

FROM	NAME & TITLE	Rudolph S. Chow, P.E., Director
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building
	SUBJECT	CITY COUNCIL BILL 15-0467

CITY of
BALTIMORE
MEMO



TO

DATE:

September 3, 2015

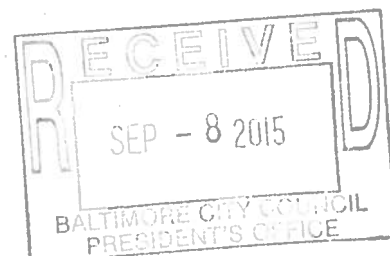
The Honorable President and Members
of the Baltimore City Council
c/o Natawna Austin
Room 400 – City Hall

I am herein reporting on City Council Bill 15-0467 introduced by the Council President on behalf of the Administration (Department of Transportation).

The purpose of the Bill is to correct agency references rendered obsolete by Charter amendments that have reallocated various powers and duties among these agencies; repeal certain obsolete or obsolescent provisions related to these and other units of City government; correct, clarify and conform the language of related provisions; and generally related to the administration and regulation of public works, surveys, public and private streets, highways, rights-of-way, transit and traffic, and general services.

The functions and structure of the Department of Public Works has changed as new departments were created and functions transferred to those new departments. Specifically: the formation of the Department of Transportation (DOT) resulted in the transfer of duties contained in Article 31 {Transit and Traffic} and in portions of Article 26 {Surveys, Streets, and Highways} of the Baltimore City Code to the new department, as authorized by Resolution 04-056; the formation of the Department of General Services (DGS) transferred duties from portions of Article 26 to the new department, as authorized by Resolution 08-003; and DOT has had certain duties transferred to it from DGS related to property locations and rights-of-way as of July 1, 2015, as authorized by Resolution 14-016.

In an effort to untangle these older Code references, City Council Bill 15-0467 was introduced to clarify these references and to remove obsolete Code provisions. Review of the legislation revealed other provisions of the Code in need of updating, some of which could not be amended into this single-purpose bill and which will require separate legislation. The remaining proposed amendments were prepared as one compilation that includes recommendations from DOT, DGS and Public Works and are attached to this memorandum. These recommended amendments were reviewed by the Law Department and Legislative Reference. In addition to the attached amendments prepared by Legislative Reference, the amended portions of the bill are shown in two contextual documents prepared by Legislative Reference (one for Amendment No. 1 and one for Amendments No. 2 through 6) with the proposed changes highlighted for ease of understanding.



The Honorable President and Members
of the Baltimore City Council
September 3, 2015
Page 2

Of particular interest to this Department is Amendments No. 1, an amendment proposed to Article 1 {Mayor, City Council, and Municipal Agencies} Subtitle 17. This section of the Code describes the power and duties of the Department of Public Works as well as its bureau structure. Public Works is the only agency whose internal structure is included in the Code and the only agency whose bureau heads are subject to the nomination and confirmation process. Subtitle 17 currently lists five bureaus within the Department of Public Works, two of which have been deleted under City Council Bill 15-0467 (the Bureau of General Services and the Bureau of Highways). The proposed Amendment No. 1 will do the following:

- Delete the Bureau of Construction Management from the list of active bureaus;
- Delete the description of the duties of the Bureau of Construction Management;
- Delete the description of duties of the Bureaus of Solid Waste and Water and Wastewater, as these Department's duties are detailed under Article 7 {Natural Resources}, Article 23 {Sanitation}, Article 24 {Water}, Article 25 {Sewers}, and Article 27 {Stormwater}; and
- Add language that continues all of the rights, powers, duties, obligations and functions previously conferred or imposed on the bureaus unless otherwise assigned or reassigned by law.

The Baltimore City Code is subject to change as new laws are enacted and existing law is modified. City Council Bill 15-0467 will remove obsolete provisions from the Code and will provide the correct references concerning agency-assigned functions and responsibilities. The Department of Public Works supports passage of this legislation as proposed to be amended.

Sincerely,


Rudolph S. Chow, P.E.
Director

Attachments

RSC/MMC:ela