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| 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.

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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