

Introduced by: President Young

Stokes, Dorsey, Clarke, Jack Costello, Bullik, Binnett, Cohen, Speed, Resinger

Prepared by: Department of Legislative Reference

Date: July 23, 2018

Pinkett, Henry

Referred to: **JUDICIARY AND LEGISLATIVE INVESTIGATIONS** Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL *18-6271*

Bill Young

A RESOLUTION ENTITLED

A RESOLUTION OF THE MAYOR AND CITY COUNCIL concerning

Charter Amendment – Inalienability of Sewer and Water-Supply Systems

FOR the purpose of declaring the inalienability of the City's sewer system and water-supply system; excepting the sewer and water-supply systems, their operations and uses, from the Charter provisions otherwise authorizing the grant of franchises or rights relating to the operation or use of public property or places; and submitting this amendment to the qualified voters of the City for adoption or rejection.

BY proposing to amend
Article VIII - Franchises
Section 1
Baltimore City Charter
(1996 Edition)

C. T. Crutt

Robert Stokes, Edward Henry

Lee Bullock

Henry

Robert Stokes

Sham

Bill

Henry

Henry

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

No. _____

Agencies

<input checked="" type="checkbox"/> Department of Public Works	<input type="checkbox"/> Baltimore City Public School System
<input type="checkbox"/> Department of Real Estate	<input type="checkbox"/> Baltimore Development Corporation
<input type="checkbox"/> Department of Recreation and Parks	<input checked="" type="checkbox"/> City Solicitor
<input type="checkbox"/> Department of Transportation	<input type="checkbox"/> Comptroller's Office
<input type="checkbox"/> Fire Department	<input type="checkbox"/> Department of Audits
<input type="checkbox"/> Health Department	<input checked="" type="checkbox"/> Department of Finance
<input type="checkbox"/> Mayor's Office of Employment Development	<input type="checkbox"/> Department of General Services
<input type="checkbox"/> Mayor's Office of Human Services	<input type="checkbox"/> Department of Housing and Community Development
<input type="checkbox"/> Mayor's Office of Information Technology	<input type="checkbox"/> Department of Human Resources
<input type="checkbox"/> Office of the Mayor	<input type="checkbox"/> Department of Planning
<input type="checkbox"/> Police Department	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

Boards and Commissions

<input type="checkbox"/> Environmental Control Board	<input type="checkbox"/> Board of Estimates
<input type="checkbox"/> Fire & Police Employees' Retirement System	<input type="checkbox"/> Board of Ethics
<input type="checkbox"/> Labor Commissioner	<input type="checkbox"/> Board of Municipal and Zoning Appeals
<input type="checkbox"/> Parking Authority Board	<input type="checkbox"/> Comm. for Historical and Architectural Preservation
<input type="checkbox"/> Planning Commission	<input type="checkbox"/> Commission on Sustainability
<input type="checkbox"/> Wage Commission	<input type="checkbox"/> Employees' Retirement System
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
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CITY OF BALTIMORE
RESOLUTION **18-13**
Council Bill 18-0271
(Charter Amendment)

Introduced by: President Young and Councilmembers Stokes, Dorsey, Clarke, Scott, Costello,
Bullock, Burnett, Cohen, Sneed, Reisinger, Pinkett, Henry
Introduced and read first time: August 6, 2018
Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable
Council action: Adopted
Read second time: August 6, 2018

A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING

Charter Amendment – Inalienability of Sewer and Water-Supply Systems

FOR the purpose of declaring the inalienability of the City's sewer system and water-supply system; excepting the sewer and water-supply systems, their operations and uses, from the Charter provisions otherwise authorizing the grant of franchises or rights relating to the operation or use of public property or places; and submitting this amendment to the qualified voters of the City for adoption or rejection.

BY proposing to amend

Article VIII - Franchises
Section 1
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the City Charter is proposed to be amended to read as follows:

Baltimore City Charter

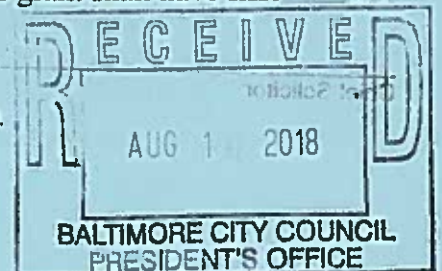
Article VIII. Franchises

§ 1. Authority to grant.

The title of the City in and to its waterfront, wharf property, land under water, public landings, wharves and docks, streets, lanes, and parks, AND ITS SEWER SYSTEM AND WATER SUPPLY SYSTEM, AS DESCRIBED IN ARTICLE VII, §§ 33 AND 34 OF THIS CHARTER, is hereby declared to be inalienable.

[The] WITH THE EXCEPTION OF THE CITY'S SEWER SYSTEM AND WATER-SUPPLY SYSTEM, THE City may grant for a limited time and subject to the limitations and conditions contained in the Charter, specific franchises or rights in or relating to any of the public property or places mentioned in the preceding sentence; provided that such grant is in compliance with the requirements of the Charter, and that the terms and conditions of the grant shall have first been authorized and set forth in an ordinance duly adopted.

EXPLANATION: Underlining indicates matter added by amendment.
Strike-out indicates matter stricken by amendment.

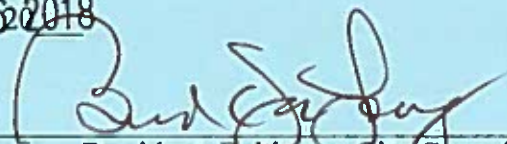


Council Bill 18-0271

1 Every such grant shall specifically set forth and define the nature, extent and duration of the
2 franchise or right thereby granted, and no franchise or right shall pass by implication under
3 any such grant; and, notwithstanding any such grant the City shall at all times have and retain
4 the power and right to reasonably regulate in the public interest the exercise of the franchise
5 or right so granted; and the City shall not have the power by grant or ordinance to divest itself
6 of the right or power so to regulate the exercise of such franchise or right.

7 SECTION 2. AND BE IT FURTHER RESOLVED, That this proposed amendment to the City
8 Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection,
9 in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the
10 City Solicitor.

Certified as duly passed this ____ day of AUG 06 2018



President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this ____ day of AUG 06 2018

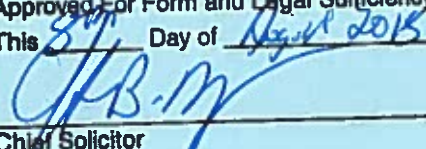


Chief Clerk

Approved this 10 day of August, 2018



Mayor, Baltimore City

Approved For Form and Legal Sufficiency
This 8th Day of August 2018.


Chief Solicitor

**BALTIMORE CITY COUNCIL
JUDICIARY AND LEGISLATIVE INVESTIGATIONS COMMITTEE
VOTING RECORD**

RESOLUTION#: CC-18-0271

DATE: 8/6/18

TITLE: Charter Amendment - Inalienability of Sewer and Water-Supply Systems

MOTION BY: Scott SECONDED BY: Stokes


- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Costello, E., Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, M., Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bullock, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, L.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reisinger, E.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott, B.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	<u>6</u>	<u>0</u>	<u>1</u>	<u>0</u>

CHAIRPERSON: C. J. Evers

COMMITTEE STAFF: Matthew L. Peters, Initials: MLO

RMG

FROM	NAME & TITLE	Robert Cename, Chief	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 432, City Hall (410) 396-4941		
	SUBJECT	City Council Bill #18-0271 Charter Amendment – Inalienability of Sewer and Water-Supply Svstems		

DATE:

TO

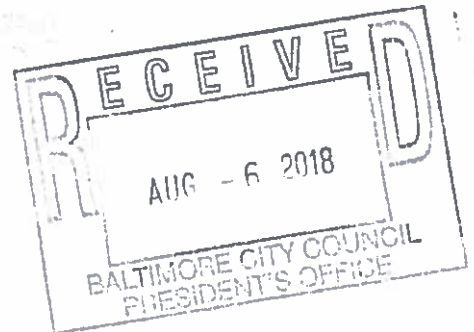
The Honorable President and
Members of the City Council
Room 400, City Hall

August 6, 2018


City Council Bill #18-0271 is a proposed Charter Amendment that has been introduced for the purpose of declaring the inalienability of the City's sewer system and water-supply system; excepting the sewer and water-supply systems, their operations and uses, from the Charter provisions otherwise authorizing the grant of franchise or rights relating to the operation or use of public property or places; and submitting this amendment to the qualified voters of the City for adoption or rejection.

The Department of Finance defers to the Department of Public Works with regards to this charter amendment.

cc: Henry Raymond
Kyron Banks



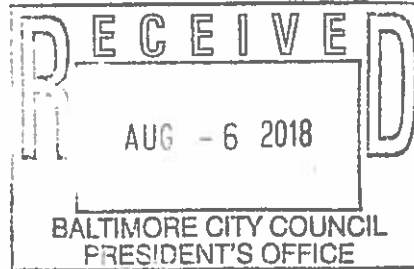
*refers to
OPW*

FROM	NAME & TITLE	Rudolph S. Chow, P.E., Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	City Council Bill 18-0271		

DATE August 6, 2018

TO

The Honorable President and Members
 of the Baltimore City Council
 c/o Natawna Austin
 Room 400 – City Hall



I am herein reporting on City Council Bill 18-0271 introduced by Council President Young.

The purpose of the Bill is to declare the inalienability of the City's sewer system and water supply system; except the sewer and water supply systems, their operations and uses, from Charter provisions otherwise authorizing the grant of franchises or rights relating to the operation or use of public property or places; and to submit this amendment to the qualified voters of the City for adoption or rejection.

The development of the City of Baltimore's water and wastewater system has a long history, beginning with residents getting their drinking water from springs and private water companies, to today's regional systems serving almost 2 million people in the Baltimore metropolitan area. In 1854 the City purchased the privately-held Baltimore Water Company, thus creating its first municipal water supply system. Beginning in 1908 the Maryland General Assembly granted authority to Baltimore City to create impoundments outside of its borders and withdraw water from the Gunpowder River, and over time expanded that authority to include the Little Gunpowder River, the Patapsco River, and the Susquehanna River. In the early 1900s the General Assembly empowered the Baltimore Sewerage Commission to oversee the building of storm drains, sanitary sewers, and wastewater treatment plants, and by 1911 the Back River Wastewater Treatment Plant began operating and treating the City's wastes. Today, the City is completing upgrades to the Back River and Patapsco Wastewater Treatment plants that will deliver the highest quality treatment of effluent for Chesapeake Bay protection.

Due to forethought and careful planning, Baltimore was able to construct a complex system of raw water reservoirs, water filtration plants, water pipes, pumping stations, wastewater conveyance system, and treatment plants, for the benefit of our city and neighboring counties. The authority to do so is embodied in the Public Local Laws and the Baltimore City Charter.

City Council Bill 18-0271 proposes to amend Article VIII of the Baltimore City Charter. Specifically, the bill, if approved by the qualified voters of the City, would declare the inalienability of the water supply and wastewater systems, meaning that ownership of these systems would remain under City control in perpetuity. Furthermore, the ability to grant franchises or rights to this property to other entities, even for a limited period, would not be allowed.

Fav w/ comments

The Honorable President and Members
of the Baltimore City Council

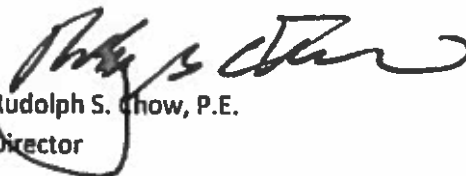
August 6, 2018

Page 2

The Charter is a living document that has been amended from time to time by the qualified voters to reflect changes in circumstances. City Council Bill 18-0271 is attempting to create a protective shield against private purchase or management of these municipally controlled water supply and sewer systems. Should this legislation be passed and the qualified voters approve the amendment in November, only a future referendum could undo this change to the Charter.

The Department of Public Works has the responsibility to care for and manage the water supply and sewer systems, and knows better than most the weight of that responsibility to deliver these fundamental services to our community and the larger region. The systems took more than a century to develop and the Department is in the midst of rejuvenating and improving these massive infrastructure investments for our customers and for future generations.

The Department of Public Works supports passage of City Council Bill 18-0271.



Rudolph S. Chow, P.E.
Director

RSC/MMC

CITY OF BALTIMORE

CATHERINE E. PUGH,
Mayor



DEPARTMENT OF LAW
ANDRE M. DAVIS, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

August 3, 2018

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 18-027 - Charter Amendment - Inalienability of Sewer and Water-Supply Systems

Dear President and City Council Members:

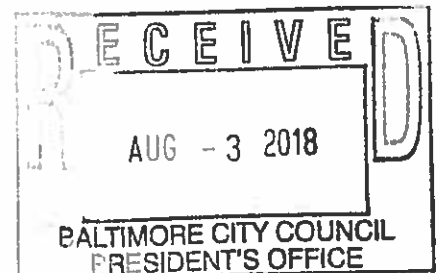
The Law Department has been asked to review City Council Bill 18-027 for form and legal sufficiency. The bill amends the City Charter to declare the inalienability of the City's sewer system and water-supply system. The bill also exempts the sewer and water-supply systems, their operations and uses, from the Charter provisions authorizing the temporary grant of franchises or rights relating to the operation or use of public property or places that have been declared inalienable. The bill submits this amendment to the qualified voters of the City for adoption or rejection.

The substance of the bill presents no legal impediments.

Under Article XI-A, Section 5 of the Maryland Constitution, a resolution of the Mayor and City Council, such as this City Council Bill, is an appropriate method of initiating an amendment to the Baltimore City Charter. The Law Department, therefore, approves the resolution for form and legal sufficiency as drafted.

Sincerely,

Victor K. Tervalo
Chief Solicitor



F

**cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Ashlea Brown, Assistant Solicitor**

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Minutes - Final

Judiciary and Legislative Investigations

Monday, August 6, 2018

3:00 PM

Curran Room, 4th floor, City Hall

18-0271

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

- Present** 6 - Member Eric T. Costello, Member Leon F. Pinkett III, Member John T. Bullock, Member Edward Reisinger, Member Brandon M. Scott, and Member Robert Stokes Sr.
- Absent** 1 - Member Mary Pat Clarke

ITEM SCHEDULED FOR PUBLIC HEARING

18-0271

Charter Amendment - Inalienability of Sewer and Water-Supply Systems

For the purpose of declaring the inalienability of the City's sewer system and water-supply system; excepting the sewer and water-supply systems, their operations and uses, from the Charter provisions otherwise authorizing the grant of franchises or rights relating to the operation or use of public property or places; and submitting this amendment to the qualified voters of the City for adoption or rejection.

Sponsors: President Young, Robert Stokes, Sr., Ryan Dorsey, Mary Pat Clarke, Brandon M. Scott, Eric T. Costello, John T. Bullock, Kristerfer Burnett, Leon F. Pinkett, III, Zeke Cohen, Shannon Sneed, Edward Reisinger, Bill Henry

A motion was made by Member Scott, seconded by Member Stokes, Sr., that this Mayor and City Council Res. be Recommended Favorably. The motion carried by the following vote:

- Yes:** 6 - Member Costello, Member Pinkett III, Member Bullock, Member Reisinger, Member Scott, and Member Stokes Sr.
- Absent:** 1 - Member Clarke

ADJOURNMENT



HEARING NOTES

Mayor and City Council Resolution: 18-0271

Charter Amendment - Inalienability of Sewer and Water-Supply Systems

Committee: Judiciary and Legislative Investigations

Chaired By: Councilmember Eric Costello

Hearing Date: August 6, 2018
Time: 3:00 PM to 3:15 PM
Location: Curran Conference Room
Total Attendance: 40
Committee Members in Attendance:
Eric Costello Edward Reisinger Brandon Scott
Leon Pinkett Robert Stokes John Bullock

Bill Synopsis in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Attendance sheet in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Agency reports read?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Hearing televised or audio-digitally recorded?	<input type="checkbox"/> yes	<input checked="" type="checkbox"/> no	<input type="checkbox"/> n/a
Certification of advertising/posting notices in the file?	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Evidence of notification to property owners?	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Final vote taken at this hearing?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by:	Councilmember Scott		
Seconded by:	Councilmember Stokes		
Final Vote:	Favorable		

Major Speakers
(This is not an attendance record.)

- Victor Tervalá, Department of Law
- Robert Cenname, Department of Finance
- Rudolph Chow, Department of Public Works

Major Issues Discussed

1. Chairman Costello opened the proceedings and introduced the committee members in attendance.
2. President Young noted that private companies have expressed interest in acquiring the City's infrastructure, and this resolution will give the voters an opportunity to have a say in whether that can happen. President Young also noted that this Charter Amendment is separate from any action the Council may take to prevent privatization of the City's conduit system.
3. Director Chow explained the scope and history of the City's sewer and water supply systems, the regulations governing those systems, and the Department of Public Works' support for the resolution.
4. The Finance Department deferred to the Department of Public Works.
5. The Law Department approved the resolution for form and legal sufficiency.
6. Members of the public testified in favor of the resolution, and in favor of providing similar protection for the City's conduit system.

Further Study

Was further study requested?

Yes No

If yes, describe.

Committee Vote

E. Costello: Yea
M. Clarke: Absent
J. Bullock: Yea
L. Pinkett: Yea
E. Reisinger: Yea
B. Scott: Yea
R. Stokes: Yea



Matthew L. Peters, Committee Staff

Date: August 6, 2018

cc: Bill File
OCS Chrono File



**CITY OF BALTIMORE
CITY COUNCIL HEARING ATTENDANCE RECORD**

Committee: **Judiciary and Legislative Investigations**

Chairperson: **Eri**

Date: **August 6, 2018**

Time: **3:00 PM**

Place: **Curran Conference Room**

Subject: **Resolution - Charter Amendment - Inalienability of Sewer and Water-Supply Systems**

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE

FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com
① Dan	Sparaco	1600	retrobe st	21202	dansparaco@gmail
② Piana	Eckel	3121	St Paul St, Ste 28	21218	reckel@fwwatch
③ Antoinette	Filson	3121	St Paul St, Ste 28	21218	ifilson@fwwatch.org
	Ryan-Johnson	2117	N. Howard Street	21218	subpre22@cvb-oft.org

(* NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGI BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730. FAX: 410-396-8483.



City Union of Baltimore

Local 800, AFT, AFL-CIO

President

Antoinette Ryan-Johnson

Executive Vice President

Donna Price

Treasurer

Kedrick McIntye

Secretary

Gaye Mattison

Executive Board

Olivia Baker

Tara Belisle

Craig Ewell

Pauline Fayall

Lincy Jackson

Dax Johnson

Sadakia Thomas-Caldarazzo

**Written testimony submitted for the record to the Baltimore City Council
Before the Judiciary and Legislative Investigations Committee
By Antoinette Ryan-Johnson, President City Union of Baltimore
City Council Bill 18-0271
Charter Amendment - Inalienability of Sewer and Water-Supply Systems
August 6, 2018**

SUPPORT

Good afternoon Chairman Costello and members of the Baltimore City Council's Judiciary and Investigations Committee. My name is Antoinette Ryan-Johnson, and I am the President of the City Union of Baltimore, AFT local 800. On behalf of the over 2500 city employees who are members of CUB, nearly 1200 of which are citizens of this city and rely on water as a publicly owned and managed utility, and on behalf of the 534 CUB members who work directly for the city's water department, I strongly urge a favorable vote on Council bill 18-0271, Charter Amendment: Inalienability of City Sewer and Water Supply Systems.

Because our members are both citizens and employees of Baltimore City, we have a unique interest in assuring the city retain its vital assets—like its water and sewer systems—while providing the best possible quality of service to everyone in Baltimore equally, regardless of their financial position. Indeed, we at CUB believe the right to water is something that must never be privately managed, but available to everyone in Baltimore democratically; that is, available to everyone based on their needs as a person living in the city, not based on their relative wealth.

Water and sewer service is one utility that must not ever be subjected to the variances of market forces, but must be maintained and provided to every citizen equally. When water and sewer systems are privatized, the priorities for delivering water and sewer services often change for the worse: companies now prioritize profitability and bottom lines ahead of delivering service everyone, equally. For example, Food and Water Watch has found when water service is privatized, companies typically avoid serving low-income areas where low-water use and high bill collection rates are more common.

Furthermore, studies have shown that when water systems are privatized, water bills for the typical household on average do not decrease, but actually increase by 59%. I'm sure you all, as city council members, are acutely aware of the hardships high water bills place on your constituents; privatizing the water and sewer will only make these problems worse for those constituents.

Finally, privatization of this utility leads inevitably to a reduction in the workforce, and the loss of steady employment for hundreds of city residents. Again, Food and Water Watch, in a study of 10 contracts where private companies took over the municipal water and sewer system, found that 1 in 3 positions were lost.

"Strength in Unity"

2117 North Howard Street * Baltimore, Maryland 21218-5063 * 410.962.1492 * www.cub-aft.org



I understand and appreciate that many public figures today have said they have no interest in privatizing the water system. Elected leaders come and go, however, and a promise today from an elected leader might not come from a different elected leader in 10 or 20 years. If we as a city are opposed to privatization today, let us enshrine it into our city charter, assuring every person living and working in Baltimore that our water is owned by everyone, equally, and will never be a source by which a small few could profit at the expense of everyone else.

Thank you.

Statement of Opposition to Any Form of Privatization of Baltimore's Water Utility

TO: Mayor Catherine Pugh

CC: Council President Jack Young, Comptroller Joan Pratt, Public Works Director Rudy Chow, City Solicitor Andre Davis and Members of the Baltimore City Council

We, the undersigned groups, call on you to reject any form of privatization of Baltimore's water and sewer systems and to support full public operation and management of these essential services.

Privatizing water services typically results in worse service at higher costs:

Privatization can lead to degraded services. There is ample evidence that maintenance backlogs, increased water losses, sewage spills and lamentable customer service often follow privatization. In fact, poor performance is the primary reason that local governments reverse the decision to privatize and resume public operation of previously contracted services. Private operators may attempt to cut corners to cut costs and maximize their profit. They may use inferior construction materials, delay needed maintenance or downsize the workforce, which impairs customer service and slows responses to emergencies. On average, after privatization, private operators cut one in three water utility jobs.

Privatization can result in higher costs for the public. Corporate profits, dividends and income taxes can add 20 to 30 percent to operation and maintenance costs, and a lack of competition and poor negotiation skills can leave local governments with expensive contracts. Perhaps for those reasons, a review of 18 municipalities that ended their contracts with private companies found that public operation averaged 21 percent cheaper than private operation of water and sewer services.

Privatization leaves communities without local control of their water. Privatization contracts would tie the hands of Baltimore's elected officials, restrict public access to information and transparency in services, and limit public accountability in decision making. A private water company is first and foremost accountable to its investors, not necessarily to the people it services. Baltimore could potentially be giving away the authority to make decisions about water, our most precious resource, at a time when water is being seen as a commodity by many in Wall Street.

We need responsible, public operation of our water and sewer utility, so that we can work to ensure that every Baltimore resident has access to safe and affordable water service.

Thank you for your time and consideration of this important issue.

Sincerely,

-1199 SEIU
-AFSCME Local 44 Baltimore
Municipal Employees
-AFT Maryland
-Arabber Preservation Society
-Baltimore 350
-Baltimore Intercollegiate Alliance
-Chesapeake Climate Action Network

-Clean Water Action
-Common Cause Maryland
-Communities United
-Corporate Accountability
-Food & Water Watch
-Interdenominational Ministerial Alliance
of Baltimore
-Interfaith Worker Justice of Maryland

-Jews United for Justice
-Maryland Working Families
-National Lawyers Guild
Maryland Chapter
-Public Justice Center
-SANIPLAN
-United Workers

CB10-0271

August 1, 2018

TO: Members of the Baltimore City Council

Public water and sewer services are public health necessities in all urban areas, including Baltimore City. They are essential both to the quality of life and even to life itself.

Privatization of such essential public services - currently provided through the Baltimore City Department of Public Works - can take many forms. But regardless of which form it takes, privatization will invariably lead to:

- higher costs to water and sewer customers;
- less transparency about the process of providing service; and
- less accountability overall to its customer base.

Baltimore City Council President Jack Young's Bill to Amend the City Charter will prevent private franchises or rights to be granted for the City's Water and Sewer System.

This Amendment to the City Charter is needed and deserves your support. Thank you.

- Art Cohen
SANIPLAN



PublicJusticeCenter
1 North Charles Street, Suite 200
Baltimore, Maryland 21201

Zafar Shah, Attorney
410-625-9409, ext. 237
shahz@publicjustice.org

Council Bill No. 18-0271

Hearing before the Baltimore City Council Judiciary and Legislative Investigations Committee
August 6, 2018

Position: SUPPORT

Council Bill 18-0271 sets forth a charter amendment to classify the municipal water system as an inalienable asset of the City. This step is meant to prevent asset sales, leases, and franchises of the water system. Keeping our water public is essential to any citizen role in future decisions about water rates, water disputes, and other aspects of the system. For this reason, the Public Justice Center urges the Committee to move this bill favorably.

The Public Justice Center, a non-profit civil legal aid organization that serves over 500 Baltimore City renters each year, supports this bill because privatization of the water system would exacerbate already existing challenges that City renters face in accessing water. More than half of Baltimore City renters are housing cost burdened, and continually rising water rates only worsen that burden. Although renters are contractually obligated to pay water and sewer charges, *as well as* infrastructure, account, and environmental fees, to Department of Public Works, they are not considered “customers” and are therefore typically excluded from account services and dispute resolution processes.

Privatization will not remedy – and likely would exacerbate – these long-standing problems of affordability and due process. The City would be naïve to trust that profit motive might bring about improved access to water for struggling renters. The efforts of City Council and the Mayor should focus on publicly accountable reforms, such as those set out in the “Water for All” legislation that has stalled for over one year.

A charter amendment, once passed by the Council, signed by the Mayor, and passed on the November ballot, is a proactive measure to keep elected officials and voters in position to control and to improve a vital public resource. No multinational corporation can do better than the City itself in meeting the challenges of our water system— billing errors, unaffordable bills, tax sales and water shut-offs – all of which would be exacerbated by privatization.

Please issue a FAVORABLE REPORT on Council Bill 18-0271. If you have any questions, please contact Zafar Shah, shahz@publicjustice.org, (410) 625-9409 Ext. 237.



Neighborhood Housing Services of Baltimore, Inc.

Corporate Office
(410) 327-1200

25 E 20th Street
(410) 675-1855 (fax)

Baltimore, Maryland 21218
www.nhsbaltimore.com

August 6, 2018

Chairman Eric Costello
Judiciary & Legislative Investigations Committee
Baltimore City Council
Room 400 City Hall
100 N. Holiday St.
Baltimore, MD 21202

Dear Chairman Costello and Members of the Committee:

RE: Testimony in support of the City Council Resolution Regarding Water Privatization

I am Dan Ellis, Executive Director of Neighborhood Housing Services of Baltimore (NHS) and a resident of Baltimore City. Our organization serves low and moderate income residents of Baltimore City providing housing counseling, community engagement, and lending as a CDFI. I appreciate the opportunity to provide testimony on this resolution and the leadership of the City Council to address the potential risk privatization of the water system would have on the citizens of Baltimore.

Over the past several years attempts have been made by external vendors to promote privatization or private market capital for the extensive improvements needed for the Baltimore water and sewer system. These efforts to date have been resisted by leadership of the city. We applaud this decision to not privatize the water system but are concerned that continued efforts to influence the current or future administrations may have an adverse impact on low and moderate residents of Baltimore City. By placing a charter amendment on the November ballot for voters to decide, the City Council is taking the first critical step in ensuring Baltimore resident are protected into the future.

Privatization of the water and sewer system is problematic for several reasons. First, the cost of borrowing funds will increase substantially. Municipal bonds are some of the least expensive capital that can be obtained. Private market capital which would be used in the event of privatization is typically loaned at a rate a couple percent higher than the municipal bond rates. The higher cost of repaying the loans due to the increased interest would be passed on to ratepayers increasing the cost of water and sewer compared to a publically controlled utility. Second, privatization typically results in reduced oversight of rates for the utility and increased costs to residents. This is because loan documents associated with the capital investments would typically establish parameters regarding the repayment of the loan. Because the loan is being





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repaid through revenue from ratepayers it would provide for reduced oversight and control as automatic increases to ratepayers is built into the documents. Third, low and moderate income communities are most impacted by increased costs for water and sewer. Affordability of water and sewer in Baltimore has reached crisis levels. One senior told our staff that she chooses to live without water and sewer service in her home because of the high cost. Another senior told us that she joined the local gym so that she can shower and fill water bottles each day because the gym membership was less expensive than the cost of maintaining water and sewer service in her home. Across the country privatization has consistently lead to increased costs for water and sewer for ratepayers. Baltimore cannot afford further increases on top of the expected 10% annual increases to support the capital work currently being funded through municipal bonds.

Thank you to the Baltimore City Council for leading efforts to prevent the privatization of the water and sewer system. This critically important effort to protect Baltimore City from the negative impact of privatization is appreciated by the voters of Baltimore City. We respectfully request your favorable vote on bill #18-0271.

Sincerely;

Daniel T. Ellis
Executive Director



Preserve our Water System as Inalienable Support Bill #18-0271

Before the Judiciary & Legislative Investigations Committee
August 6, 2018

Dear Committee Chair Eric Costello:

On behalf of Food & Water Watch and our 14,000 members in Baltimore City, I urge your support for Council Bill #18-0271 to amend our city's charter to declare the inalienability of our water and sewer systems. With the support of your committee today, this proposal can move forward to the November ballot to give city voters the chance to determine the future of our water system.

Before your committee is an opportunity to protect our water and sewer system today and for future generations. Upon approval of the council, mayor and voters, this charter amendment would ban the sale and lease of our water and sewer system to private interests.

For at least 25 years, private water corporations have circled our city to try to privatize our water and sewer systems. These companies offer a risky and costly proposition. Water privatization would sacrifice local control over services essential to the wellbeing of our city. The city would give up control over rates and improvement projects, over the price and quality of our water services.

Most recently, a French multinational Suez and its Wall Street partner KKR have met city officials and organizations across the city in an attempt to persuade support for a multi-decade lease-concession of our water and sewer system. Fortunately, you and other members of the city council today have not been deceived by their offer of a large upfront payment in exchange of long-term control of our water system. That upfront money would merely be an expensive loan repaid on the backs of Baltimore's working families through hikes in their water rates. This type of arrangement raises concerns about generational inequity. Such a such-sighted mistake would burden our children and our grandchildren.

At a time when Baltimore faces a water affordability crisis, privatization poses a substantial material threat to public wellbeing. Food & Water Watch's survey of the 500 largest water systems in the country found that for-profit water providers charge households 59 percent more than local government providers. This adds hundreds of dollars a year onto household water bills. Already, with the latest rate increase that went into effect for Baltimore on July 1, water rates are unaffordable in half the city. Baltimore simply cannot afford to privatize its water system.

Water is too important for public health and wellbeing to transfer any control to corporate interests. Responsible public operation with transparent and accountable governance is the best way to ensure that every Baltimore resident has access to safe and affordable water service.

We urge your support Bill #18-0271 to prevent the most extreme forms of water privatization in our city. Baltimore City is poised to be a national leader on lifting up and protecting the human right to water. We would be the largest U.S. city to prohibit leases and sales of our water system.

We owe it to families in our city to preserve our water system as inalienable, invaluable public assets.

Thank you for your time and attention on this critical issue,

Rianna Eckel
Maryland Organizer
Food & Water Watch



A Union of Professionals
AFT-Maryland

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410/764-3030 • fax: 410/764-3008
md.aft.org

Marietta English
PRESIDENT

Kenya Campbell
SECRETARY/TREASURER

**Written testimony submitted for the record to the Baltimore City Council
Before the Judiciary and Legislative Investigations Committee
On Behalf of the AFT-Maryland
Charter Amendment - Inalienability of Sewer and Water-Supply Systems
August 6, 2018**

SUPPORT

Good morning Chairman Costello and members of the Judiciary and Legislative Investigations Committee. On behalf of the 20,000 members of the AFT-Maryland, including the 9,000 members of the Baltimore Teachers Union and the 3,000 city employees who are members of the City Union of Baltimore, we write in support of the proposed charter amendment - Inalienability of Sewer and Water-Supply Systems, and ask for a favorable vote from this committee.

As both workers who serve the citizens of our city, and as citizens of this city ourselves, our members are acutely aware of the dangers of privatizing a fundamental resource like water. Because water is vital to our community's survival, it must be managed through a public utility, accountable to every citizen equally, regardless of that citizen's financial situation. As a shared, community resource, it should never be turned over to a private company, whose primary interests might place profitability above delivery of that resource.

From examples where water utilities have been privatized in other municipalities, we know the dangers privatization brings forth. Skyrocketing water bills, increased tax sales and shutoffs, billing errors, and other problems are not solved but rather often exacerbated when the utility is privatized, in large part because the priorities of the privatized utility are less democratic, and instead more economic. For a city like Baltimore, which is already struggling to provide justice to a majority of its citizens who are struggling with poverty, turning over what resources we all hold in common would be tragic mistake.

As citizens whose tax dollars have gone to build and maintain this vital infrastructure, we all own this utility, and as such it should be run democratically and transparently. These guiding principles simply cannot be applied when a private management company takes the responsibilities of delivering this service. By giving the people of Baltimore the right to choose the future of their city's water, this charter amendment will enshrine into our code the recognition that the people of Baltimore have built and maintained this utility for every citizen to enjoy equally and fairly. We therefore again ask that this committee vote favorable on the bill to propose this charter amendment. Thank you.



AMERICAN FEDERATION OF
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EMPLOYEES, AFL-CIO

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**TESTIMONY IN SUPPORT OF BILL #18-0271 Anti Privatization Charter Amendment
August 6, 2018**

TO: Hon. Eric Costello, Chair, and members of the Judiciary & Legislative Investigations Committee

FROM: Glenard S. Middleton, Executive Director, AFSCME Maryland Council 67

Good Afternoon Chairman Costello and members of the Judiciary & Legislative Investigations Committee. I am Glenard S. Middleton, proud resident of Baltimore City and Executive Director of AFSCME Maryland Council 67. I am writing this testimony on behalf of AFSCME Maryland Council 67 and our 50,000 members. Thank you for the opportunity to share why Bill #18-0271 is so important to our city.

AFSCME Maryland Council 67 has continually fought alongside our allies to keep our water public. Representing over 1,000 Baltimore City Department of Public Works employees, we understand first-hand the benefits our communities experience in a public water system. By privatizing water and sewer systems, local government officials hand over control of a vital public resource. A public entity can best meet the challenges that our city's water system faces — billing errors, unaffordable bills, tax sales and water shut-offs, all of which would be exacerbated by privatization. Poor people and communities of color would be disproportionately harmed by water privatization. The water rate hikes needed to generate corporate profit would lead to water shutoffs in low-income neighborhoods and communities of color. And water corporations would likely invest more resources in wealthier areas of the city because these companies have a track record of cherry picking projects to generate the highest returns for their investors, instead of keeping the public's best interest at heart. It would be a disservice to the people who work diligently to move Baltimore forward to privatize our water and sewer systems. We must not allow Baltimore City to become another Detroit.

Bill #18-0271 is one that our city deserves. Once passed by the Council, signed by the Mayor and passed on the ballot, Baltimore would be the first major city in the country to ban the most extreme forms of water privatization. Baltimore should take this opportunity to set the precedent for other cities across the country. Thank you again for the opportunity. We hope for a **FAVORABLE** report on **Bill #18-0271**.

Glenard S. Middleton
Executive Director
AFSCME Maryland Council 67

1199SEIU

United Healthcare Workers East

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Marla Castaneda

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Sui Ling Xu

GENERAL COUNSEL
Daniel J. Ratner

**CHIEF FINANCIAL OFFICER &
DIRECTOR OF ADMINISTRATION**
Michael Cooperman

To Committee Chair Eric Costello & members of the Judiciary & Legislative Investigations Committee:

My name is Ricarra Jones and I'm a resident of Baltimore City. I am an Organizer with 1199SEIU United Healthcare Workers East. We are the largest healthcare workers union in the United States and we represent 5,300 members here in Baltimore City. I'm submitting this testimony on behalf of 1199SEIU's members. First and foremost, I would like to thank the Chair and Committee for the opportunity to testify on this vital issue. We urge a **favorable** report on the proposed City Charter amendment #18-0271, which would ban the sale or lease of Baltimore City's water and sewer systems to private companies.

The high cost of living in Baltimore coupled with a minimum wage that is far too low has left many Baltimoreans unable to pay for their basic necessities of food, water, and shelter. The privatization of our water systems would exacerbate this injustice and drive working families deeper in to poverty.

- Many residents of Baltimore are already struggling with the high cost of water and the recent 10% hike in water bills. Private utilities often charge over 50% more for water services than local governments do. (Source: Food & Water Watch report on water rates).
- Low income working families and neighborhoods where the residents are predominantly African American and Latinx will experience a disproportionately harmful impact of water privatization. Corporations hike water rates to generate larger profits, which can lead to water shutoffs in low-income neighborhoods and communities of color. Meanwhile, wealthier areas of Baltimore would likely see investments in more resources because corporations are only concerned with high returns for their investors rather than caring about the best interests and well-being of Baltimore City's most vulnerable populations.
- Job loss is another consequence of privatizing water systems. A recent survey found that privatization causes a loss of up to one in three water jobs, reducing the number of employees by at least 34%. In a city with such a high population of low-income residents, job loss will be detrimental.

These, among many other reasons, illustrate why it is so urgent that we prevent private companies from taking over public resources such as water. Charter Amendment #18-0271 is a proactive measure that would protect our communities from the detriments that come with water privatization—skyrocketing water bills, a cut in public sector jobs, and increased tax sales & water shutoffs. Pricing people out of their ability to afford water in their homes is not only immoral; it is a matter of life and death. We urge our legislators to support raising the minimum to \$15/hour; to block any proposed increases to water rates; to put water bills on a sliding scale based on income; and to ban the sale of water & sewage systems to private companies. Please vote in favor on Charter Amendment #18-0271. Thanks again for your time and support.

Respectfully,
Ricarra Jones
Deputy Political Director, 1199SEIU
Ricarra.jones@1199.org

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Peters, Matthew

From: Rianna Eckel <reckel@fwwatch.org>
Sent: Monday, August 06, 2018 1:04 PM
To: Costello, Eric; Clarke, Mary Pat; Bullock, John; Pinkett, Leon; Reisinger, Edward; Scott, Brandon; Stokes, Robert
Cc: Peters, Matthew
Subject: Testimony in Support of Bill #18-0271 - Charter Amendment - Inalienability of Sewer and Water-Supply Systems
Attachments: Statement of Opposition to Any Form of Privatization of Baltimore's Water Utility.pdf; SANIPLAN-Anti-privatization Baltimore City Council Charter Amendment - August 2018.pdf; PublicJusticeCenter-CB18-0271 - Written Testimony - Support .pdf; NHS-Water Privatization Testimony.pdf; FoodandWaterWatch-CB18-02-71-2018-08-06.pdf; AFT-CityCouncil-Water-Supply Systems.pdf; AFSCME- Bill 18-0271 Testimony.pdf; 1199-testimony water resolution.pdf

Members of the Judiciary and Legislative Investigations Committee –

Please see the attached testimony from various members of the Baltimore Right to Water Coalition in favor of Bill #18-0271, Charter Amendment – Inalienability of Sewer and Water-Supply Systems.

Testimony included from: SEIU 1199, AFSCME Council 67, AFT Maryland, Food & Water Watch, Public Justice Center, Saniplan and Neighborhood Housing Services. Also attached is a statement of opposition to any form of water privatization signed by 20 organizations in the city.

Thank you!

Rianna Eckel
Maryland Organizer
Food & Water Watch and Food & Water Action

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City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Agenda - Final

Judiciary and Legislative Investigations

Monday, August 6, 2018

3:00 PM

Curran Room, 4th floor, City Hall

18-0271

Legislation to be introduced on 8-6-18 at 2 p.m
Hearing to be officially announced at 2 p.m council meeting

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEM SCHEDULED FOR PUBLIC HEARING

18-0271

Charter Amendment - Inalienability of Sewer and Water-Supply Systems
For the purpose of declaring the inalienability of the City's sewer system and water-supply system; excepting the sewer and water-supply systems, their operations and uses, from the Charter provisions otherwise authorizing the grant of franchises or rights relating to the operation or use of public property or places; and submitting this amendment to the qualified voters of the City for adoption or rejection.

Sponsors:

President Young

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee: Judiciary and Legislative Investigations

Mayor and City Council Resolution 18-0271

Charter Amendment – Inalienability Of Sewer And Water-Supply Systems

Sponsor: *President Young, et al*

Introduced: *August 6, 2018*

Purpose:

For the purpose of declaring the inalienability of the City's sewer system and water-supply system; excepting the sewer and water-supply systems, their operations and uses, from the Charter provisions otherwise authorizing the grant of franchises or rights relating to the operation or use of public property or places; and submitting this amendment to the qualified voters of the City for adoption or rejection.

Effective: 30th day after adoption by the legal and qualified voters of Baltimore City

Hearing Date/Time/Location: August 6, 2018/3:00 p.m./Curran Conference Room

AGENCY REPORTS

City Solicitor

Department of Finance

Department of Public Works

Favorable

ANALYSIS

Current Law

Article VIII of the City Charter declares that title to certain City property is inalienable and authorizes the City to grant franchises and rights of limited duration to other entities allowing them to operate or use City property.

Bill Summary and Background

The Charter Amendment would specifically add the City's sewer system and water supply system to the list of inalienable property in Article VIII of the Charter. Additionally, it would exclude the City's sewer system and water supply system from the provisions authorizing the City to grant franchises or rights to other entities for their operation or use of public property. In December 2017, the Baltimore Sun reported that a private company had approached numerous City officials to propose a long-term lease agreement to operate the City's water system.

ADDITIONAL INFORMATION

Fiscal Note: None

Information Source(s): Baltimore City Charter, Department of Law, Baltimore Sun, Bill 18-0271.

Analysis by:
Analysis Date:


Matthew L. Peters
August 6, 2018

Direct Inquiries to: (410) 396-1268

**CITY OF BALTIMORE
COUNCIL BILL 18-0271
(Resolution)
(Charter Amendment)**

Introduced by: President Young and Councilmembers Stokes, Dorsey, Clarke, Scott, Costello,
Bullock, Burnett, Cohen, Sneed, Reisinger, Pinkett, Henry

Introduced and read first time: August 6, 2018

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of
Public Works

A RESOLUTION ENTITLED

1 A RESOLUTION OF THE MAYOR AND CITY COUNCIL concerning

2 **Charter Amendment – Inalienability of Sewer and Water-Supply Systems**

3 FOR the purpose of declaring the inalienability of the City’s sewer system and water-supply
4 system; excepting the sewer and water-supply systems, their operations and uses, from the
5 Charter provisions otherwise authorizing the grant of franchises or rights relating to the
6 operation or use of public property or places; and submitting this amendment to the qualified
7 voters of the City for adoption or rejection.

8 BY proposing to amend
9 Article VIII - Franchises
10 Section 1
11 Baltimore City Charter
12 (1996 Edition)

13 **SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
14 City Charter is proposed to be amended to read as follows:

15 **Baltimore City Charter**

16 **Article VIII. Franchises**

17 **§ 1. Authority to grant.**

18 The title of the City in and to its waterfront, wharf property, land under water, public
19 landings, wharves and docks, streets, lanes, and parks, AND ITS SEWER SYSTEM AND WATER
20 SUPPLY SYSTEM, AS DESCRIBED IN ARTICLE VII, §§ 33 AND 34 OF THIS CHARTER, is hereby
21 declared to be inalienable.

22 [The] WITH THE EXCEPTION OF THE CITY’S SEWER SYSTEM AND WATER-SUPPLY SYSTEM, THE
23 City may grant for a limited time and subject to the limitations and conditions contained in
24 the Charter, specific franchises or rights in or relating to any of the public property or places
25 mentioned in the preceding sentence; provided that such grant is in compliance with the

EXPLANATION: Underlining indicates matter added by amendment
~~Strike-out~~ indicates matter deleted by amendment.

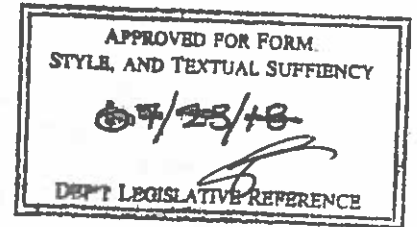
Council Bill 18-0271

1 requirements of the Charter, and that the terms and conditions of the grant shall have first
2 been authorized and set forth in an ordinance duly adopted.

3 Every such grant shall specifically set forth and define the nature, extent and duration of the
4 franchise or right thereby granted, and no franchise or right shall pass by implication under
5 any such grant; and, notwithstanding any such grant the City shall at all times have and retain
6 the power and right to reasonably regulate in the public interest the exercise of the franchise
7 or right so granted; and the City shall not have the power by grant or ordinance to divest itself
8 of the right or power so to regulate the exercise of such franchise or right.

9 **SECTION 2. AND BE IT FURTHER RESOLVED,** That this proposed amendment to the City
10 Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection,
11 in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the
12 City Solicitor.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____
(Charter Amendment)



Introduced by: President Young

A RESOLUTION ENTITLED

A RESOLUTION OF THE MAYOR AND CITY COUNCIL concerning

Charter Amendment – Inalienability of Sewer and Water-Supply Systems

FOR the purpose of declaring the inalienability of the City's sewer system and water-supply system; excepting the sewer and water-supply systems, their operations and uses, from the Charter provisions otherwise authorizing the grant of franchises or rights relating to the operation or use of public property or places; and submitting this amendment to the qualified voters of the City for adoption or rejection.

BY proposing to amend
Article VIII - Franchises
Section 1
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the City Charter is proposed to be amended to read as follows:

Baltimore City Charter

Article VIII. Franchises

§ 1. Authority to grant.

The title of the City in and to its waterfront, wharf property, land under water, public landings, wharves and docks, streets, lanes, and parks, AND ITS SEWER SYSTEM AND WATER SUPPLY SYSTEM, AS DESCRIBED IN ARTICLE VII, §§ 33 AND 34 OF THIS CHARTER, is hereby declared to be inalienable.

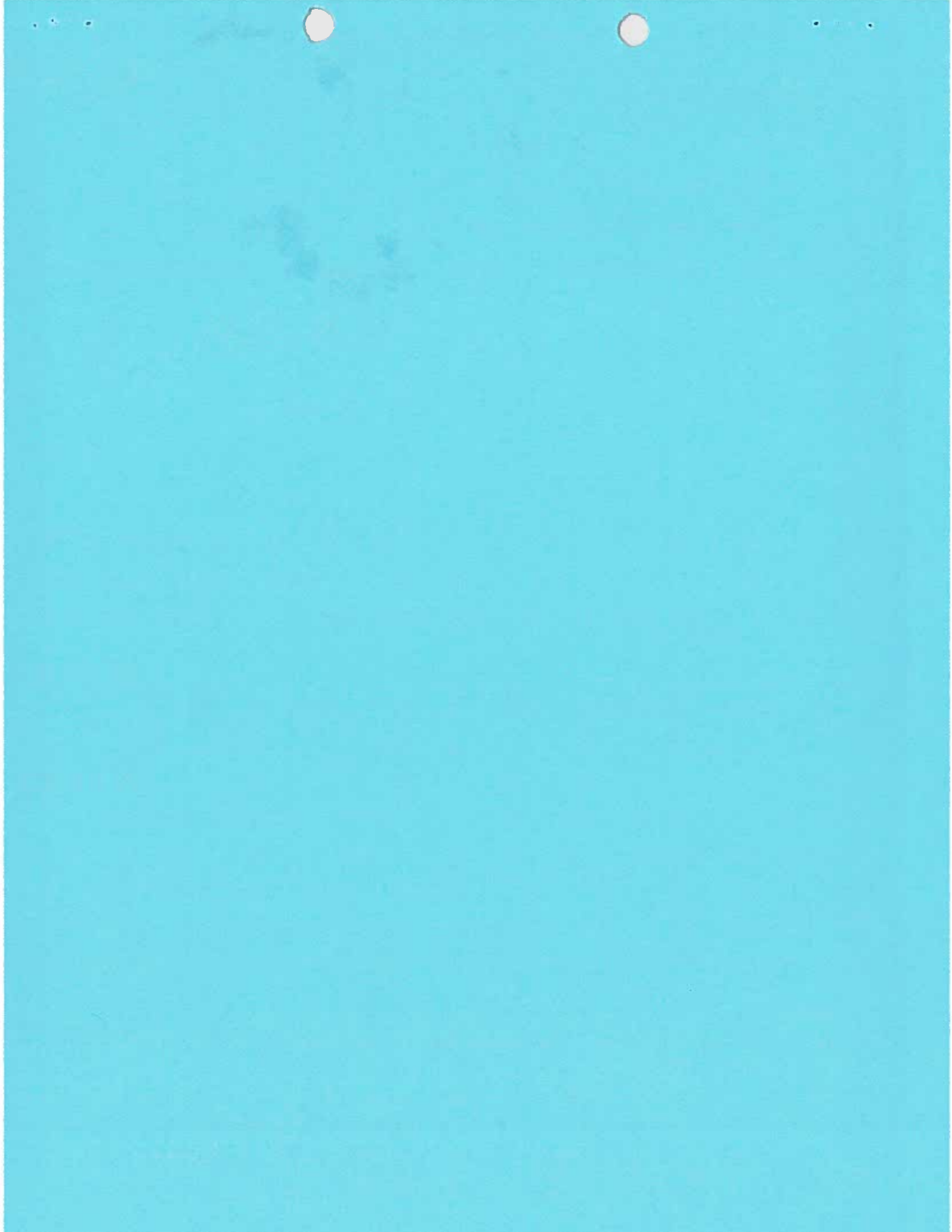
[The] WITH THE EXCEPTION OF THE CITY'S SEWER SYSTEM AND WATER-SUPPLY SYSTEM, THE City may grant for a limited time and subject to the limitations and conditions contained in the Charter, specific franchises or rights in or relating to any of the public property or places mentioned in the preceding sentence; provided that such grant is in compliance with the requirements of the Charter, and that the terms and conditions of the grant shall have first been authorized and set forth in an ordinance duly adopted.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

Every such grant shall specifically set forth and define the nature, extent and duration of the franchise or right thereby granted, and no franchise or right shall pass by implication under any such grant; and, notwithstanding any such grant the City shall at all times have and retain the power and right to reasonably regulate in the public interest the exercise of the franchise or right so granted; and the City shall not have the power by grant or ordinance to divest itself of the right or power so to regulate the exercise of such franchise or right.

SECTION 2. AND BE IT FURTHER RESOLVED, That this proposed amendment to the City Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection, in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the City Solicitor.



ACTION BY THE CITY COUNCIL

AUG 06 2018

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON August 6, 2018 _____ 20 _____

COMMITTEE REPORT AS OF August 6, 2018 _____ 20 _____

FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION

CF [Signature]
Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

AUG 06 2018

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING _____ AUG 06 2018

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

[Signature]
President

[Signature]
Chief Clerk