

CCRABL Recommendations Sorted by Department Responsible

#	Recommendation	City Council Committee			Dept.	Staff	Status	Leg Req.
25	The APD be required to provide ABCB with monthly and/or quarterly reports.	Public Safety	Rules		APD	Pristoop	APD will provide quarterly reports to ABCB of enforcement and/or proactive initiatives. <i>10/26/2010 Chief Pristoop</i>	N
26	The APD provide increased police staffing on Friday and Saturday nights, and/or when otherwise appropriate in areas with high concentrations of alcohol licenses.	Public Safety			APD	Pristoop	APD will continue to provide sufficient police officers on Friday and Saturday evenings and when appropriate. Typical staffing in bar zone includes Patrol officer(s), 4 or more "uniform Flex" officers on foot in bar area and surrounding neighborhoods, Administrative personnel walking foot in adjacent neighborhoods and also bicycle patrol. Enhanced presence usually from 11pm-3am. <i>10/26/2010 Chief Pristoop</i>	N
27	The APD require officers to get out of their cars and walk the areas near licensed establishments and residential areas adversely impacted by patron behavior.	Public Safety			APD	Pristoop	APD requires officers to get out of cars and walk the areas near licensed establishments and neighborhoods adversely impacted by patron behavior. <i>10/26/2010 Chief Pristoop</i>	N
28	The APD hire a booking officer during peak periods (generally Friday and Saturday) to ensure that the arresting officers are not pulled from the street to perform the administrative function of booking.	Public Safety			APD	Pristoop	APD is unable to accommodate due to budget constraints and priorities. <i>9/29/2010 Chief Pristoop</i>	Y

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7	The City encourage the use of off-street parking through signage, reduced or free parking in city parking garages after 9:00 pm.	Trans.	Public Safety	Econ Matters	Central Services/ Finance	Tripodi	<p>a. Improved communications via signage with regard to parking is a project underway City-wide and involves various departments, and is also being considered under the parking facility management RFP currently in process. Associated cost to be determined.</p> <p>b. All City garages, including Park Place, currently offer a flat rate between the hours of 8:00 p.m. and 6:00 a.m. The rate varies by location: Hillman \$4.00, Gotts Court \$3.00 and Knighton \$2.00. Associated costs to offer free parking is estimated \$103,000.</p> <p><i>10/14/2010 Brian Snyder</i></p> <p>Granting free parking will negatively affect City revenues, which are already stressed.</p> <p><i>10/21/2010 Shirley Tripodi</i></p>	Y
8	The City enforce and expand the residential parking area restrictions to include peak days of the week until 2:00 am.	Trans.		Econ Matters	Central Services/ Finance	Tripodi	<p>On-street parking does not fall under the purview of Central Services</p> <p><i>10/14/2010 Brian Snyder</i></p> <p>Patrolling the residential parking districts until 2 a.m. will cost more in salaries. We can expect an increase in parking fines, but this increase is unlikely to cover the costs.</p> <p><i>10/21/2010 Shirley Tripodi</i></p>	Y

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9	The City implement automatic payment facilities for the public parking garages and provide cameras in the garages that can be monitored and used by the APD for security purposes.	Trans.	Public Safety		Central Services/ Finance	Tripodi	<p>a. Automatic payment facilities are being considered under the parking facility management RFP currently in process. Associated cost to be determined.</p> <p>b. All garages currently have cameras that are monitored by garage staff and have three-week storage, and some have APD cameras</p> <p>i. Hillman has 4 interior cameras and APD cameras on the roof</p> <p>ii. Gott's has 4 interior cameras and some APD monitoring from the roof of Whitmore Garage</p> <p>iii. Knighton has 8 interior/exterior cameras</p> <p><i>10/14/2010 Brian Snyder</i></p> <p>This would require funding for the purchase and maintenance of equipment. Also required is the salary of an employee to monitor and dispatch, unless the additional work could be absorbed by existing employees without adding to hours worked.</p> <p><i>10/21/2010 Shirley Tripodi</i></p>	N
10	The City open the public restrooms at the Harbor Master building and the Market House until 3:00 am, and creates a well-lit and safe environment.	Rules	Public Safety		Central Services/ Finance	Tripodi	<p>This initiative will require additional funding for staff to monitor the facilities, and such funding is not available through the Central Services budget. Estimated cost \$14,400.</p> <p><i>10/14/2010 Brian Snyder</i></p> <p>Cost to monitor the buildings, and the possibility of increased vandalism.</p> <p><i>10/21/2010 Shirley Tripodi</i></p>	Y

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11	The City include at least one public restroom in any plan for the development or redevelopment of the city's parking garage facilities.	Rules	Public Safety		Central Services/ Finance	Tripodi	Hillman Garage is scheduled for replacement in the next 5-7 years. Plans can include such a facility. Associated cost to be determined. <i>10/14/2010 Brian Snyder</i> Including a public restroom in plans for development or redevelopment of parking garages would increase the cost of construction and maintenance. <i>10/21/2010 Shirley Tripodi</i> Part of current garage RFP, per Mike Mallinoff	N
14	The City install port-a-johns in or near the city garages until permanent restroom facilities can be constructed.	Finance	Trans.		Central Services/ Finance	Tripodi	This initiative will require additional funding for the rental expense, and such funding is not available through the Central Services budget. Estimated cost \$10,800 (does not include cleaning). <i>10/14/2010 Brian Snyder</i> Port-a-johns are an additional expense. <i>10/21/2010 Shirley Tripodi</i>	Y
2	The City refer the proposed amended FY2011 Fee Schedule to the ABCB members, who will review and make recommendations to the City Council.	Finance	Econ Matters	Rules	City Clerk/ ABCB	Bucalo	The Alcoholic Control Board is strongly opposed. The Council already holds public hearings every year during budget deliberations and takes input from the public. The Board has no expertise in these matters. [Comparison to fees in other jurisdictions show Annapolis fees to be 5 to 10 times higher.] (City Clerk agrees with ABCB recommendation) <i>10/25/2010 Theresa Bucalo/ABCB</i>	Y

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#	Recommendation	City Council Committee			Dept.	Staff	Status	Leg Req.
15	The ABCB establishes an escalating penalty scale for infractions and violations that is available to stakeholders and published on the webpage.	Finance	Rules	Public Safety	City Clerk/ ABCB	Bucalo	The Board has had such a penalty scale for years. However, we object to publishing it. When a penalty is called for, that penalty scale is the first step in establishing the final penalty. Then the Board considers whether there were mitigating or aggravating circumstances attending the infraction. If it finds there are, then the final penalty is adjusted up or down. Other Maryland jurisdictions do not have their own penalty scales, but rather penalize on a case by case basis considering the surrounding circumstances just as we do. We prefer not to formalize it because we have found ourselves in Circuit Court fighting a claim that a) because we followed our penalty guidelines in one case and 2) that we didn't follow them in another. (City Clerk agrees with ABCB recommendation) <i>10/25/2010 Theresa Bucalo/ABCB</i>	N
16	The ABCB keep records of disciplinary actions against licensee for a three-year period, amended from a four-year period.	Rules	Public Safety		City Clerk/ ABCB	Bucalo	This is a curious recommendation. On the one-hand, elsewhere in the report, the committee complains that the penalties are not tough enough; then here, the suggestion is to shorten the look-back period which in effect mitigates the penalties. Incidentally, Anne Arundel County has no look-back limitation and in fact in a recent case, considered a 20-year old violation. (City Clerk agrees with ABCB recommendation) <i>10/25/2010 Theresa Bucalo/ABCB</i>	N

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#	Recommendation	City Council Committee			Dept.	Staff	Status	Leg Req.
17	The ABCB move their meeting time to the evening.	Rules			City Clerk/ ABCB	Bucalo	Complete Evening meeting require the attendance of the City Attorney, APD, the licensees attorney's and the licensees. Since the meeting time change the Clerk's Office has received many complaints regarding the time of the ABCB Meeting (City Clerk agrees with ABCB recommendation) <i>10/25/2010 Theresa Bucalo/ABCB</i>	N
18	The ABCB accept written testimony when holding a public hearing.	Rules			City Clerk/ ABCB	Bucalo	Perhaps under very limited circumstances, and it would not have the same weight as live testimony. A licensee or proposed licensee is entitled to have an opportunity to cross examine anyone who offers testimony regarding an application for license, renewal or a protest. One cannot cross examine a document. <i>10/15/2010 Karen Hardwick</i>	N
19	The ABCB provide written findings of fact for every decision.	Rules			City Clerk/ ABCB	Bucalo	This sounds overbroad. Clarification of the objective would help to achieve the intended purpose without creating undue administrative burdens. For example, would this include one-day licenses and other minor matters that come before the board? <i>10/15/2010 Karen Hardwick</i>	N
20	The ABCB include in the written findings of fact for a new license the ABCB's basis on which it was found to be required for public accommodation.	Rules	Public Safety		City Clerk/ ABCB	Bucalo	There is probably a streamlined way to confirm that the statutory requirements enumerated in the Code have been satisfied. Perhaps the Board can check off which considerations are relevant and state its conclusion. More detailed, extensive findings would not add value sufficient to offset administrative burden of writing a unique essay for each application. <i>10/15/2010 Karen Hardwick</i>	N

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#	Recommendation	City Council Committee			Dept.	Staff	Status	Leg Req.
21	The ABCB amend the Rules and Regulations to require an informational mailing to residents within 200 feet at a cost to be paid by the applicant, consistent with the Zoning Board of Appeals' informational mailing requirement, and administered by the City Clerk.	Rules			City Clerk/ ABCB	Bucalo	This appears to be a labor intensive requirement that would fall on the City Attorney's office and better answered there. At the least, the filing fee should probably be substantially raised. It also should probably be an amendment to Chapter 7.12 rather than the R&R. (City Clerk agrees with ABCB recommendation) <i>10/25/2010 Theresa Bucalo/ABCB</i>	N
22	The ABCB require that of the five member ABC Board, one representative from the "commercial district" (see the Restricted Areas Section of this report) that contains the highest percentages of licensed establishments in the City, and one member who is an operator/owner of a licensed establishment (which could include a package good store owner) be represented.	Rules			City Clerk/ ABCB	Bucalo	The committee misapprehends the authority of the ABCB. It does not set the requirements for Board membership. The City Council can do so if it wishes. However, the ABC Board vehemently objects to placing one who has a fiduciary or pecuniary interest in a retail liquor establishment on the Board. The Board sits in judgment on those who wish to be come licensed or those who are already licensed and have violated the law. The conflict of interest is so apparent, it is unbelievable it has even been suggested. Would it be proper for a Board member to have before him/her an application for a new business which would compete with his own existing business? Or even compete with the business of one of his/her friends who has an existing license? (City Clerk agrees with ABCB recommendation) <i>10/25/2010 Theresa Bucalo/ABCB</i>	Y
23	The ABCB update their webpage to include interactive information including Alcohol Awareness Training schedules and to include the ability to file complaints for consideration.	Rules			City Clerk/ ABCB	Bucalo	The Board does not promote individual businesses. (could be seen as being unfair if not all inclusive). The Board already receive complaints via email and act on them. <i>10/25/2010 Theresa Bucalo/ABCB</i>	N

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#	Recommendation	City Council Committee			Dept.	Staff	Status	Leg Req.
29	License-holders require "TIPS" or equivalent alcohol-awareness certification for all new employees that serve alcohol within 90 days of hire.	Rules	Public Safety		City Clerk/ ABCB	Bucalo	The Board should not be involved in private hiring practices. (City Clerk agrees with ABCB recommendation) <i>10/25/2010 Theresa Bucalo/ABCB</i>	N
30	Servers and the license-holders should be fined proportionately for a violation.	Rules	Econ Matters		City Clerk/ ABCB	Bucalo	The committee appears to misunderstand the various agencies involved. License-holders are disciplined by the ABCB; servers are disciplined in the court system. The courts have never taken a charge of serving a minor seriously. Until recently the District Court judge who heard all the City's cases involving servers never found a server guilty and in fact told the City Attorney he would never do so. Since his recent retirement, the City has been more successful and has been able to obtain a PBJ with a \$15 fine. (City Clerk agrees with ABCB recommendation) <i>10/25/2010 Theresa Bucalo/ABCB</i>	Y
31	License-holders should post signs in their establishments that warn of the penalties for unlawful behavior (similar to Ocean City).	Rules	Public Safety		City Clerk/ ABCB	Bucalo	Currently the City Code And Article 2B only requires one sign be posted in establishments (Serving to underage) <i>10/25/2010 Theresa Bucalo/ABCB</i>	Y
32	Servers and licensees should not be disciplined or punished solely because of the number of calls to the police department from their establishments.	Public Safety			City Clerk/ ABCB	Bucalo	The burden is on the APD to refer actionable information to the Board (City Clerk agrees with ABCB recommendation) <i>10/25/2010 Theresa Bucalo/ABCB</i>	N
33	License-holders work with the ABCB to develop a program to license servers for alcohol service.	Rules			City Clerk/ ABCB	Bucalo	Violates Article 2B prohibition on participation by license holders. Not sure additional requirement is necessary. Doesn't this happen in the ordinary course? <i>10/15/2010 Karen Hardwick</i>	N

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34	License-holders help the ABCB maintain a list of employees fined for violating alcohol licensing rules.				City Clerk/ ABCB	Bucalo	Such a plan poses a risk to the City and the Board is opposed. A cause of action against the City could easily arise if someone failed to obtain employment based on information supplied by the City (even though that information might be published elsewhere). (City Clerk agrees with ABCB recommendation) <i>10/25/2010 Theresa Bucalo/ABCB</i>	N
35	Licensees have their own security (Police Chief does not want APD to moonlight, however ABCB can recommend a doorman).		Public Safety	Econ Matters	City Clerk/ ABCB	Bucalo	The Board should not be involved in private hiring practices. (City Clerk agrees with ABCB recommendation) <i>10/25/2010 Theresa Bucalo/ABCB</i>	Y
42	The alcohol-to-food ratio should be a requirement of Title 7 (alcoholic beverages) and not that of Title 21 (zoning). The standards for the reporting of the ratio to the ABCB are recommended as follows: a. As a prerequisite for the initial issuance of a license the owner shall attest in a sworn statement that the gross receipts from food sales in the restaurant will be at least equal to the ratio required. b. As a prerequisite for each renewal of a license (which is subject to a ratio) the owner shall attest in a sworn statement that the gross receipt from food sales in the restaurant is at least equal to the ratio required. c. Currently, the ABCB by regulation may with cause require an audit of the average daily receipts of any restaurant that is subject to a ratio. The Committee recommends a continuation of this policy.	Rules	Econ Matters	Public Safety	City Clerk/ ABCB	Bucalo	This request can be accomplished by the City Council with recommendations from the Department of P&Z and the City Attorney (City Clerk agrees with ABCB recommendation) <i>10/25/2010 Theresa Bucalo/ABCB</i>	Y

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#	Recommendation	City Council Committee			Dept.	Staff	Status	Leg Req.
46	The City exercise the authority granted under Article 2B and adopt the geographic delineation of the city's six commercial districts as described in the 2009 <i>Commercial Tax Base Update</i> . Any of these districts would be the geographical basis of a potential "restricted area."	Rules	Econ Matters	Public Safety	City Clerk/ ABCB	Bucalo	This request can be accomplished by the City Council with recommendations from the Department of P&Z and the City Attorney (City Clerk agrees with ABCB recommendation) <i>10/25/2010 Theresa Bucalo/ABCB</i>	Y
47	The City develop a transparent process that can temporarily set limits on the issuance of any new liquor licenses, not including renewals or transfer licenses.	Rules	Econ Matters	Public Safety	City Clerk/ ABCB	Bucalo	This request can be accomplished by the City Council with recommendations from the Department of P&Z and the City Attorney (City Clerk agrees with ABCB recommendation) <i>10/25/2010 Theresa Bucalo/ABCB</i>	Y
48	The City restrict the issuance of any additional liquor licenses in the Downtown District.	Rules	Econ Matters		City Clerk/ ABCB	Bucalo	This request can be accomplished by the City Council with recommendations from the Department of P&Z and the City Attorney (City Clerk agrees with ABCB recommendation) <i>10/25/2010 Theresa Bucalo/ABCB</i>	Y

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5	The City hire one or more full-time liquor inspector and one full-time administrator, whose salary would be paid for through liquor license fees.	Rules	Public Safety		DNEP	Brown	<p>Needs funding. This new position would require approximately \$45K for a full-time position, or \$25K for a part-time position, and an additional 30% of that for benefits. <i>10/26/2010 Mike Mallinoff</i></p> <p>A full-time inspector and an administrative support person could be staffed in DNEP, at a cost of approximately \$50,000 each. The inspector should be scheduled to work on weekends during the evening with some daytime hours overlapping with the administrative staff person. Both positions would be funded through collection of related fees and fines. At present, there is no office space in DNEP for either position.</p> <p>The job descriptions for these positions would be developed based on the elements of the CCRABL to included under their responsibilities. <i>10/26/2010 Maria Broadbent</i></p>	Y
1	The City revise the FY 2011 fee schedule adopted by the City Council under R-06-010 (Appendix K) in accordance with Appendix J, which suggests fees on the posted level of occupancy for places of assembly and gross floor area as set forth on the use and occupancy permit for package good stores.	Finance	Econ Matters	Rules	Law	Hardwick	<p>This is a policy determination with sweeping financial implications. Not ripe for OoL action. <i>10/15/2010 Karen Hardwick</i></p>	Y

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3	The City retroactively amend the FY2010 Fee Schedule to the FY 2009 liquor fee rates under R-18-09Amended and credit any licenses fee paid in excess of the FY2009 fee schedule to the license holders for payment on their FY2011 license fee.	Finance	Econ Matters	Rules	Law	Hardwick	Not likely to pass constitutional scrutiny on due process grounds, among others. Not authorized by Article 2B of Maryland State Code. <i>10/15/2010 Karen Hardwick</i>	Y
4	The City retain the ability for liquor license fees to be paid in a bifurcated payment. The first upon license renewal, on April 30th, and the second payment due 6 months later, on November 1st.	Finance	Econ Matters		Law	Hardwick	This is a policy decision with fiscal implications. Change would defer receipt of fees until subsequent fiscal year. Would require change to Article 2B. Not ripe for OoL action. <i>10/15/2010 Karen Hardwick</i>	Y
24	Amend the requirement that a license-holder must be a City resident to allow an Annapolis license-holder to be a resident of Anne Arundel County.	Rules			Law	Hardwick	This is a policy decision. Not ripe for OoL action. <i>10/15/2010 Karen Hardwick</i>	Y
6	The City promulgate the message that bad behavior will not be tolerated in Annapolis through signage, public relations campaigns and other media outlets.	Trans.	Public Safety		Mayor's Office	Mallinoff	Proposal is feasible, however there would be cost for signage. Mayor's office/PIO will work with webmaster to help get the word out to citizens. <i>10/15/2010 Mike Mallinoff</i>	N
36	The residents establish neighborhood watch groups.		Public Safety		Mayor's Office	Mallinoff	Proposal is feasible without any additional cost. Mayor's office/PIO will work with APD's existing Neighborhood Watch Program to get the word out to citizens. <i>10/15/2010 Mike Mallinoff</i>	N
37	The residents attend ABCB meetings.				Mayor's Office	Mallinoff	Proposal is feasible without any additional cost. Mayor's office/PIO will work with webmaster to help get the word out to citizens. <i>10/15/2010 Mike Mallinoff</i>	N

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38	The residents monitor the City's progress in implementing the recommendations of this report.				Mayor's Office	Mallinoff	Proposal is feasible without any additional cost. Mayor's office/PIO will work with webmaster to help get the word out to citizens. <i>10/15/2010 Mike Mallinoff</i>	N
39	The residents meet with the liquor inspector when issues arise.				Mayor's Office	Mallinoff	Proposal is feasible without any additional cost. Mayor's office/PIO will work with webmaster to help get the word out to citizens. <i>10/15/2010 Mike Mallinoff</i>	N
40	The residents participate in an on-going dialog with the City and the hospitality industry at quarterly meetings.				Mayor's Office	Mallinoff	Proposal is feasible without any additional cost. Mayor's office/PIO will work with ABCB to help organize. <i>10/15/2010 Mike Mallinoff</i>	N
13	The City require a more formal relationship and reporting protocol between the Department of Planning and Zoning and the ABCB.	Rules			P&Z	Nash	Proposal is feasible without any additional cost. <i>10/15/2010 Sally Nash</i> This is both important and necessary. There is a lack of clarity as to the grounds needed for the ABC Board to act based upon violations of Title 21. The Code sets a much higher standard for Title 21 than for Title 7. <i>10/15/2010 Karen Hardwick</i>	N
41	The City Code (Title 21 and 7) should be amended to distinguish between these types of uses as follows: a. A restaurant that is open until 12:00 am should be subject to a 50/50 ratio of alcohol-to-food, and permitted subject to standards; b. A restaurant that is open until 2:00 am should be subject to a 60/40 ratio of alcohol-to-food, and permitted only by special exception; and c. A bar/tavern would be permitted by special exception.	Rules	Planning	Public Safety	P&Z	Nash	Proposal is feasible with City Council support. <i>10/15/2010 Sally Nash</i> This is not a P&Z issue. It belongs in Title 7 and should be resolved by the ABC Board, not P&Z. The separation btwn alcohol regulation and planning and zoning has great legal significance, as the Court of Appeals previously has explained. <i>10/15/2010 Karen Hardwick</i>	Y

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43	Prior to the approval of any use or issuance of any license for a bar/tavern, Title 21 should be amended to establish special exception standards for this use.	Rules	Planning	Public Safety	P&Z	Nash	Proposal is feasible with City Council support. <i>10/15/2010 Sally Nash</i>	Y
44	The 15 restaurants in C-2 with 12:00 am liquor licenses, as set forth above, are permitted to apply for a 2:00 am liquor license within a six-month window, without the approval or amendment of a special exception. These 15 establishments are subject to a 60/40 ratio of alcohol-to-food notwithstanding any previous grandfathering.	Rules			P&Z	Arason	Licensees can apply, but must amend existing Special Exception <i>10/05/2010 Jon Arason</i>	Y
45	The City should lift the ban on 2:00 am licenses in the C-2 Zone.	Rules			P&Z	Arason	Complete	n/a

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12	The City relocate the cab stand at the bottom of Main Street to the City Dock area, preferably in the vicinity of the Harbor Master building.	Trans.	Public Safety		Public Works	Patrick	<p>After meeting with Chief Pristoop to gather additional information about the extent of the problem, we recommend that this issue needs further study to include, at a minimum, representatives from the following groups: downtown merchants and restaurant owners, the cab companies, and tourism officials. However, Chief Pristoop and I jointly recommend that since the cab stand does not appear to be a problem during the day and evening hours, the cab stand be relocated to another location AFTER 11 PM.</p> <p>One possible recommendation for the relocation is across Main St., in Market Space in the area that is already designated for the trolley. The trolley is no longer operating at that time. There are alternate locations further away that may also work, but the location should be easily accessible for customers wishing to use a taxicab.</p> <p><i>10/22/2010 Marcia Patrick</i></p>	N

Status as of October 26, 2010