Excel, Word, PowerPoint, etc.

## CIVIC/COMMUNITY/MEMBERSHIPS AND ASSOCIATIONS

- Marine Trades Association of Maryland, Board Member, 2002-present (Secretary, 2009 & Treasurer, 2010)
- Scholarships for Scholars, Inc., Board Member 2005-present (Vice-Chairman, 2009 & 2010 & Chairman, 2010-2011)
- City of Annapolis, Comprehensive Plan, Citizens Advisory Committee, 2007
- Ward One Resident's Association Member, 2006-present
- Appointed by Ellen Moyer/Mayor of Annapolis, Maryland to the Parking Advisory Commission 2007



Chartered 1708

Joshua J. Cohen, Mayor  
City of Annapolis  
160 Duke of Gloucester Street  
Annapolis, Maryland 21401

August 9, 2012

To: Alderpersons, City of Annapolis

From: Mayor Joshua J. Cohen

Re: Building Board of Appeals reappointment

Pending your approval, I would like to reappoint Mr. Mark Hall to the Building Board of Appeals. Mr. Hall has served on this board since 2007 and serves as the chair of this board.

Mark Hall  
912 Monroe Street  
Annapolis, MD 21403  
410-263-4752  
mhall@rbuilders.net

Mr. Hall's term will expire on 3/31/2017. A copy of his resume is attached.

Thank You.

JJC/hr

Reviewed by: <u>Economic Matters Committe</u>	
<input checked="" type="checkbox"/> Favorable	<input type="checkbox"/> Unfavorable
 Committee Chair	<u>10/15/12</u> Date

REALISTIC  
  
BUILDERS  
INCORPORATED

*Historic Restoration  
Custom Woodworking  
Remodeling*

**Resume of Mark Hall**

I started in Boat Building School in Lubec, Maine in 1976. I then was working with Paul W. Alden in 1982 as a carpenter and spent a year with him. I worked with C. Robert Bennett for another year. Then, the next year, 1983, I started my own company for remodeling and other general services.

In 1997, Realistic Builders was incorporated and at the present date, I employ 17 men and I am in charge of an average of 5 to 8 jobs at a time in the Historic District and surrounding areas. Recently, I have been awarded two recognitions for homes remodeled in Annapolis, Md. From Historic Annapolis Foundation..

I have successfully completed several custom homes in the area and I am involved with multiple jobs at this time and have a full docket of work till the end of this year. I am a member of the Home Builders Association for building Custom Homes, and since 1987, and have held my license with the State of Maryland Home Improvement Commission with no complaints.

912 Monroe Street  
Annapolis, Maryland 21403  
410-263-4752  
MHIC #17921

JOURNAL VOUCHER

JV # \_\_\_\_\_

# of Lines 1

Expected Totals:

Activity Date 16-Oct-2012

GT-5-2012/3

JE#	Description/Comment	Org	Object	Project	INCREASE	DECREASE
1	Streets Equipment	01410	580000		6,000.00	
2	General Contingency	01960	597100			6,000.00
3						
4						
5						
6						
7						
8						
9						
10						
11						
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14						
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16						
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22						
23						
24						
25						
26						

**EXPLANATION:**

To purchase equipment for sidewalk gum removal

2

3

*[Signature]*  
APPROVED BY

INPUT DATE

Mayor \_\_\_\_\_  
Finance Committee *Ass H. Bennett* 16 Oct 12  
City Council

O; 410-263-7952 x7812 C; 443-822-0423  
[btmiller@annapolis.gov](mailto:btmiller@annapolis.gov)

>>> David Jarrell 9/26/2012 1:27 PM >>>  
Josh,

Yes, they sell the equipment. About \$6000 for one unit. The consumables associated with the equipment are the brushes, detergent, water and power. Operating the equipment is not difficult. Purchasing is certainly a viable option.

David

>>> Joshua Cohen 9/26/2012 12:00 PM >>>  
David, I like it.

What's the possibility of us purchasing the equipment ourselves so that we can do it year-round?

Josh

Joshua J. Cohen, Mayor  
City of Annapolis  
160 Duke of Gloucester Street  
Annapolis, Maryland 21401  
Phone: 410.263.7997 · Fax: 410.216.9284  
Office: [mayor@annapolis.gov](mailto:mayor@annapolis.gov) · Direct: [JJC@annapolis.gov](mailto:JJC@annapolis.gov)

>>> David Jarrell 09/26/12 11:40 AM >>>  
Josh and Mike,

Yesterday, we had a demonstration of a sidewalk gum removal process by a firm called "Gumbusters DC". The process worked amazingly well. It uses high temperature water/steam and non-toxic detergent to remove the gum spots. The removal takes about 5-10 seconds per gum spot, and does not leave residue from the gum. The firm's website is at: <http://gumbustersdc.com/>. I have not been able to find a process that works as well or is as environmentally friendly.

Attached is the cost estimate for gum removal along Main Street, from Church Circle to Green Street. As mentioned in the attached price quote, the \$7565 proposal is higher than expected due to the amount of gum on the sidewalks. I'll be happy to talk with Lisa Craig and Sharon Kennedy about a cost sharing arrangement with the Main Street merchants if you think that is appropriate. I feel that this would be a big benefit to the Clean and Green program, and would like to move forward with ordering the work and discussing funding sources with Bruce. Please let me know if you are supportive of this.

Thanks,  
David

>>> "Duane Cummins" <[dm.cummins@comcast.net](mailto:dm.cummins@comcast.net)> 9/25/2012 8:59 PM >>>  
Great to meet you guys today. Thank you for the workout. For the first visit in a while our number came in a little higher than stated. If we can get on an annual visit the pricing should remain the same for 2013 and

JOURNAL VOUCHER

JV # \_\_\_\_\_

# of Lines 1

Expected Totals:

Activity Date 16-Oct-2012

GT-6-20103

JE#	Description/Comment	Org	Object	Project	INCREASE	DECREASE
1	Law Salaries	01150	511000		23,000.00	
2	General Contingency	01960	597100			23,000.00
3						
4						
5						
6						
7						
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26						

**EXPLANATION:**

To cover salary for Elections Administrative Assistant

2

3

*[Signature]*  
 APPROVED BY

INPUT DATE

Mayor \_\_\_\_\_

Finance Committee

*[Signature]*

16 Oct 12

City Council \_\_\_\_\_

## **Maria Muniz - GT-5-13**

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**From:** Hilary Raftovich  
**To:** Bruce Miller  
**Date:** 10/16/2012 10:54 AM  
**Subject:** GT-5-13  
**CC:** Linda Kline; Maria Muniz; Paul Rensted

---

Hello all.

I need a budget transfer for 23,000 from the contingency reserve to Law (salaries?) for "Elections Administrative Assistant".

This amount will cover the salary but not benefits for this contract position. I have cc'd Paul to ask if this position should receive benefits and if so what the additional cost would be.

Thank  
you.

I will be happy to walk this around for signatures once it is drafted.

Hilary

Hilary Roggio Raftovich  
City Council Liaison  
Office of the Mayor  
City of Annapolis  
160 Duke of Gloucester Street  
Annapolis, Maryland 21401  
410-263-7030 Phone  
410.216.9284 Fax  
[hraftovich@annapolis.gov](mailto:hraftovich@annapolis.gov)

**CITY COUNCIL OF THE CITY OF ANNAPOLIS**

**ORDINANCE NO. O-36-93 AMENDED**

**SPONSORED BY ALDERMAN TURNER**

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**First Reader:** September 13, 1993

**Referred to:** Finance Committee

**Referral Hearing:** September 30, 1993

**Report and Recommendations:** Favorable with amendment

**City Council Hearing:** None

**Amendments Adopted:** February 14, 1994

**Second Reader:** February 14, 1994

**Third Reader:** February 14, 1994

**Effective Date:** February 14, 1994

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**AN ORDINANCE concerning**

**Windsor Avenue**

**FOR** the purpose of authorizing the conveyance of all its rights, title and interest, if any, in and to a strip of ground, being a portion of an unimproved street known as Windsor Avenue, to the adjacent property owner whose property is contiguous to said parcel of ground; providing for the property to be sold at private sale; and all matters relating to said authorization.

**WHEREAS,** Louis Knight has requested the City to convey unto him all of the City's right, title and interest, if any, in and to the portion of the bed of said street contiguous to his property; and

**WHEREAS,** the City Council has determined that said parcel of ground is no longer required for public use; and

**WHEREAS,** Article III, Section 7(b) of the Charter of the City of Annapolis (1986 Edition and Supplement) requires the passage of an ordinance before disposing of any property no longer needed for public use.

**NOW THEREFORE:**

**SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that a portion of the unimproved street known as Windsor Avenue, is declared to be no longer required for public use, and the City Council is hereby authorized to convey all of its right, title, interest, if any, in and to said parcel of ground to the adjacent, abutting property owner, Louis Knight of 1220 Madison Street and Windsor Avenue, in the City of Annapolis, subject to the following conditions:

1. That said purchaser shall cause to be made, at his sole expense, a metes and bounds survey description of each of said parcels of ground and a plat in recordable form, by a registered land surveyor, and submit same to the City's Department of Public Works for review and approval;
2. That said purchaser shall cause a deed for the aforesaid parcel of ground to be prepared at his sole expense, and submit same to the City Attorney for review and approval;
3. That said purchaser shall bear all of the costs in connection with the transfer of said parcel of ground, including attorney's fees, survey expenses, and recordation costs; and
4. That the said parcel of ground shall not be used to create separate building lots; and
5. The purchase price for said property shall be set by a licensed real estate appraiser who shall be chosen by the City of Annapolis and paid by the Purchasers.

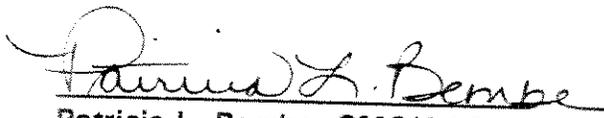
6. \_\_\_\_\_ The City of Annapolis shall retain a fifteen foot storage train easement over the subject property.

**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 14th day of February, 1994.

ATTEST:

THE ANNAPOLIS CITY COUNCIL

  
Patricia L. Bembe, CMC/AAE  
City Clerk

BY:   
ALFRED A. HOPKINS, MAYOR

**EXPLANATION:**

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
((Double Parenthesis)) indicate matter deleted from existing law.  
Underling indicates amendments to the bill.  
~~Strike Out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

**QUIT CLAIM DEED**

THIS QUIT CLAIM DEED is made this \_\_\_\_ day of \_\_\_\_\_, 2011, by and between the City of Annapolis, a municipal corporation of the State of Maryland, Grantor, and **Jacqueline S. Douglas**, Grantee.

WHEREAS, the Grantor has determined that the property which is the subject of this Quit Claim Deed is not needed for any public purpose;

WHEREAS, this Quit Claim Deed is authorized pursuant to Ordinance No. O-36-93 of the City of Annapolis;

NOW, THEREFORE, in consideration of this premise, the sum of \$1.00 and other good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, the Grantor hereby remises, releases and quit claims to the Grantee, her successors and assigns, all right, title and interest, if any, it may have in the property described in Exhibit A attached hereto and designated on Exhibit B attached hereto as **Parcel 3A**, being located adjacent to the Grantee's property at **1224 Madison Street**, Annapolis, Maryland, which the Grantee acquired by Deed recorded among the land records of Anne Arundel County, Maryland, in liber 18792, page 74, subject to a life estate with full powers to Pheautry Douglas; Pheautry Douglas having predeceased the Grantee.

BEING part of Beale Street unimproved, located in the City of Annapolis, Anne Arundel County, State of Maryland, and being shown on a plat entitled "Boucher Woods" recorded among the plat records of Anne Arundel County, Maryland in Plat Book 30, page 97.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and any rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

SUBJECT to a permanent and perpetual utility easement on, over, under, along, across and through all of parcel 3A, which shall allow the Grantor entry to inspect, maintain, repair and replace any existing utilities within parcel 3A, and to construct, inspect, maintain, repair and replace new utilities within parcel 3A which the Grantor, in its sole discretion, determines are in the public interest;

THE GRANTOR declares and affirms under the penalty of perjury that the consideration paid or to be paid for this Quit Claim Deed, including the amount of any mortgage or deed of trust outstanding, is zero.

IN WITNESS WHEREOF, the Grantor has executed this Quit Claim Deed on the date first above written.

ATTEST AS TO ALL:

GRANTOR:

\_\_\_\_\_  
REGINA WATKINS-ELDRIDGE, City Clerk

By: \_\_\_\_\_(SEAL)  
JOSHUA J. COHEN, Mayor

BY: \_\_\_\_\_ (SEAL)  
RICHARD E. ISRAEL, Alderman

BY: \_\_\_\_\_ (SEAL)  
FREDERICK M. PAONE, Alderman

BY: \_\_\_\_\_ (SEAL)  
CLASSIE G. HOYLE, Alderman

BY: \_\_\_\_\_ (SEAL)  
SHEILA M. FINLAYSON, Alderman

BY: \_\_\_\_\_ (SEAL)  
MATTHEW SILVERMAN, Alderman

BY: \_\_\_\_\_ (SEAL)  
KENNETH A. KIRBY, Alderman

BY: \_\_\_\_\_ (SEAL)  
IAN PFEIFFER, Alderman

BY: \_\_\_\_\_ (SEAL)  
ROSS H. ARNETT, III, Alderman

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2011, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared the Mayor and Aldermen of the City of Annapolis, Maryland, known to me or satisfactorily proven to be the persons whose signatures appear above, and they have signed this Quit Claim Deed in my presence and acknowledged that it is their free and voluntary act and the free and voluntary act of the City of Annapolis made for the purposes stated therein.

AS WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

---

Karen M. Hardwick  
City Attorney

---

Date

Pursuant to Annotated Code of Maryland, Real Property Article, Section 3-104, it is certified hereby that this Quit Claim Deed has been prepared by the undersigned, an attorney admitted to practice before the Court of Appeals of Maryland.

---

GARY M. ELSON

**Jacqueline S. Douglas**  
**1224 Madison Street Annapolis MD 21403**  
**06-000-00784465**

Return to: Gary M. Elson  
150 South Street, #200A  
Annapolis, MD 21401

**QUIT CLAIM DEED**

THIS QUIT CLAIM DEED is made this \_\_\_\_ day of \_\_\_\_\_, 2011, by and between the City of Annapolis, a municipal corporation of the State of Maryland, Grantor, and **Laretta Pergerson**, Grantee.

WHEREAS, the Grantor has determined that the property which is the subject of this Quit Claim Deed is not needed for any public purpose;

WHEREAS, this Quit Claim Deed is authorized pursuant to Ordinance No. O-36-93 of the City of Annapolis;

NOW, THEREFORE, in consideration of this premise, the sum of \$1.00 and other good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, the Grantor hereby remises, releases and quit claims to the Grantee, her successors and assigns, all right, title and interest, if any, it may have in the property described in Exhibit A attached hereto and designated on Exhibit B attached hereto as **Parcel 2A**, being located adjacent to the Grantee's property at **1226 Madison Street**, Annapolis, Maryland, which the Grantee acquired with Lenwood K. Pergerson by Deed recorded among the land records of Anne Arundel County, Maryland, in liber 2390, page 167; Lenwood K. Pergerson having predeceased the Grantee.

BEING part of Beale Street unimproved, located in the City of Annapolis, Anne Arundel County, State of Maryland, and being shown on a plat entitled "Boucher Woods" recorded among the plat records of Anne Arundel County, Maryland in Plat Book 30, page 97.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and any rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

SUBJECT to a permanent and perpetual utility easement on, over, under, along, across and through all of parcel 2A, which shall allow the Grantor entry to inspect, maintain, repair and replace any existing utilities within parcel 2A, and to construct, inspect, maintain, repair and replace new utilities within parcel 2A which the Grantor, in its sole discretion, determines are in the public interest;

THE GRANTOR declares and affirms under the penalty of perjury that the consideration paid or to be paid for this Quit Claim Deed, including the amount of any mortgage or deed of trust outstanding, is zero.

IN WITNESS WHEREOF, the Grantor has executed this Quit Claim Deed on the date first above written.

ATTEST AS TO ALL:

GRANTOR:

\_\_\_\_\_  
REGINA WATKINS-ELDRIDGE, City Clerk

By: \_\_\_\_\_(SEAL)  
JOSHUA J. COHEN, Mayor

BY: \_\_\_\_\_ (SEAL)  
RICHARD E. ISRAEL, Alderman

BY: \_\_\_\_\_ (SEAL)  
FREDERICK M. PAONE, Alderman

BY: \_\_\_\_\_ (SEAL)  
CLASSIE G. HOYLE, Alderman

BY: \_\_\_\_\_ (SEAL)  
SHEILA M. FINLAYSON, Alderman

BY: \_\_\_\_\_ (SEAL)  
MATTHEW SILVERMAN, Alderman

BY: \_\_\_\_\_ (SEAL)  
KENNETH A. KIRBY, Alderman

BY: \_\_\_\_\_ (SEAL)  
IAN PFEIFFER, Alderman

BY: \_\_\_\_\_ (SEAL)  
ROSS H. ARNETT, III, Alderman

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I HEREBY CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 2011, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared the Mayor and Aldermen of the City of Annapolis, Maryland, known to me or satisfactorily proven to be the persons whose signatures appear above, and they have signed this Quit Claim Deed in my presence and acknowledged that it is their free and voluntary act and the free and voluntary act of the City of Annapolis made for the purposes stated therein.

AS WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
Karen M. Hardwick  
City Attorney

\_\_\_\_\_  
Date

Pursuant to Annotated Code of Maryland, Real Property Article, Section 3-104, it is certified hereby that this Quit Claim Deed has been prepared by the undersigned, an attorney admitted to practice before the Court of Appeals of Maryland.

\_\_\_\_\_  
GARY M. ELSON

**Laretta Pergerson**  
**1226 Madison Street Annapolis MD 21403**  
**06-000-06141805**

Return to: Gary M. Elson  
150 South Street, #200A  
Annapolis, MD 21401

**QUIT CLAIM DEED**

THIS QUIT CLAIM DEED is made this \_\_\_\_ day of \_\_\_\_\_, 2011, by and between the City of Annapolis, a municipal corporation of the State of Maryland, Grantor, and **Emma C. Carter Estate and Louise Howard**, Grantee.

WHEREAS, the Grantor has determined that the property which is the subject of this Quit Claim Deed is not needed for any public purpose;

WHEREAS, this Quit Claim Deed is authorized pursuant to Ordinance No. O-36-93 of the City of Annapolis;

NOW, THEREFORE, in consideration of this premise, the sum of \$1.00 and other good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, the Grantor hereby remises, releases and quit claims to the Grantee, her successors and assigns, all right, title and interest, if any, it may have in the property described in Exhibit A attached hereto and designated on Exhibit B attached hereto as **Parcel 1A**, being located adjacent to the Grantee's property at **1228 Madison Street**, Annapolis, Maryland, which Emma M. Carter acquired by Joseph L. Carter and Emma M. Carter by Deed recorded among the land records of Anne Arundel County, Maryland, in liber 2354, page 86; Joseph L. Carter having predeceased Emma M. Carter, and Emma M. Carter having died thereafter, and her Estate No. 51649 having deeded the property to Louise V. Howard by deed recorded at Book 21040 page 0482.

BEING part of Beale Street unimproved, located in the City of Annapolis, Anne Arundel County, State of Maryland, and being shown on a plat entitled "Boucher Woods" recorded among the plat records of Anne Arundel County, Maryland in Plat Book 30, page 97.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and any rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

SUBJECT to a permanent and perpetual utility easement on, over, under, along, across and through all of parcel 1A, which shall allow the Grantor entry to inspect, maintain, repair and replace any existing utilities within parcel 1A, and to construct, inspect, maintain, repair and replace new utilities within parcel 1A which the Grantor, in its sole discretion, determines are in the public interest;

THE GRANTOR declares and affirms under the penalty of perjury that the consideration paid or to be paid for this Quit Claim Deed, including the amount of any mortgage or deed of trust outstanding, is zero.

IN WITNESS WHEREOF, the Grantor has executed this Quit Claim Deed on the date first above written.

ATTEST AS TO ALL:

GRANTOR:

\_\_\_\_\_  
REGINA WATKINS-ELDRIDGE, City Clerk

By: \_\_\_\_\_(SEAL)  
JOSHUA J. COHEN, Mayor

BY: \_\_\_\_\_ (SEAL)  
RICHARD E. ISRAEL, Alderman

BY: \_\_\_\_\_ (SEAL)  
FREDERICK M. PAONE, Alderman

BY: \_\_\_\_\_ (SEAL)  
CLASSIE G. HOYLE, Alderman

BY: \_\_\_\_\_ (SEAL)  
SHEILA M. FINLAYSON, Alderman

BY: \_\_\_\_\_ (SEAL)  
MATTHEW SILVERMAN, Alderman

BY: \_\_\_\_\_ (SEAL)  
KENNETH A. KIRBY, Alderman

BY: \_\_\_\_\_ (SEAL)  
IAN PFEIFFER, Alderman

BY: \_\_\_\_\_ (SEAL)  
ROSS H. ARNETT, III, Alderman

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I HEREBY CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 2011, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared the Mayor and Aldermen of the City of Annapolis, Maryland, known to me or satisfactorily proven to be the persons whose signatures appear above, and they have signed this Quit Claim Deed in my presence and acknowledged that it is their free and voluntary act and the free and voluntary act of the City of Annapolis made for the purposes stated therein.

AS WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
Karen M. Hardwick  
City Attorney

\_\_\_\_\_  
Date

Pursuant to Annotated Code of Maryland, Real Property Article, Section 3-104, it is certified hereby that this Quit Claim Deed has been prepared by the undersigned, an attorney admitted to practice before the Court of Appeals of Maryland.

\_\_\_\_\_  
GARY M. ELSON

**Emma C. Carter Estate and Louise Howard  
1228 Madison Street Annapolis MD 21403  
06-000-01247403**

Return to: Gary M. Elson  
150 South Street, #200A  
Annapolis, MD 21401

**QUIT CLAIM DEED**

THIS QUIT CLAIM DEED is made this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by and between the City of Annapolis, a municipal corporation of the State of Maryland, Grantor, and **Jacqueline S. Douglas**, Grantee.

WHEREAS, the Grantor has determined that the property which is the subject of this Quit Claim Deed is not needed for any public purpose;

WHEREAS, this Quit Claim Deed is authorized pursuant to Ordinance No. O-36-93 of the City of Annapolis;

NOW, THEREFORE, in consideration of this premise, the sum of \$1.00 and other good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, the Grantor hereby remises, releases and quit claims to the Grantee, her successors and assigns, all right, title and interest, if any, it may have in the property described in Exhibit A attached hereto and designated on Exhibit B attached hereto as **Parcel 3A**, being located adjacent to the Grantee's property at **1224 Madison Street**, Annapolis, Maryland, which the Grantee acquired by Deed recorded among the land records of Anne Arundel County, Maryland, in liber 18792, page 74, subject to a life estate with full powers to Pheautry Douglas; Pheautry Douglas having predeceased the Grantee.

BEING part of Beale Street unimproved, located in the City of Annapolis, Anne Arundel County, State of Maryland, and being shown on a plat entitled "Boucher Woods" recorded among the plat records of Anne Arundel County, Maryland in Plat Book 30, page 97.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and any rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

SUBJECT to a permanent and perpetual utility easement on, over, under, along, across and through all of parcel 3A, which shall allow the Grantor entry to inspect, maintain, repair and replace any existing utilities within parcel 3A, and to construct, inspect, maintain, repair and replace new utilities within parcel 3A which the Grantor, in its sole discretion, determines are in the public interest;

THE GRANTOR declares and affirms under the penalty of perjury that the consideration paid or to be paid for this Quit Claim Deed, including the amount of any mortgage or deed of trust outstanding, is zero.

IN WITNESS WHEREOF, the Grantor has executed this Quit Claim Deed on the date first above written.

ATTEST AS TO ALL:

GRANTOR:

\_\_\_\_\_  
REGINA WATKINS-ELDRIDGE, City Clerk

By: \_\_\_\_\_ (SEAL)  
JOSHUA J. COHEN, Mayor

BY: \_\_\_\_\_ (SEAL)  
RICHARD E. ISRAEL, Alderman

BY: \_\_\_\_\_ (SEAL)  
FREDERICK M. PAONE, Alderman

BY: \_\_\_\_\_ (SEAL)  
CLASSIE G. HOYLE, Alderman

BY: \_\_\_\_\_ (SEAL)  
SHEILA M. FINLAYSON, Alderman

BY: \_\_\_\_\_ (SEAL)  
MATTHEW SILVERMAN, Alderman

BY: \_\_\_\_\_ (SEAL)  
KENNETH A. KIRBY, Alderman

BY: \_\_\_\_\_ (SEAL)  
IAN PFEIFFER, Alderman

BY: \_\_\_\_\_ (SEAL)  
ROSS H. ARNETT, III, Alderman

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2011, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared the Mayor and Aldermen of the City of Annapolis, Maryland, known to me or satisfactorily proven to be the persons whose signatures appear above, and they have signed this Quit Claim Deed in my presence and acknowledged that it is their free and voluntary act and the free and voluntary act of the City of Annapolis made for the purposes stated therein.

AS WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
Karen M. Hardwick  
City Attorney

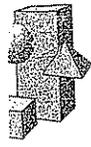
\_\_\_\_\_  
Date

Pursuant to Annotated Code of Maryland, Real Property Article, Section 3-104, it is certified hereby that this Quit Claim Deed has been prepared by the undersigned, an attorney admitted to practice before the Court of Appeals of Maryland.

\_\_\_\_\_  
GARY M. ELSON

**Jacqueline S. Douglas**  
**1224 Madison Street Annapolis MD 21403**  
**06-000-00784465**

Return to: Gary M. Elson  
150 South Street, #200A  
Annapolis, MD 21401



**C.D. Meekins & Associates, Inc.**

Consulting Engineers and Surveyors  
Mailing Address: PO Box 2151 • Annapolis, MD 21404-2151  
Corporate Office Located at: 159 Main Street • Second Floor  
E-Mail Address: meekins@ix.netcom.com  
Website Address: www.cdmeekins.com

Annapolis: 410-267-0744  
Baltimore: 410-269-7807  
Fax: 410-267-0338

EXHIBIT "A"  
**METES & BOUNDS DESCRIPTION**  
**PARCEL 3A**  
**(BEING ACQUIRED FROM THE CITY OF ANNAPOLIS)**

BEGINNING FOR THE SAME AT AN IRON ROD WITH CAP SET WHICH MARKS THE BOUNDARY COMMON TO BEALE STREET, NOW UNIMPROVED, LOT 3 AND LOT 4, SAID LOTS BEING SHOWN ON THE PLAT ENTITLED, "BOUCHER WOODS" AND RECORDED AMONG THE PLAT RECORDS OF ANNE ARUNDEL COUNTY IN PLAT BOOK 30, FOLIO 97. THENCE FROM THE POINT OF BEGINNING SO FIXED AND LEAVING SAID LOT 4 AND BINDING ON THE BOUNDARY LINE COMMON TO LOT 3 AND BEALE STREET, UNIMPROVED AND WITH ALL BEARINGS REFERENCED TO THE CITY OF ANNAPOLIS COORDINATE SYSTEM BY WAY OF DIRECT TIES TO THE CITY OF ANNAPOLIS MONUMENTS NO. 18495 AND NO. 18496, EACH BEING A BRASS ROD FOUND IN THE CURBS AT THE NORTHWEST SIDE OF BOUCHER AVENUE AND THE SOUTHWEST SIDE OF PRESIDENT STREET AND THE CURBS AT THE SOUTHEAST SIDE OF BOUCHER AVENUE AND THE NORTHEAST SIDE OF JEFFERSON STREET, RESPECTIVELY

1. NORTH 24° 02' 17" WEST, 60.00 FT. TO AN IRON ROD WITH CAP SET WHICH MARKS A BOUNDARY COMMON TO LOT 2, LOT 3 AND BEALE STREET, UNIMPROVED; THENCE LEAVING SAID LAST MENTIONED POINT AND CROSSING BEALE STREET, UNIMPROVED, FOR A LINE OF DIVISION AS NOW ESTABLISHED AND BINDING ON THE PROLONGATION OF THE DIVISION LINE BETWEEN LOT 2 AND LOT 3
2. NORTH 65° 57' 43" EAST, 30.17 FT. TO AN IRON ROD WITH CAP SET AND TO INTERSECT THE SOUTHWESTERNMOST BOUNDARY LINE DESCRIBED IN THAT CONVEYANCE FROM LONERGAN PROPERTIES, L.L.C., A MARYLAND LIMITED LIABILITY COMPANY TO BASHEER/EDGEMOORE-LONERGAN, L.L.C., BY DEED DATED THE 28<sup>TH</sup> DAY OF APRIL, 2005 AND RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY IN BOOK 16458, PAGE 0018; THENCE BINDING ON PART OF SAID LAST MENTIONED SOUTHWESTERNMOST BOUNDARY LINE AND BINDING ON NORTHEASTERNMOST SIDE OF BEALE STREET, UNIMPROVED
3. SOUTH 23° 56' 49" EAST, 60.00 FT. TO AN IRON ROD WITH CAP SET AND TO INTERSECT THE PROLONGATION OF THE DIVISION LINE BETWEEN LOT 3 AND LOT 4, BOUCHER WOODS; THENCE LEAVING SAID CONVEYANCE FROM LONERGAN PROPERTIES, L.L.C., CROSSING SAID BEALE STREET, UNIMPROVED, FOR A LINE OF DIVISION AS NOW ESTABLISHED AND BINDING ON SAID LAST MENTIONED PROLONGATION, REVERSELY
4. SOUTH 65° 57' 43" WEST, 30.08 FT. TO THE POINT OF BEGINNING. CONTAINING 1,807 SQ. FT., MORE OR LESS, OR 0.04149 OF AN ACRE, MORE OR LESS, WITHIN THE BOUNDS OF THIS DESCRIPTION ACCORDING TO A SURVEY AND PLAT PREPARED BY C.D. MEEKINS & ASSOCIATES, INC., CONSULTING ENGINEERS AND SURVEYORS.

BEING AND INTENDED TO BE ALL OF THE FULL WIDTH PORTION OF BEALE STREET, UNIMPROVED LYING AND BEING BETWEEN THE PROLONGATION OF THE SIDE BOUNDARY LINES OF LOT 3, "BOUCHER WOODS".

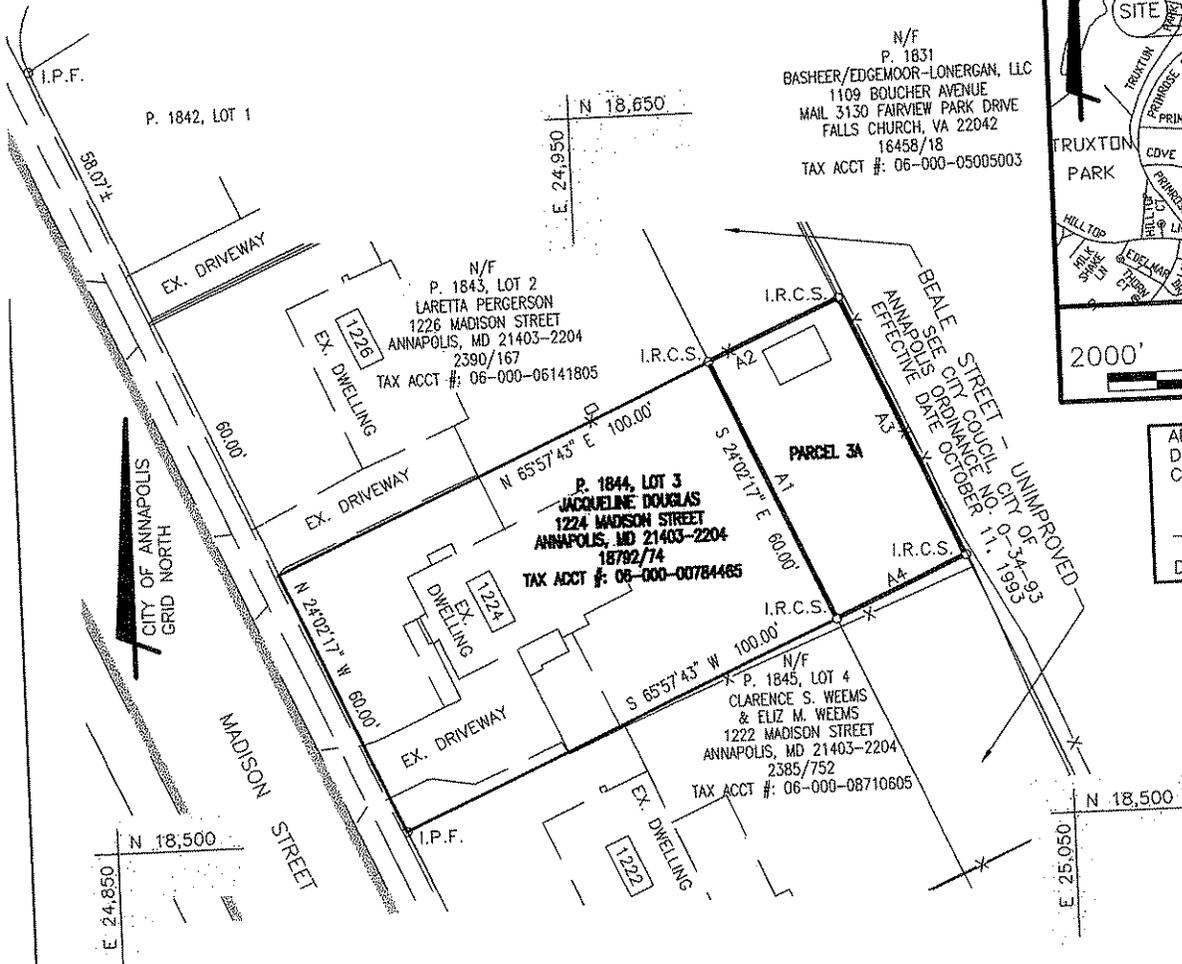
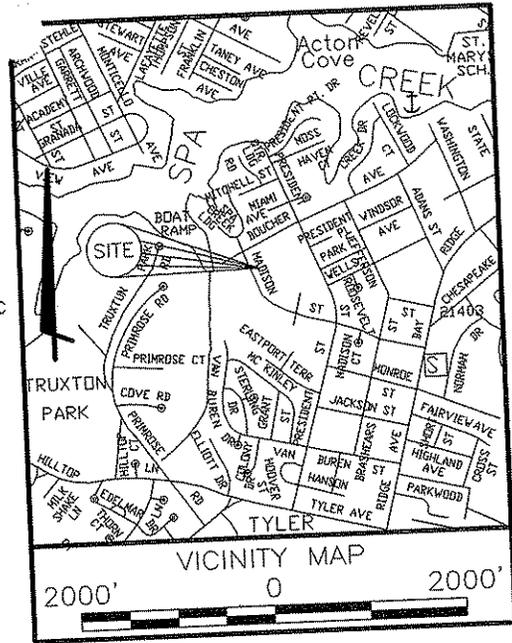


5.29.08

**PARCEL 3A**

LINE	BEARING	DISTANCE	LATITUDE	LONGITUDE
A1	N 24°02'17" W	60.00'	18597.681	24977.431
A2	N 65°57'43" E	30.17'	18609.971	25004.985
A3	S 23°56'49" E	60.00'	18555.135	25029.338
A4	S 65°57'43" W	30.08'	18542.884	25001.871

AREA = 1,807 S.F.± / 0.04149 AC±



N/F  
 P. 1831  
 BASHEER/EDGEMOOR-LONERGAN, LLC  
 1109 BOUCHER AVENUE  
 FALLS CHURCH, VA 22042  
 18458/18  
 TAX ACCT #: 06-000-05005003

N/F  
 P. 1843, LOT 2  
 LARETTA PERGERSON  
 1226 MADISON STREET  
 ANNAPOLIS, MD 21403-2204  
 2390/167  
 TAX ACCT #: 06-000-06141805

P. 1844, LOT 3  
 JACQUELINE DOUGLAS  
 1224 MADISON STREET  
 ANNAPOLIS, MD 21403-2204  
 18782/74  
 TAX ACCT #: 06-000-00784485

N/F  
 P. 1845, LOT 4  
 CLARENCE S. WEEMS  
 & ELIZ M. WEEMS  
 1222 MADISON STREET  
 ANNAPOLIS, MD 21403-2204  
 2385/752  
 TAX ACCT #: 06-000-08710605

APPROVED:  
 DEPARTMENT OF PUBLIC WORKS  
 CITY OF ANNAPOLIS, MARYLAND

\_\_\_\_\_  
 DIRECTOR OF PUBLIC WORKS

DATE \_\_\_\_\_

FOR REF. SEE:  
 DEED BOOK 1879, PAGE 167.  
 PLAT BOOK 30, PAGE 97.

I.P.F. INDICATES IRON PIPE FOUND.  
 I.R.C.S. INDICATES IRON ROD W/CAP SET.

BEARINGS SHOWN HEREON ARE BASED UPON THE CITY OF ANNAPOLIS COORDINATE SYSTEM BY WAY OF DIRECT TIES TO COORDINATE STATION NO. 18495 AND COORDINATE STATION NO. 18496, EACH BEING A BRASS ROD FOUND IN THE EXISTING PAVING OF BOUCHER AVENUE, ALL AS SHOWN ON ANNAPOLIS PUBLIC WORKS ENGINEERING AND CONSTRUCTION COORDINATE RECORD CARDS.

**FLOOD HAZARD ZONE STATEMENT**

THE PARCEL OF LAND SHOWN HEREON IS LOCATED WITHIN ZONE C, (AREA OF MINIMAL FLOODING) AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP: 240008 0043 C, EFFECTIVE DATE: MAY 2, 1983.

THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, WHICH MAY REVEAL ADDITIONAL CONVEYANCES, EASEMENTS, RIGHTS-OF-WAY OR BUILDING RESTRICTION LINES NOT SHOWN HEREON.

**SURVEYOR'S CERTIFICATION**

THIS IS TO CERTIFY TO JACQUELINE DOUGLAS THAT THIS BOUNDARY SURVEY, TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION, MEETS THE MINIMUM STANDARDS OF PRACTICE AS NOW ADOPTED BY THE BOARD FOR PROFESSIONAL LAND SURVEYORS.



C. DOUGLAS MEEKINS MD. NO. 9153 DATE 5-29-08  
 PROFESSIONAL LAND SURVEYOR

**C. D. MEEKINS & ASSOCIATES, INC.**  
 CONSULTING ENGINEERS & SURVEYORS  
 159 MAIN STREET SECOND FLOOR, P.O. BOX 2151  
 ANNAPOLIS, MARYLAND 21404-2151  
 PHONE: 410-267-0744

**PORTION OF BEALE STREET ACQUISITION**  
 1224 MADISON STREET  
 ANNAPOLIS, 21403-2204  
 TAX MAP 51F, GRID 18, PARCEL 1844, LOT 3  
 6TH ASSESSMENT DIST., ANNE ARUNDEL COUNTY, MARYLAND

SCALE: AS SHOWN DATE: 5-29-08 JOB NO. 07-7036

CGM: 07-7036

**QUIT CLAIM DEED**

THIS QUIT CLAIM DEED is made this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by and between the City of Annapolis, a municipal corporation of the State of Maryland, Grantor, and **Laretta Pergerson**, Grantee.

WHEREAS, the Grantor has determined that the property which is the subject of this Quit Claim Deed is not needed for any public purpose;

WHEREAS, this Quit Claim Deed is authorized pursuant to Ordinance No. O-36-93 of the City of Annapolis;

NOW, THEREFORE, in consideration of this premise, the sum of \$1.00 and other good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, the Grantor hereby remises, releases and quit claims to the Grantee, her successors and assigns, all right, title and interest, if any, it may have in the property described in Exhibit A attached hereto and designated on Exhibit B attached hereto as **Parcel 2A**, being located adjacent to the Grantee's property at **1226 Madison Street**, Annapolis, Maryland, which the Grantee acquired with Lenwood K. Pergerson by Deed recorded among the land records of Anne Arundel County, Maryland, in liber 2390, page 167; Lenwood K. Pergerson having predeceased the Grantee.

BEING part of Beale Street unimproved, located in the City of Annapolis, Anne Arundel County, State of Maryland, and being shown on a plat entitled "Boucher Woods" recorded among the plat records of Anne Arundel County, Maryland in Plat Book 30, page 97.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and any rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

SUBJECT to a permanent and perpetual utility easement on, over, under, along, across and through all of parcel 2A, which shall allow the Grantor entry to inspect, maintain, repair and replace any existing utilities within parcel 2A, and to construct, inspect, maintain, repair and replace new utilities within parcel 2A which the Grantor, in its sole discretion, determines are in the public interest;

THE GRANTOR declares and affirms under the penalty of perjury that the consideration paid or to be paid for this Quit Claim Deed, including the amount of any mortgage or deed of trust outstanding, is zero.

IN WITNESS WHEREOF, the Grantor has executed this Quit Claim Deed on the date first above written.

ATTEST AS TO ALL:

GRANTOR:

\_\_\_\_\_  
REGINA WATKINS-ELDRIDGE, City Clerk

By: \_\_\_\_\_ (SEAL)  
JOSHUA J. COHEN, Mayor

BY: \_\_\_\_\_ (SEAL)  
RICHARD E. ISRAEL, Alderman

BY: \_\_\_\_\_ (SEAL)  
FREDERICK M. PAONE, Alderman

BY: \_\_\_\_\_ (SEAL)  
CLASSIE G. HOYLE, Alderman

BY: \_\_\_\_\_ (SEAL)  
SHEILA M. FINLAYSON, Alderman

BY: \_\_\_\_\_ (SEAL)  
MATTHEW SILVERMAN, Alderman

BY: \_\_\_\_\_ (SEAL)  
KENNETH A. KIRBY, Alderman

BY: \_\_\_\_\_ (SEAL)  
IAN PFEIFFER, Alderman

BY: \_\_\_\_\_ (SEAL)  
ROSS H. ARNETT, III, Alderman

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2011, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared the Mayor and Aldermen of the City of Annapolis, Maryland, known to me or satisfactorily proven to be the persons whose signatures appear above, and they have signed this Quit Claim Deed in my presence and acknowledged that it is their free and voluntary act and the free and voluntary act of the City of Annapolis made for the purposes stated therein.

AS WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
Karen M. Hardwick  
City Attorney

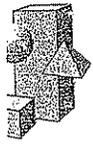
\_\_\_\_\_  
Date

Pursuant to Annotated Code of Maryland, Real Property Article, Section 3-104, it is certified hereby that this Quit Claim Deed has been prepared by the undersigned, an attorney admitted to practice before the Court of Appeals of Maryland.

\_\_\_\_\_  
GARY M. ELSON

**Laretta Pergerson  
1226 Madison Street Annapolis MD 21403  
06-000-06141805**

Return to: Gary M. Elson  
150 South Street, #200A  
Annapolis, MD 21401



# C.D. Meekins & Associates, Inc.

Consulting Engineers and Surveyors  
Mailing Address: PO Box 2151 • Annapolis, MD 21404-2151  
Corporate Office Located at: 159 Main Street • Second Floor  
E-Mail Address: meekins@ix.netcom.com  
Website Address: www.cdmeekins.com

Annapolis: 410-267-0744  
Baltimore: 410-269-7807  
Fax: 410-267-0338

EXHIBIT "A"  
METES & BOUNDS DESCRIPTION  
PARCEL 2A  
(BEING ACQUIRED FROM THE CITY OF ANNAPOLIS)

BEGINNING FOR THE SAME AT AN IRON ROD WITH CAP SET WHICH MARKS THE BOUNDARY COMMON TO BEALE STREET, NOW UNIMPROVED, LOT 2 AND LOT 3, SAID LOTS BEING SHOWN ON THE PLAT ENTITLED, "BOUCHER WOODS" AND RECORDED AMONG THE PLAT RECORDS OF ANNE ARUNDEL COUNTY IN PLAT BOOK 30, FOLIO 97. THENCE FROM THE POINT OF BEGINNING SO FIXED AND LEAVING SAID LOT 3 AND BINDING ON THE BOUNDARY LINE COMMON TO LOT 2 AND BEALE STREET, UNIMPROVED AND WITH ALL BEARINGS REFERENCED TO THE CITY OF ANNAPOLIS COORDINATE SYSTEM BY WAY OF DIRECT TIES TO THE CITY OF ANNAPOLIS MONUMENTS NO. 18495 AND NO. 18496, EACH BEING A BRASS ROD FOUND IN THE CURBS AT THE NORTHWEST SIDE OF BOUCHER AVENUE AND THE SOUTHWEST SIDE OF PRESIDENT STREET AND THE CURBS AT THE SOUTHEAST SIDE OF BOUCHER AVENUE AND THE NORTHEAST SIDE OF JEFFERSON STREET, RESPECTIVELY

1. NORTH 24° 02' 17" WEST, 60.00 FT. TO AN IRON ROD WITH CAP SET WHICH MARKS A BOUNDARY COMMON TO LOT 1, LOT 2 AND BEALE STREET, UNIMPROVED; THENCE LEAVING SAID LAST MENTIONED POINT AND CROSSING BEALE STREET, UNIMPROVED, FOR A LINE OF DIVISION AS NOW ESTABLISHED AND BINDING ON THE PROLONGATION OF THE DIVISION LINE BETWEEN LOT 1 AND LOT 2
2. NORTH 65° 57' 43" EAST, 30.27 FT. TO AN IRON ROD WITH CAP SET AND TO INTERSECT THE SOUTHWESTERNMOST BOUNDARY LINE OF PARCEL A DESCRIBED IN THAT CONVEYANCE FROM LONERGAN PROPERTIES, L.L.C., A MARYLAND LIMITED LIABILITY COMPANY TO BASHEER/EDGEMOORE-LONERGAN, L.L.C., BY DEED DATED THE 28<sup>TH</sup> DAY OF APRIL, 2005 AND RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY IN BOOK 16458, PAGE 0018; THENCE BINDING ON PART OF SAID LAST MENTIONED SOUTHWESTERNMOST BOUNDARY LINE AND BINDING ON NORTHEASTERNMOST SIDE OF BEALE STREET, UNIMPROVED
3. SOUTH 23° 56' 49" EAST, 60.00 FT. TO AN IRON ROD WITH CAP SET AND TO INTERSECT THE PROLONGATION OF THE DIVISION LINE BETWEEN LOT 2 AND LOT 3, BOUCHER WOODS; THENCE LEAVING SAID CONVEYANCE FROM LONERGAN PROPERTIES, L.L.C., CROSSING SAID BEALE STREET, UNIMPROVED, FOR A LINE OF DIVISION AS NOW ESTABLISHED AND BINDING ON SAID LAST MENTIONED PROLONGATION, REVERSELY
4. SOUTH 65° 57' 43" WEST, 30.17 FT. TO THE POINT OF BEGINNING. CONTAINING 1,813 SQ. FT., MORE OR LESS, OR 0.04162 OF AN ACRE, MORE OR LESS, WITHIN THE BOUNDS OF THIS DESCRIPTION ACCORDING TO A SURVEY AND PLAT PREPARED BY C.D. MEEKINS & ASSOCIATES, INC., CONSULTING ENGINEERS AND SURVEYORS.

BEING AND INTENDED TO BE ALL OF THE FULL WIDTH PORTION OF BEALE STREET, UNIMPROVED LYING AND BEING BETWEEN THE PROLONGATION OF THE SIDE BOUNDARY LINES OF LOT 2, "BOUCHER WOODS".

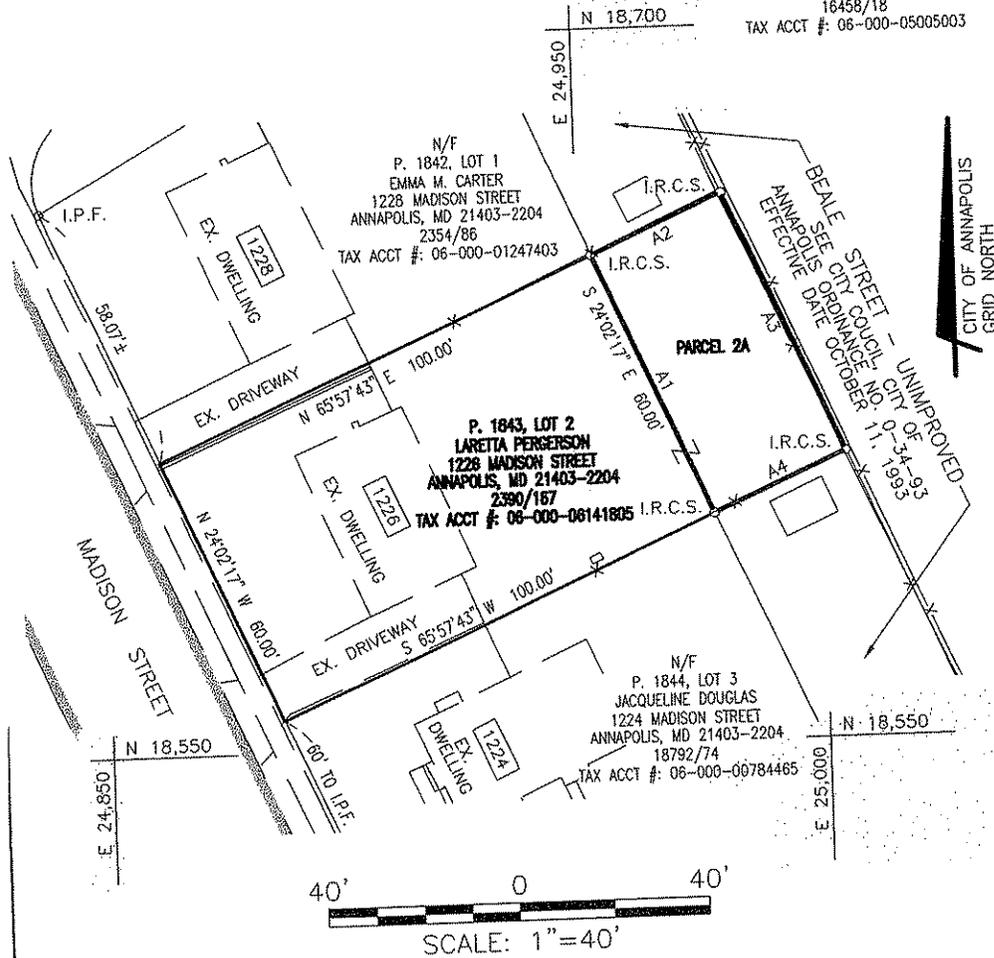
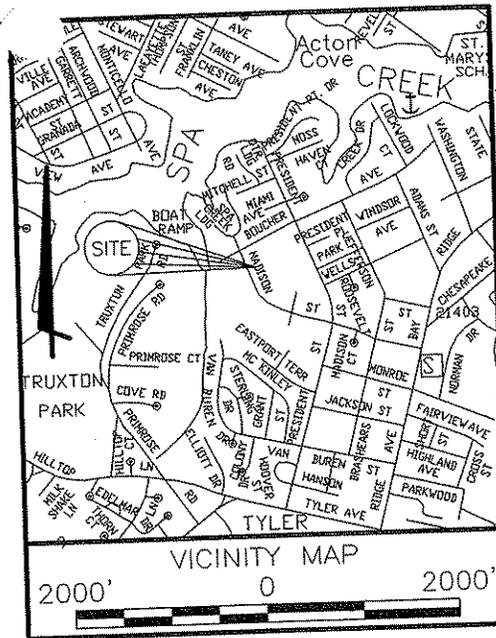


5.29.08

PARCEL 2A				
LINE	BEARING	DISTANCE	LATITUDE	LONGITUDE
1	N 24°02'17" W	60.00'	18652.477	24952.990
2	N 65°57'43" E	30.27'	18664.806	24980.631
3	S 23°56'49" E	60.00'	18609.971	25004.985
4	S 65°57'43" W	30.17'	18597.681	24977.431

AREA = 1,813 S.F.± / 0.04162 AC±

N/F  
P. 1831  
BASHEER/EDGEMOOR-LONERGAN, LLC  
1109 BOUCHER AVENUE  
MAIL 3130 FAIRVIEW PARK DRIVE  
FALLS CHURCH, VA 22042  
18458/18  
TAX ACCT #: 06-000-05005003



APPROVED:  
DEPARTMENT OF PUBLIC WORKS  
CITY OF ANNAPOLIS, MARYLAND

DATE \_\_\_\_\_  
DIRECTOR OF PUBLIC WORKS

FOR REF. SEE:  
DEED BOOK 2390, PAGE 167.  
PLAT BOOK 30, PAGE 97.

I.P.F. INDICATES IRON PIPE FOUND.  
I.R.C.S. INDICATES IRON ROD W/CAP SET.

BEARINGS SHOWN HEREON ARE BASED UPON THE CITY OF ANNAPOLIS COORDINATE SYSTEM BY WAY OF DIRECT TIES TO COORDINATE STATION NO. 18495 AND COORDINATE STATION NO. 18496, EACH BEING A BRASS ROD FOUND IN THE EXISTING PAVING OF BOUCHER AVENUE, ALL AS SHOWN ON ANNAPOLIS PUBLIC WORKS ENGINEERING AND CONSTRUCTION COORDINATE RECORD CARDS.

**FLOOD HAZARD ZONE STATEMENT**

THE PARCEL OF LAND SHOWN HEREON IS LOCATED WITHIN ZONE C, (AREA OF MINIMAL FLOODING) AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP: 240008 0043 C, EFFECTIVE DATE: MAY 2, 1983.

THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, WHICH MAY REVEAL ADDITIONAL CONVEYANCES, EASEMENTS, RIGHTS-OF-WAY OR BUILDING RESTRICTION LINES NOT SHOWN HEREON.

**SURVEYOR'S CERTIFICATION**

THIS IS TO CERTIFY TO LARETTA PERGERSON THAT THIS BOUNDARY SURVEY, TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION, MEETS THE MINIMUM STANDARDS OF PRACTICE AS NOW ADOPTED BY THE BOARD FOR PROFESSIONAL LAND SURVEYORS.

**STATE OF MARYLAND**  
**DOUGLAS MEEKINS**  
**PROFESSIONAL LAND SURVEYOR**  
No. 9153  
5-29-08

C. DOUGLAS MEEKINS, No. 9153, DATE  
PROFESSIONAL LAND SURVEYOR

**C. D. MEEKINS & ASSOCIATES, INC.**

CONSULTING ENGINEERS & SURVEYORS  
159 MAIN STREET SECOND FLOOR, P.O. BOX 2151  
ANNAPOLIS, MARYLAND 21404-2151  
PHONE: 410-267-0744

**PORTION OF BEALE STREET ACQUISITION**

1226 MADISON STREET  
ANNAPOLIS, 21403-2204  
TAX MAP 51F, GRID 18, PARCEL 1843, LOT 2  
6TH ASSESSMENT DIST., ANNE ARUNDEL COUNTY, MARYLAND

SCALE: AS SHOWN DATE: 5-29-08 JOB NO. 08-7041

**QUIT CLAIM DEED**

THIS QUIT CLAIM DEED is made this \_\_\_\_ day of \_\_\_\_\_, 2011, by and between the City of Annapolis, a municipal corporation of the State of Maryland, Grantor, and **Emma C. Carter Estate and Louise Howard**, Grantee.

WHEREAS, the Grantor has determined that the property which is the subject of this Quit Claim Deed is not needed for any public purpose;

WHEREAS, this Quit Claim Deed is authorized pursuant to Ordinance No. O-36-93 of the City of Annapolis;

NOW, THEREFORE, in consideration of this premise, the sum of \$1.00 and other good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, the Grantor hereby remises, releases and quit claims to the Grantee, her successors and assigns, all right, title and interest, if any, it may have in the property described in Exhibit A attached hereto and designated on Exhibit B attached hereto as **Parcel 1A**, being located adjacent to the Grantee's property at **1228 Madison Street**, Annapolis, Maryland, which Emma M. Carter acquired by Joseph L. Carter and Emma M. Carter by Deed recorded among the land records of Anne Arundel County, Maryland, in liber 2354, page 86; Joseph L. Carter having predeceased Emma M. Carter, and Emma M. Carter having died thereafter, and her Estate No. 51649 having deeded the property to Louise V. Howard by deed recorded at Book 21040 page 0482.

BEING part of Beale Street unimproved, located in the City of Annapolis, Anne Arundel County, State of Maryland, and being shown on a plat entitled "Boucher Woods" recorded among the plat records of Anne Arundel County, Maryland in Plat Book 30, page 97.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and any rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

SUBJECT to a permanent and perpetual utility easement on, over, under, along, across and through all of parcel 1A, which shall allow the Grantor entry to inspect, maintain, repair and replace any existing utilities within parcel 1A, and to construct, inspect, maintain, repair and replace new utilities within parcel 1A which the Grantor, in its sole discretion, determines are in the public interest;

THE GRANTOR declares and affirms under the penalty of perjury that the consideration paid or to be paid for this Quit Claim Deed, including the amount of any mortgage or deed of trust outstanding, is zero.

IN WITNESS WHEREOF, the Grantor has executed this Quit Claim Deed on the date first above written.

ATTEST AS TO ALL:

GRANTOR:

\_\_\_\_\_  
REGINA WATKINS-ELDRIDGE, City Clerk

By: \_\_\_\_\_ (SEAL)  
JOSHUA J. COHEN, Mayor

BY: \_\_\_\_\_ (SEAL)  
RICHARD E. ISRAEL, Alderman

BY: \_\_\_\_\_ (SEAL)  
FREDERICK M. PAONE, Alderman

BY: \_\_\_\_\_ (SEAL)  
CLASSIE G. HOYLE, Alderman

BY: \_\_\_\_\_ (SEAL)  
SHEILA M. FINLAYSON, Alderman

BY: \_\_\_\_\_ (SEAL)  
MATTHEW SILVERMAN, Alderman

BY: \_\_\_\_\_ (SEAL)  
KENNETH A. KIRBY, Alderman

BY: \_\_\_\_\_ (SEAL)  
IAN PFEIFFER, Alderman

BY: \_\_\_\_\_ (SEAL)  
ROSS H. ARNETT, III, Alderman

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2011, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared the Mayor and Aldermen of the City of Annapolis, Maryland, known to me or satisfactorily proven to be the persons whose signatures appear above, and they have signed this Quit Claim Deed in my presence and acknowledged that it is their free and voluntary act and the free and voluntary act of the City of Annapolis made for the purposes stated therein.

AS WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
Karen M. Hardwick  
City Attorney

\_\_\_\_\_  
Date

Pursuant to Annotated Code of Maryland, Real Property Article, Section 3-104, it is certified hereby that this Quit Claim Deed has been prepared by the undersigned, an attorney admitted to practice before the Court of Appeals of Maryland.

\_\_\_\_\_  
GARY M. ELSON

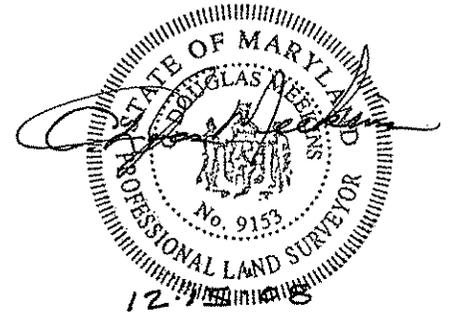
**Emma C. Carter Estate and Louise Howard  
1228 Madison Street Annapolis MD 21403  
06-000-01247403**

Return to: Gary M. Elson  
150 South Street, #200A  
Annapolis, MD 21401



**C.D. MEEKINS & ASSOCIATES, INC.**  
*Consulting Engineers and Surveyors*  
 Mailing Address: P.O. Box 2151 • Annapolis, MD 21404-2151  
 Corporate Office Located at: 159 Main Street • Second Floor  
 Web Site: [www.CDMEEKINS.com](http://www.CDMEEKINS.com)

Annapolis: 410-267-0744  
 Baltimore: 410-269-7807  
 Fax: 410-267-0338



**EXHIBIT "A"**  
**METES & BOUNDS DESCRIPTION**  
**PARCEL 1A**  
**(BEING ACQUIRED FROM THE CITY OF ANNAPOLIS)**

BEGINNING FOR THE SAME AT AN IRON ROD WITH CAP SET WHICH MARKS THE BOUNDARY COMMON TO BEALE STREET, NOW UNIMPROVED, LOT 1 AND LOT 2, SAID LOTS BEING SHOWN ON THE PLAT ENTITLED, "BOUCHER WOODS" AND RECORDED AMONG THE PLAT RECORDS OF ANNE ARUNDEL COUNTY IN PLAT BOOK 30, FOLIO 97. THENCE FROM THE POINT OF BEGINNING SO FIXED AND LEAVING SAID LOT 2 AND BINDING ON THE BOUNDARY LINE COMMON TO LOT 1 AND BEALE STREET, UNIMPROVED AND WITH ALL BEARINGS REFERENCED TO THE CITY OF ANNAPOLIS COORDINATE SYSTEM BY WAY OF DIRECT TIES TO THE CITY OF ANNAPOLIS MONUMENTS NO. 18495 AND NO. 18496, EACH BEING A BRASS ROD FOUND IN THE CURBS AT THE NORTHWEST SIDE OF BOUCHER AVENUE AND THE SOUTHWEST SIDE OF PRESIDENT STREET AND THE CURBS AT THE SOUTHEAST SIDE OF BOUCHER AVENUE AND THE NORTHEAST SIDE OF JEFFERSON STREET, RESPECTIVELY

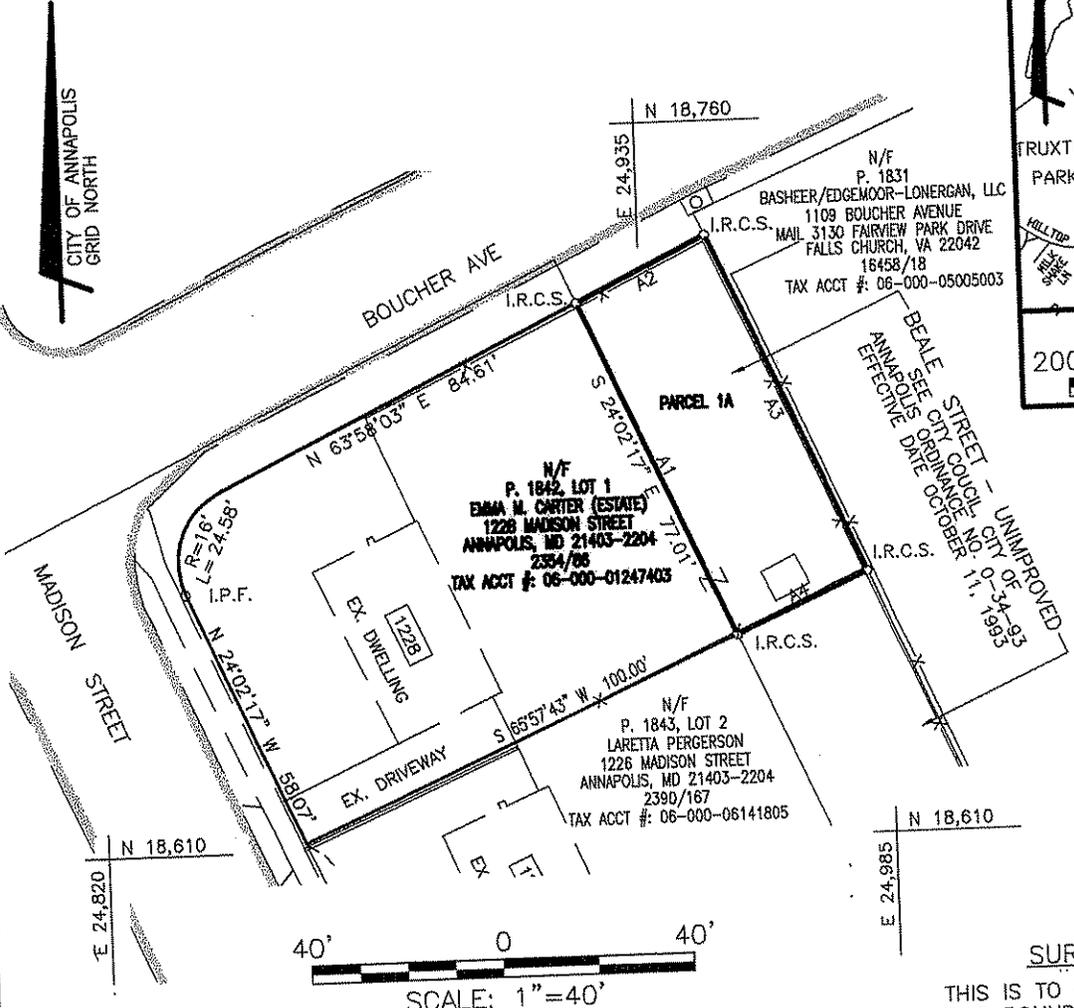
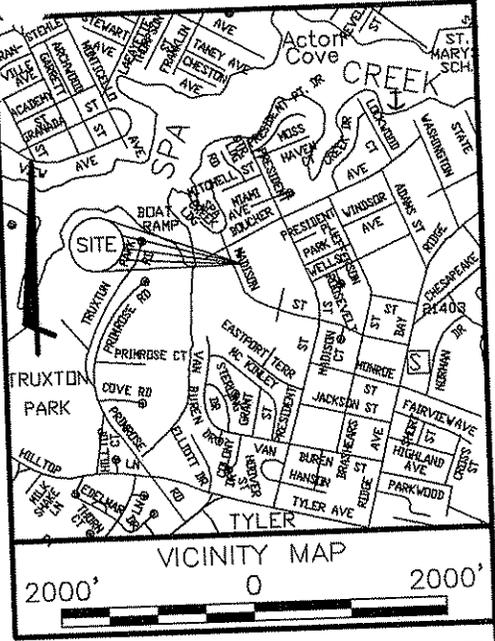
1. NORTH 24° 02' 17" WEST, 77.01 FT. TO AN IRON ROD WITH CAP SET WHICH MARKS A BOUNDARY COMMON TO LOT 1, BOUCHER AVENUE AND BEALE STREET, UNIMPROVED; THENCE LEAVING SAID LAST MENTIONED POINT AND ALONG BOUCHER AVENUE AND BEALE STREET, UNIMPROVED, FOR A LINE OF DIVISION AS NOW ESTABLISHED AND BINDING ON THE PROLONGATION OF THE DIVISION LINE OF LOT 1
2. NORTH 63° 58' 03" EAST, 30.41 FT. TO AN IRON ROD WITH CAP SET AND TO INTERSECT THE SOUTHWESTERNMOST BOUNDARY LINE AS DESCRIBED IN THAT CONVEYANCE FROM LONERGAN PROPERTIES, L.L.C., A MARYLAND LIMITED LIABILITY COMPANY TO BASHEER/EDGEMOORE-LONERGAN, L.L.C., BY DEED DATED THE 28<sup>TH</sup> DAY OF APRIL, 2005 AND RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY IN BOOK 16458, PAGE 0018; THENCE BINDING ON PART OF SAID LAST MENTIONED SOUTHWESTERNMOST BOUNDARY LINE AND BINDING ON NORTHEASTERNMOST SIDE OF BEALE STREET, UNIMPROVED
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**PARCEL 1A**

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3	S 23°56'49" E	78.07'	18736.153	24948.944
4	S 65°57'43" W	30.27'	18664.808	24980.635

AREA = 2,351 S.F.± / 0.0540 AC±

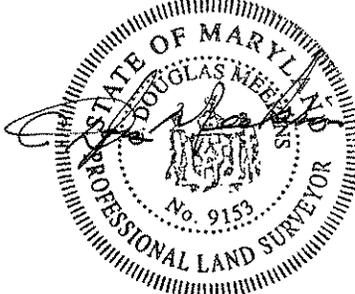


APPROVED:  
 DEPARTMENT OF PUBLIC WORKS  
 CITY OF ANNAPOLIS, MARYLAND

DATE \_\_\_\_\_  
 DIRECTOR OF PUBLIC WORKS

**SURVEYOR'S CERTIFICATION**

THIS IS TO CERTIFY TO LOUISE HOWARD THAT THIS BOUNDARY SURVEY, TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION, MEETS THE MINIMUM STANDARDS OF PRACTICE AS NOW ADOPTED BY THE BOARD FOR PROFESSIONAL LAND SURVEYORS.



12-15-08

C. DOUGLAS MEEKINS MD. NO. 9153 DATE  
 PROFESSIONAL LAND SURVEYOR

FOR REF. SEE:  
 DEED BOOK 2354, PAGE 86.  
 PLAT BOOK 30, PAGE 97.

INDICATES IRON PIPE FOUND.  
 INDICATES IRON ROD W/CAP SET.

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 CONSULTING ENGINEERS & SURVEYORS  
 159 MAIN STREET SECOND FLOOR, P.O. BOX 215192  
 ANNAPOLIS, MARYLAND 21404-2151  
 PHONE: 410-267-0744

**PORTION OF BEALE STREET ACQUISITION**  
 1228 MADISON STREET  
 ANNAPOLIS, 21403-2204  
 TAX MAP 51F, GRID 18, PARCEL 1842, LOT 1  
 6TH ASSESSMENT DIST., ANNE ARUNDEL COUNTY, MARYLAND

SCALE: AS SHOWN | DATE: 12-15-08 | JOB NO. 08-7083