

City of Annapolis

*160 Duke Of Gloucester Street
Annapolis, MD 21401*



Standing Committee Meeting Minutes - Final

Thursday, July 11, 2024

5:30 PM

Regular Meeting

Mayor John T. Chambers, Jr.

City Council Chambers

Environmental Matters Committee

Call To Order

Alderman Savidge called the Regular Meeting to order at 5:04 pm.

Roll Call

Present: 3 - Alderman Savidge, Alderman Arnett and Alderwoman Finlayson

Approval of Agenda (any changes to the agenda should be made here)

Alderman Savidge moved to adopt as amended to add R-19-24 to the Regular Meeting agenda. Seconded. CARRIED on voice vote.

Business and Miscellaneous

Approval of Minutes

[ENV 6.13.24](#) Regular Meeting Minutes

Attachments: [ENV 6.13.24](#)

Alderwoman Finlayson moved to approve ENV 6.13.24. Seconded. CARRIED on voice vote.

Legislation

[R-19-24](#) **Eastport Choice Neighborhood Initiative Transformation** - For the purpose of adopting the Eastport Choice Neighborhood Initiative (CNI) Transformation Plan, which was recently approved by the U.S. Department of Housing and Urban Development (HUD) and approving the use of the former City of Annapolis Public Works Property on Spa Road to meet the Plan's goals.

Sponsors: Buckley

Attachments: [R-19-24 First Reader](#)
[R-19-24 Fiscal Impact Note](#)
[R-19-24 Staff Report](#)
[City of Annapolis, Spa Road Property environmental City Council CNI Transformation Plan Report - 2023-11-16](#)
[R-19-24 Amendment 1 - Tierney](#)
[R-19-24 Amendment 2 - Savidge \(w Rule Cmte changes\)](#)
[R-19-24 Amendment 3 - Gay \(on behalf of HHW Committee\)](#)
[R-19-24 Amendment 4 - Gay \(on behalf of HHW Committee\)](#)
[R-19-24 Signed \(color\)](#)
[R-19-24 Signed \(b&w\)](#)

HACA Director Melissa Maddox-Evans, HACA Director of Development Aseem Nigam, and Chief of Comprehensive Planning Leshinsky were present to answer questions from the committee.

Rules Amendment #1- Pg.1 line 25 & pg.3 line 3 - after property on Spa Rd (insert), or other suitable property.

Alderman Arnett moved to Recommend Rules Amendment #1 Favorably as Amended. Seconded. CARRIED on voice vote.

Savidge Amendment #2-

1. Page 2, strike lines 30-32 and replace with the following:

“WHEREAS, The City of Annapolis’s former Public Works property has been prioritized to include affordable housing through the adoption of Resolution R-20-22; and”

2. Page 2, line 42, insert a new WHEREAS clause:

“WHEREAS, mixed use development is a priority for the CNI choice program, and the former Public Works property could include the construction of new space for City offices; and”

3. Page 2, line 42 (after the previous point), insert new WHEREAS clause:

“WHEREAS, we know that portions of the former Public Works property are contaminated, and we will shortly be concluding the full environmental assessment of the property to identify remediation or mitigation requirements with the Maryland Department of the Environment; and”

4. Page 3, strike lines 1-3, replace with:

NOW, THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL that we support the Eastport Choice Neighborhood Initiative Transformation Plan and support the use of the former Public Works property on Spa Rd to meet the goals of the plan or other suitable property.

5. Page 3, line 5, insert: **AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL**, that a portion of the Public Works property be utilized for an expansion of City offices.

6. Page 3, line 5, insert: **AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that, prior to any final approval of a development plan, that all city, state, and federal environmental law will be complied with.

7. Page 3, line 5, replace "FURTHER" with "FINALLY".

Alderman Schandelmeier moved to Recommend Savidge Amendment #2 Favorably as Amended. Seconded. CARRIED on voice vote.

Alderwoman Finlayson moved to Recommend R-19-24 Favorably as Amended. Seconded. CARRIED on voice vote.

Alderman Savidge moved to Recommend R-19-24 Favorably as Amended by the Rules and City Government Committee. Seconded. CARRIED on voice vote.

[O-5-24](#)

Health and Safety - City of Annapolis Plastic Bag Reduction Act - For the purpose of prohibiting the retail distribution of plastic bags in the City, with some exceptions; defining certain terms; establishing the duties of certain retail establishments; providing for the enforcement of the prohibition on plastic bags; allowing retail establishments to distribute paper and reusable bags at no cost during certain times of the year; requiring public notice of the requirements; and generally relating to public safety.

Sponsors: Savidge, Schandelmeier and Arnett

Attachments: [O-5-24 First Reader](#)

[O-5-24 Plastic Bag Ban - Legislative Summary](#)

[O-5-24 & R-14-24 Staff Report updated](#)

[O-5-24 & R-14-24 Fiscal Impact Note](#)

[O-5-24 & R-14-24 Plastic Bag Ban Memorandum](#)

[MARYLAND RETAILERS ALLIANCE - Written Testimony](#)

[O-5-24 Amendment 1 - Savidge \(Sponsor's Substitute\)](#)

[O-5-24 Amendment 2 - Gay](#)

[O-5-24 Amendment 3 - Savidge \(on behalf of Environmental Matters Cmte.\)](#)

[O-5-24 Amendment 4 - Savidge \(on behalf of Environmental Matters Cmte.\)](#)

[O-5-24 Signed \(color\)](#)

[O-5-24 Signed \(b&w\)](#)

Deputy City Manager Guild and Environmental Programs Coordinator Laconich were present to answer questions from the committee.

Bernie Robinson
8113 Woodbine Court
Glenn Burnie, MD, 21061

Amendment #1- strike pg4. line 7.

On page 1, strike lines 37 through 45; strike pages 2 through 4; and on page 5, strike lines 1 through 19; and on page 1, in line 37, insert the following:

"Title 10 - HEALTH AND SAFETY
Chapter 10.32 - Miscellaneous Provisions
Section 10.32.010 - Plastic Bags Prohibited.

A. Definitions. In this section, the following words have the meanings indicated.

1. "Coffee shop" is defined in § 21.72.010.
2. "Delicatessen" is defined in § 21.72.010.
3. "Food service facility" means an establishment licensed by the Anne Arundel County Department of Health to prepare or sell food for the public.
4. "Mobile food service vendor" is defined in § 7.40.010.
5. "Plastic carryout bag" means:
 - a. A plastic bag provided by a retail establishment to a customer at the point

of sale, and is not a reusable carryout bag.

b. "Plastic carryout bag" does not include a plastic bag used to contain, package, or wrap:

i. bakery goods;

ii. bulk items, including fruit, vegetables, nuts, grains, candy, or small hardware items;

iii. cigars or loose tobacco;

iv. dry-cleaned clothes;

v. plant material, flowers or potted plants to prevent spoilage of the item or moisture damage to other purchases;

vi. hanging garments;

vii. hot or cold food that is freshly prepared, including sliced deli and foods prepared or ordered;

viii. ice;

ix. live creatures such as fish, insects, mollusks, or crustaceans;

x. newspapers;

xi. raw meat and seafood; and

xii. unwrapped prepared foods.

6. "Point of sale" means the physical or virtual place where a customer executes payment for goods or services or receives goods or services.

7. Restaurants.

a. "Fast food restaurant" is defined in § 21.72.010.

b. "Standard restaurant" is defined in § 21.72.010.

8. "Retail establishment" means a store, food service facility, or any other establishment that provides bags to its customers due to the sale of goods or services.

9. "Reusable carryout bag" means a bag with stitched handles made of cloth or other washable fabric or a durable material suitable for multiple reuses, specifically designed and manufactured for multiple reuses, and not made of plastic film.

10. "Vending truck or cart" means a motorized or nonmotorized vehicle that changes

locations so that a retailer can sell goods directly to customers.

B. Plastic Carryout Bags Prohibited.

1. Except as provided in the Annual Exception subsection, § 10.32.010 (C)(1)(c), a retail establishment in the City of Annapolis is prohibited from providing plastic carryout bags, as defined in § 10.32.010(A), to a customer.

2. Retailers shall allow customers to use their own carryout bags.

3. Except as provided in the Fee Exceptions subsection, § 10.32.010 (C)(1)(b), the retail establishment shall charge, collect, and retain at least 10 cents for each paper carryout bag and reusable carryout bag it provides to customers.

4. A retail establishment may not advertise, hold out, or state to the public, directly

or indirectly, that reimbursement of any part of the money collected will be assumed or absorbed by the store or refunded to the customer.

5. The law shall be called the "City of Annapolis Plastic Bag Reduction Act."

C. Requirements.

1. Carryout Bags.

a. Fee-related Requirements.

i. The sales receipt shall reflect the number of bags provided to the customer and the fee collected for the paper bag(s); and

ii. Retail establishments shall not provide customers any rebate, exemption, or reimbursement for this carryout bag fee.

b. Fee Exceptions.

i. A retail establishment shall not charge the carryout bag fee for a paper carryout bag provided by a pharmacist if the bag contains prescription drugs.

ii. The following establishments are exempt from the subsections on the fee charge for bags and public notice:

- (1) Fast food restaurant,
- (2) Food service facility or cafeteria if a school operates the food service facility or cafeteria;
- (3) Delicatessen;
- (4) Coffee shop;
- (5) Vending truck or cart;
- (6) Mobile food service vendor; or
- (7) Other businesses selling or providing food for consumption on or off the premises, provided that the business is not a supermarket, grocery store, or part of a convenience store.

c. Annual Exception. A retail establishment may provide free, reusable carryout bags for nine days between April 22 and April 30 each year.

2. Public Notice.

a. **Must Be Posted.** A retail establishment shall post notices at the public entrance to their establishment or each point of sale that:

i. Customers should bring reusable carryout bags or may purchase reusable carryout bags in the retail establishment;

ii. Each carryout bag purchase is subject to a charge, and the amount of the charge;

b. **Bilingual.** The notices shall be posted in English and Spanish.

D. Violations; Enforcement.

1. **Violation.** A violation of this section shall constitute a municipal infraction.

2. **Enforcement.** The City Manager or their designee shall issue citations, levy fines, or seek injunctive relief to enforce this section.

3. Offenses.

a. Failing to charge, collect, or retain at least 10 cents per paper or reusable carryout bag a retail establishment provides customers is a single offense;

b. The provision of one or more plastic carryout bags per consumer transaction at a single point of sale is a single offense;

c. Multiple violations during a consumer transaction at a single point of sale shall constitute a single offense; and

d. A fine may not be imposed against a retail establishment more than once in seven days.

e. **Fines.** Fines for violation of any part of this chapter are set by annual resolution of the City Council.

Alderman Arnett moved to Recommend Amendment #1 Favorably. Seconded. CARRIED on voice vote.

Amendment #2 -

On page 2, strike lines 24 and 25, and renumber subsection B accordingly.

B. Requirements.

1. A retail establishment shall not provide a plastic carryout bag to a customer except as provided in Subsection C(3).

2. The law shall be called the "City of Annapolis Plastic Bag Reduction Act."

Alderman Arnett moved to Recommend Amendment #2 Favorably. Seconded. CARRIED on voice vote.

Amendment #3-

On page 4, in lines 7-8, strike ", or other foods the state or consistency of which is not

conducive to the use of anything other than plastic carryout bags"

Alderman Arnett moved to Recommend Amendment #3 Favorably. Seconded. CARRIED on voice vote.

Amendment #4-

On page 5, in line 1, after "The" strike "Deputy City Manager for Resilience & Sustainability"

and insert "City Manager".

2. Enforcement. City Manager or their designee shall issue a citation and levy fines or seek injunctive relief to enforce this section.

Alderman Arnett moved to Recommend Amendment #4 Favorably. Seconded. CARRIED on voice vote.

Alderman Arnett moved to Recommend O-5-24 Favorably as Amended. Seconded. CARRIED on voice vote.

[O-26-23](#)

Forest Conservation Plan Appeals - For the purpose of closing a loophole in the Forest Conservation Plan provisions of the City Code concerning forest clearing; changing the Forest Conservation Plan appeals body from the Building Board of Appeals to the Board of Appeals; and generally related to the Maryland Forest Conservation Act and Planned Unit Development regulations.

Sponsors: Savidge

Attachments: [O-26-23 First Reader](#)
[O-26-23 Legislative Summary](#)
[O-26-23 Staff Report](#)
[O-26-23 Fiscal Impact Note](#)
[O-26-23 Staff Report to Planning Commission \(with Attachments\)](#)
[O-26-23 Planning Commission Findings](#)

Alderman Savidge moved to postpone O-26-23 until next Environmental Matters Committee Meeting September 12th, 2024. Seconded. CARRIED on voice vote.

Adjournment

Upon motion duly made, seconded and adopted, the Regular Meeting was adjourned at 5:54 pm.

Kalyn Jackson
City Council Associate

Anyone needing reasonable accommodation to be able to participate in a public meeting held by the City of Annapolis should contact Kalyn Jackson at 410.263.7030, by MD Relay (711), or by email at kajackson@annapolis.gov at least five days prior to the meeting date to request assistance. We encourage citizens to attend and participate in City Council Meetings.

If you are unable to attend, the meetings can be viewed live on Channel 99/100 for all Comcast subscribers and on Channel 34 for Verizon customers.

The meeting can also be viewed on computer and mobile devices by going to <http://bit.ly/1gCd4pL>, and on Facebook by selecting: <http://www.facebook.com/CityofAnnapolis> and on Youtube by selecting: <http://www.youtube.com/CityofAnnapolis> during the meetings. If you miss the live meeting, recordings are available for viewing on <http://www.facebook.com/CityofAnnapolis> and <http://www.youtube.com/CityofAnnapolis>.