

Introduced by: The Council President
At the request of: The Administration (Department of Finance)

Prepared by: Department of Legislative Reference **Date:** January 18, 2017

Referred to: BUDGET AND APPROPRIATIONS Committee

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

CITY COUNCIL 17-0009

A BILL ENTITLED

AN ORDINANCE concerning

**Supplementary State Fund Operating Appropriation –
Department of Public Works – \$3,000,000**

FOR the purpose of providing a Supplementary State Fund Operating Appropriation in the amount of \$3,000,000 to the Department of Public Works – Service 730 (Public and Private Energy Performance), to provide funding for the installation of Combined Heat and Power (CHP) at the Back River Waste Water Treatment Plant; and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(2) and (c)
Baltimore City Charter
(1996 Edition)

****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.**

CITY OF BALTIMORE
ORDINANCE 17-002
Council Bill 17-0009

Introduced by: The Council President
At the request of: The Administration (Department of Finance)
Introduced and read first time: January 23, 2017
Assigned to: Budget and Appropriations Committee

Committee Report: Favorable
Council action: Adopted
Read second time: February 6, 2017

AN ORDINANCE CONCERNING

1 **Supplementary State Fund Operating Appropriation –**
2 **Department of Public Works – \$3,000,000**

3 FOR the purpose of providing a Supplementary State Fund Operating Appropriation in the
4 amount of \$3,000,000 to the Department of Public Works – Service 730 (Public and Private
5 Energy Performance), to provide funding for the installation of Combined Heat and Power
6 (CHP) at the Back River Waste Water Treatment Plant; and providing for a special effective
7 date.

8 BY authority of
9 Article VI - Board of Estimates
10 Section 8(b)(2) and (c)
11 Baltimore City Charter
12 (1996 Edition)

13 **Recitals**

14 The revenue appropriated by this Ordinance represents a grant from the Maryland
15 Department of the Environment, developed and administered by the Maryland Water Quality
16 Financing Administration, in excess of the revenue relied on by the Board of Estimates in
17 determining the tax levy required to balance the budget for Fiscal Year 2017.

18 That grant could not have been expected with reasonable certainty when the Ordinance of
19 Estimates for Fiscal Year 2017 was formulated.

20 On October 26, 2016, the Board of Estimates recommended this appropriation to the City
21 Council.

22 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That**
23 **\$3,000,000 shall be made available to the Department of Public Works – Service 730 (Public and**
24 **Private Energy Performance) as a Supplementary State Fund Operating Appropriation for Fiscal**
25 **Year 2017, to provide funding for the installation of Combined Heat and Power (CHP) at the**

EXPLANATION: CAPITALS indicate matter added to existing law
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.



Council Bill 17-0009

1 Back River Waste Water Treatment Plant. The source of revenue for this appropriation is the
2 grant from the Maryland Department of the Environment, developed and administered by the
3 Maryland Water Quality Financing Administration, in excess of the amount from this source that
4 was relied on by the Board of Estimates in determining the tax levy required to balance the
5 budget for Fiscal Year 2017.

6 SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is
7 enacted.

Certified as duly passed this _____ day of FEB 27 2017



President, Baltimore City Council

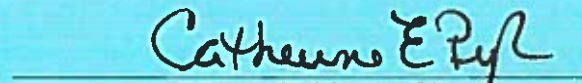
Certified as duly delivered to Her Honor, the Mayor,

this _____ day of FEB 27 2017



Chief Clerk

Approved this 17 day of March, 2017



Mayor, Baltimore City

Approved For Form and Legal Sufficiency
This 3rd Day of March 2017
Chief Solicitor Elona D. Pich

Chief Solicitor

This _____ Day of _____
Approved For Form and Legal Sufficiency

BALTIMORE CITY COUNCIL BUDGET AND APPROPRIATIONS COMMITTEE VOTING RECORD

DATE: 1-31-17

Bill #: 17-0009

BILL TITLE: Supplementary State Fund Operating Appropriation – Department of Public Works - \$3,000,000

MOTION BY: Scott SECONDED BY: Middleton
Reopened for re-vote → Pinkett Scott

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Costello, Eric - Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon - Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry, Bill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> <i>n.m.</i>	<input type="checkbox"/>
Middleton, Sharon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott, Brandon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schleifer, Isaac	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sneed, Shannon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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TOTALS	<u>7</u>	<u>—</u>	<u>0</u>	<u>—</u>

CHAIRPERSON: C. J. [Signature]

COMMITTEE STAFF: Marguerite Murray, Initials: M.M.

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 17-0009

CITY of
BALTIMORE
MEMO



TO DATE: January 26, 2017

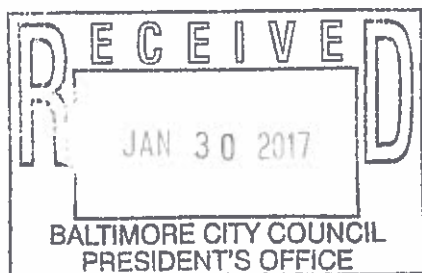
The Honorable President and Members
of the Baltimore City Council
c/o Natawna Austin
Room 400 – City Hall

I am herein reporting on City Council Bill 17-0009 introduced by Council President Young on behalf of the Administration (Department of Finance).

The purpose of the Bill is to provide a Supplementary State Fund Operating Appropriation in the amount of \$3 million to the Department of Public Works (Service 730 – Public and Private Energy Performance), to provide funding for the installation of Combined Heat and Power at the Back River Wastewater Treatment Plant.

The source of funds is a grant from the Maryland Department of the Environment, developed and administered by the Maryland Water Quality Financing Administration FY 2017 Energy Water Infrastructure Program. An earlier grant award of \$494,320.00 was approved under Ordinance 16-564 for the same purpose. This request will fund the installation of the 2,000 kW Combined Heat and Power system at the Back River Wastewater Treatment Plant. The system will consist of natural gas fired combustion turbines with waste heat recovery from the treatment plant processes. The project completion date is February 1, 2018. This project will supplement an existing combined heat and power plant already in operation at the Back River plant.

The Board of Estimates approved and authorized the acceptance of this grant award at their October 26, 2016 meeting. Approval of City Council Bill 17-0009 would allow the Department to accept this grant and complete this important power generating project. It is for this reason that the Department of Public Works supports passage of City Council Bill 17-0009.



Sincerely,

Rudolph S. Chow, P.E.
Director

RSC/MMC:ela

F

AKA, Deputy, for:

FROM	NAME & TITLE	Andrew Kleine, Chief
	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 432, City Hall (410) 396-4941
	SUBJECT	City Council Bill #17-0009 – Supplementary State Fund Operating Appropriation – DPW \$3,000,000

CITY of
BALTIMORE
MEMO



TO

DATE:
January 26, 2017

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

Attention: Ms. Natawna Austin

City Council Bill 17-0009 authorizes Supplementary State Fund Operating Appropriation in the amount of \$3,000,000 to the Department of Public Works – Service 730 (Public and Private Energy Performance), to provide funding for the installation of Combined Heat and Power (CHP) at Back River Waste Water Treatment Plant.

Background

The revenue appropriated by this Ordinance represents a grant from the Maryland Department of Environment (MDE) in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2017.

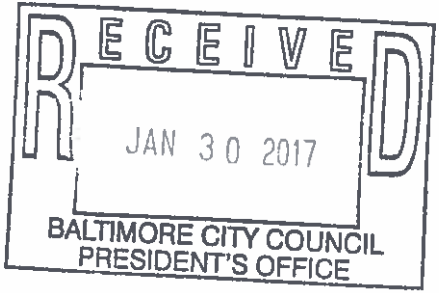
Recommendation

The Department of Finance supports this legislation.

Cc: Henry Raymond
Angela Gibson

Visit Our Website @ www.baltimorecity.gov

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CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

January 26, 2017

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

Re: City Council Bill 17-0009 – Supplementary Federal Fund Operating
Appropriation –Department of Public Works– \$3,000,000

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0009 for form and legal sufficiency. The bill provides a Supplementary State Fund Operating Appropriation in the amount of \$3,000,000 to the Baltimore City Department of Public Works. The bill has an immediate effective date.

The City Charter establishes the criteria for making supplementary appropriations. City Charter, Art. VI, §8. Section 8(b)(2) of Article VI of the City Charter permits such a supplementary appropriation when it is made necessary by a government grant that could not reasonably have been anticipated at the time the Ordinance of Estimates was formulated. The supplementary appropriation must be recommended by the Board of Estimates and must be approved by the Mayor and City Council via an ordinance, which may only encompass a “single program, purpose, activity or project.” This is the appropriate method to accept this federal grant from the Maryland Department of the Environment.

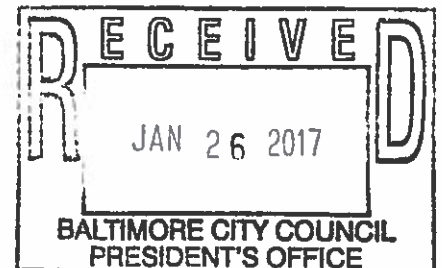
The Law Department approves this bill for form and legal sufficiency.

Very truly yours, *ecm*

Hilary Ruley

Hilary Ruley
Chief Solicitor

cc: David Ralph, Acting City Solicitor
Angela C. Gibson, Mayor’s Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Victor Tervalá, Chief Solicitor
Jennifer Landis, Assistant Solicitor



F



HEARING NOTES

Bill: 17-0009

Supplementary State Fund Operating Appropriation – Department of Public Works - \$3,000,000

Committee: Budget and Appropriations
Chaired By: Councilmember Eric Costello

Hearing Date: Tuesday, January 31, 2017
Time (Beginning): 2:05 PM
Time (Ending): 2:10 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: Approximately 20

Committee Members in Attendance:

Eric Costello Brandon Scott
Leon Pinkett Isaac "Yitzy" Schleifer
Bill Henry Sharon Sneed
Sharon Green Middleton

Bill Synopsis in the file? [X] yes [] no [] n/a
Attendance sheet in the file? [X] yes [] no [] n/a
Agency reports read? [X] yes [] no [] n/a
Hearing televised or audio-digitally recorded? [] yes [] no [X] n/a
Certification of advertising/posting notices in the file? [] yes [] no [X] n/a
Evidence of notification to property owners? [] yes [] no [X] n/a
Final vote taken at this hearing? [X] yes [] no [] n/a
Motioned by: Councilmember Scott
Seconded by: Councilmember Middleton
VOTE WAS RE-OPENED
Motioned by: Councilmember Pinkett
Seconded by: Councilmember Scott
Final Vote: Favorable

Major Speakers
(This is not an attendance record.)

- Andrew Kleine, Department of Finance
 - Theodore Atwood, Department of Public Works
-

Major Issues Discussed

1. Agency representatives, one from the Department of Finance and one from the DPW briefly talked about the purpose of the supplemental.
 2. Vote taken; motion made to re-open vote, seconded and vote taken.
-

Further Study

Was further study requested?

Yes No

If yes, describe.

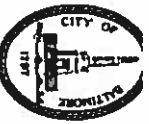
Committee Vote:

E. Costello: Yea
L. Pinkett: Yea
B. Henry: Yea
S. Middleton: Yea
B. Scott: Yea
I. Schleifer: Yea
S. Sneed: Yea

M.M.
Marguerite Murray, Committee Staff

Date: February 1, 2017

cc: Bill File
OCS Chrono File



**CITY OF BALTIMORE
CITY COUNCIL HEARING ATT**

Committee: Budget and Appropriations

Date: Tuesday, February 21, 2017

Time: 2:00 PM

Pla

Subject: Ordinance - Supplementary State Fund Operating Appropriation - Department

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE

FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME
John	Doe	100	North Charles Street
Deborah	Moore-Carter	417	E Fayette St
Nita	Ford	401	E Fayette St
David	Rolph		Law Dept City Hall
Fred	Smalton		" "
Maria	Collins		DP29
Teal	Furrow		" "
Kristyn	Oidendorf		DPW
Philip	Boas		BBMR



BALTIMORE CITY COUNCIL BUDGET AND APPROPRIATIONS COMMITTEE

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Budget and Appropriations Committee is to analyze and oversee the continuing operations, efficiency, and functions of Baltimore City government.

The Committee provides regular oversight of the funding and spending practices of City agencies, periodically analyzes the budget reports and activities of those agencies, and maintains a high level of fiscal accountability in City government.

As a result of its analysis and oversight, the Committee will recommend reforms to improve the operations of any of these agencies; through legislative, administrative, and/or budgetary improvements.

**The Honorable Eric T. Costello
Chairman**

PUBLIC HEARING

**TUESDAY, JANUARY 31, 2017
2:00 PM**

CLARENCE "DU" BURNS COUNCIL CHAMBERS

Council Bill #17-0009

***Ordinance – Supplementary State Fund Operating Appropriation
– Department of Public Works - \$3,000,000***

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

Eric Costello – Chair
Leon Pinkett – Vice Chair
Bill Henry
Sharon Green Middleton
Brandon M. Scott
Isaac “Yitzy” Schleifer
Shannon Sneed
Staff: Marguerite Murray

EDUCATION AND YOUTH

Zeke Cohen – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Kristerfer Burnett
Ryan Dorsey
Staff: D’Paul Nibber

EXECUTIVE APPOINTMENTS

Robert Stokes – Chair
Kristerfer Burnett – Vice Chair
Mary Pat Clarke
Zeke Cohen
Isaac “Yitzy” Schleifer
Staff: Jennifer Coates

HOUSING AND URBAN AFFAIRS

John Bullock – Chair
Isaac “Yitzy” Schleifer – Vice Chair
Kristerfer Burnett
Bill Henry
Shannon Sneed
Zeke Cohen
Ryan Dorsey
Staff: Richard Krummerich

JUDICIARY AND LEGISLATIVE INVESTIGATIONS

Erick Costello – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Leon Pinkett
Edward Reisinger
Brandon Scott
Robert Stokes
Staff: D’Paul Nibber

LABOR

Shannon Sneed – Chair
Robert Stokes – Vice Chair
Eric Costello
Bill Henry
Mary Pat Clarke
Staff: Marguerite Murray

LAND USE AND TRANSPORTATION

Edward Reisinger - Chair
Sharon Green Middleton – Vice Chair
Mary Pat Clarke
Eric Costello
Ryan Dorsey
Leon Pinkett
Robert Stokes
Staff: Marshall Bell

PUBLIC SAFETY

Brandon Scott – Chair
Ryan Dorsey – Vice Chair
Kristerfer Burnett
Shannon Sneed
Zeke Cohen
Leon Pinkett
Isaac “Yitzy” Schleifer
Staff: Marshall Bell

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Sharon Green Middleton – Chair
Leon Pinkett – Vice Chair
Eric Costello
Edward Reisinger
Robert Stokes
Staff: Jennifer Coates
- Larry Greene (pension only)



BILL SYNOPSIS

Committee: Budget and Appropriations

Bill 17-0009

Supplementary State Fund Operating Appropriation – Department of Public Works - \$3,000,000

Sponsor: *President Young at the request of the Department of Finance*

Introduced: *January 23, 2017*

Purpose:

For the purpose of providing a Supplementary State Fund Operating Appropriation in the amount of \$3,000,000 to the Department of Public Works – Service 730 (Public and Private Energy Performance), to provide funding for the installation of Combined Heat and Power (CHP) at the Back River Waste Water Treatment Plant; and providing for a special effective date.

Effective: On the date it is enacted.

Hearing Date/Time/Location: Tuesday, January 31, 2017/2:00 PM/Council Chambers

Agency Reports

Law Department	Favorable
Department of Public Works (DPW)	
Finance Department	
Board of Estimates	Approved

Analysis

Current Law

Article VI - Board of Estimates, Section 8 - Ordinance of Estimates - Deficiencies and Supplementary Appropriations of the Baltimore City Charter governs the mandates for supplementary appropriations.

§ 8. Deficiencies: Supplementary appropriations.

(b) Supplementary appropriations — when authorized.

Except as provided herein, the Ordinance of Estimates shall include all the moneys to be appropriated by the City for all purposes for the fiscal year for which the ordinance is applicable. Additional appropriations shall be permitted during the fiscal year only in the following circumstances and under the following conditions:

(2) Unanticipated grants.

Grants from private or governmental sources which could not be expected with reasonable certainty at the time of the formulation of the proposed Ordinance of Estimates may be made available to the appropriate municipal agency for expenditure by a supplementary appropriation ordinance recommended to the City Council by the Board of Estimates, duly passed by the City Council by a majority vote of its members and approved by the Mayor.

(c) Supplementary appropriations – Requisites of ordinance.

Every such further or additional appropriation shall be embodied in a separate ordinance limited to a single program, purpose, activity or project therein stated, and each such supplementary appropriation ordinance shall also, anything contained in the Charter to the contrary notwithstanding, provide the revenue necessary to pay the appropriation by a source, other than the full rate property tax, imposed under the authority of Article II. The revenue shall be levied and collected as directed in the ordinance. The estimate of the revenues to be derived from any source proposed in a supplementary appropriation ordinance shall be made by the Board of Estimates.

Background

The supplemental appropriation is a grant award in the amount of \$3 million dollars for the City's Department of Public Works, (DPW) under Service 730, received from the Maryland Department of the Environment (MDE) which was developed and administered by the Maryland Water Quality Financing Administration.

The purpose of the grant is to fund the installation of Combined Heat and Power at the Back River Waste Water Treatment.

Currently there are two (2) Wastewater Treatment Plants located in the city: Back River and Patapsco. There are 3,100 miles of sanitary mains in the whole system. The DPW maintains 1,400 miles; collects and treats an average flow of 200 million gallons wastewater daily (Back River design flow 180 MGD; average flow 132 MGD. Patapsco design flow 73 MGD; average flow 63 MGD) and operates eight (8) major wastewater pumping states and 10 (ten) minor installations.¹

Service 730-Public and Private Energy Performance is listed under the city's priority outcome for "A Cleaner City." See attached paperwork for additional information pertaining to Service 730.

Council Bill 17-0009, upon the approval of the City Council and Mayor will complete the process necessary to allocate the grant funds to the DPW.

¹ The Department of Public Works website

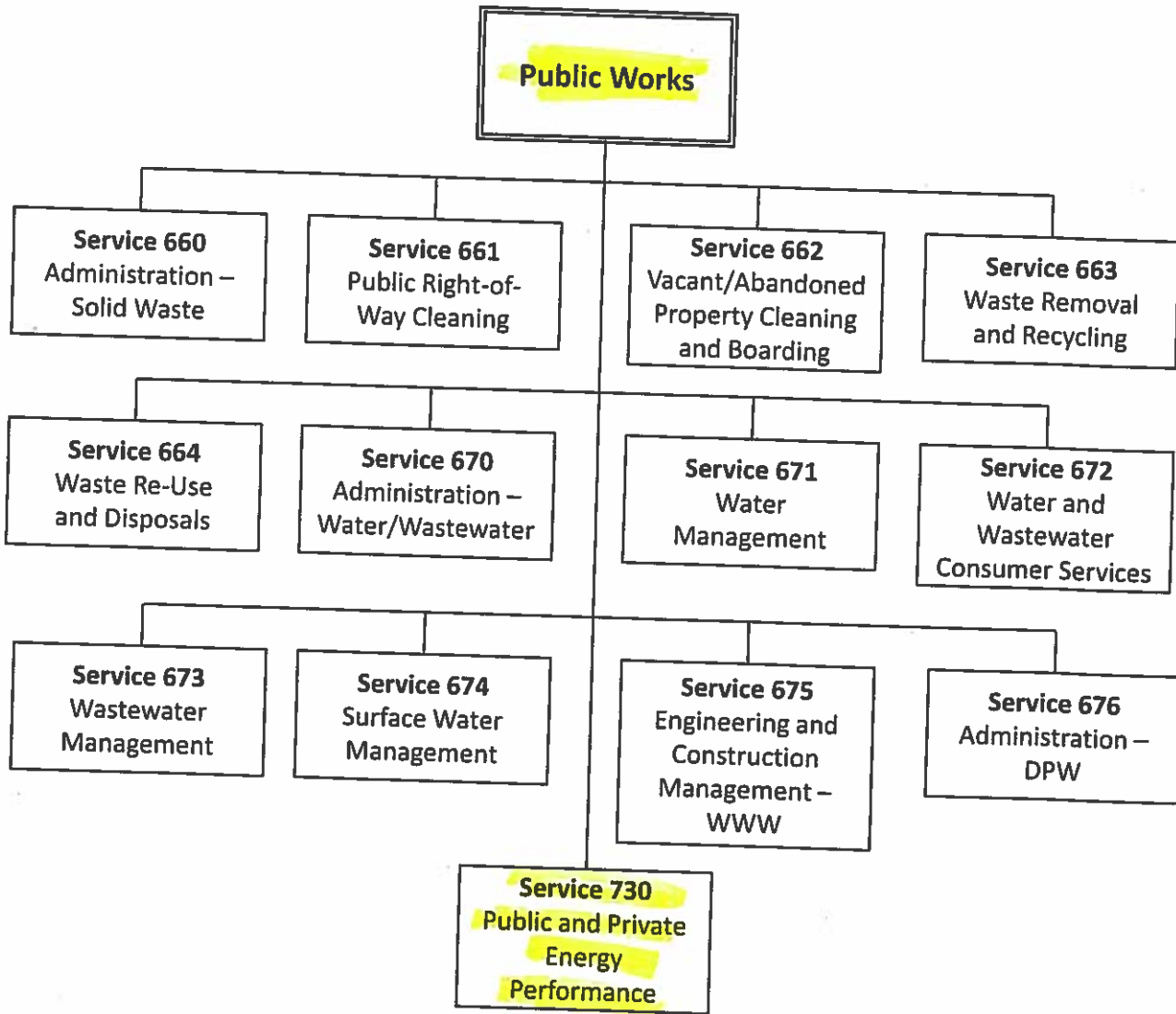
Additional Information

Fiscal Note: See background section above

Information Source(s): City Charter, Bill #17-0009, see footnotes and all agency reports received as of this writing.

Analysis by: ^{*m. M*} Marguerite Murray
Analysis Date: January 27, 2017

Direct Inquiries to: (443) 984-3485



Service 730: Public and Private Energy Performance

Priority Outcome: A Cleaner City

Agency: Public Works

Service Description: This service oversees implementation and management of technologies to minimize energy usage and cost to the City while maximizing opportunities from renewable energy sources consistent with the City's Sustainability Plan and State mandates. This service will continue to expand its operations to include developing energy policies, analyzing additional energy-related proposals, applying for more grant funds.

Fund	Fiscal 2015 Actual		Fiscal 2016 Budget		Fiscal 2017 Recommended	
	Dollars	Positions	Dollars	Positions	Dollars	Positions
Federal	-	-	\$2,000,000	-	-	-
State	\$3,152,212	-	\$2,000,000	-	-	-
Internal	\$1,626,451	-	\$2,408,268	11	\$2,262,163	9
Special	-	-	\$5,000,000	-	-	-
TOTAL	\$4,778,663	-	\$11,408,268	11	\$2,262,163	9

PERFORMANCE MEASURES

Type	Measure	FY12 Actual	FY13 Actual	FY14 Actual	FY15 Target	FY15 Actual	FY16 Target	FY17 Target
Output	Annual energy savings from Energy Office initiatives (million kWh)	37	63	65	66	65	68	87
Efficiency	(\$ Saved + Revenue) / \$ Invested (ROI)	1.25	1.28	2.00	2.00	1.77	1.80	1.83
Efficiency	% of City government usage from renewable sources	N/A	N/A	N/A	New	N/A	13.22%	13.22%
Effectiveness	Community energy needs supplied by saving (# of homes)	3,850	6,411	6,640	6,856	6,761	7,111	9,074
Outcome	\$ saved and revenue generated from energy efficiency projects	N/A	\$13.5M	\$18.9M	\$21.6M	\$20.2M	\$22.0M	\$19.1M

The number of homes with energy supplied through savings rose to 6,761 in Fiscal 2015. The Fiscal 2017 target is developed based on a 9,600 kW annual usage per household

MAJOR BUDGET ITEMS

- The Fiscal 2017 recommended funding level includes the termination of a three-year grant supported through the Customer Investment Fund.
- The Office of Sustainable Energy is supported through an internal service fund, with revenue for the fund provided through project fees, service charges, project rebates and incentives, and grant fund sources.
- The Office is implementing new combined heat and power generation projects at the Back River and Ashburton facilities, and exploring potential solar generation projections on the closed Western Landfill.

AGENCY: 6100 Public Works
 SERVICE: 730 Public and Private Energy Performance

SERVICE BUDGET SUMMARY

	Actual FY 2015	Budgeted FY 2016	Recommended FY 2017	Change In Budget
EXPENDITURES BY OBJECT:				
0 Transfers	-2,025,566	21,211	28,252	7,041
1 Salaries	870,233	1,426,333	1,370,082	-56,251
2 Other Personnel Costs	312,641	265,599	231,403	-34,196
3 Contractual Services	5,593,009	9,596,274	519,844	-9,076,430
4 Materials and Supplies	14,249	16,830	25,138	8,308
5 Equipment - \$4,999 or less	14,097	65,260	65,393	133
7 Grants, Subsidies and Contributions	0	16,761	22,051	5,290
TOTAL OBJECTS	\$4,778,663	\$11,408,268	\$2,262,163	-\$9,146,105
EXPENDITURES BY ACTIVITY:				
1 Business Development and Planning	271,766	9,000,000	0	-9,000,000
2 Administration	1,562,647	2,387,057	2,233,911	-153,146
4 Exelon Co-generation	79,397	0	0	0
5 Exelon Retrofit Loans	2,802,164	0	0	0
26 Transfers	62,689	21,211	28,252	7,041
TOTAL ACTIVITIES	\$4,778,663	\$11,408,268	\$2,262,163	-\$9,146,105
EXPENDITURES BY FUND:				
Internal Service	1,626,451	2,408,268	2,262,163	-146,105
Federal	0	2,000,000	0	-2,000,000
State	3,152,212	2,000,000	0	-2,000,000
Special	0	5,000,000	0	-5,000,000
TOTAL FUNDS	\$4,778,663	\$11,408,268	\$2,262,163	-\$9,146,105

**CITY OF BALTIMORE
COUNCIL BILL 17-0009
(First Reader)**

Introduced by: The Council President

At the request of: The Administration (Department of Finance)

Introduced and read first time: January 23, 2017

Assigned to: Budget and Appropriations Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Supplementary State Fund Operating Appropriation –**
3 **Department of Public Works – \$3,000,000**

4 FOR the purpose of providing a Supplementary State Fund Operating Appropriation in the
5 amount of \$3,000,000 to the Department of Public Works – Service 730 (Public and Private
6 Energy Performance), to provide funding for the installation of Combined Heat and Power
7 (CHP) at the Back River Waste Water Treatment Plant; and providing for a special effective
8 date.

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11 Section 8(b)(2) and (c)
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13 (1996 Edition)

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17 Financing Administration, in excess of the revenue relied on by the Board of Estimates in
18 determining the tax levy required to balance the budget for Fiscal Year 2017.

19 That grant could not have been expected with reasonable certainty when the Ordinance of
20 Estimates for Fiscal Year 2017 was formulated.

21 On October 26, 2016, the Board of Estimates recommended this appropriation to the City
22 Council.

23 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That**
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25 **Private Energy Performance) as a Supplementary State Fund Operating Appropriation for Fiscal**
26 **Year 2017, to provide funding for the installation of Combined Heat and Power (CHP) at the**
27 **Back River Waste Water Treatment Plant. The source of revenue for this appropriation is the**

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

Council Bill 17-0009

1 grant from the Maryland Department of the Environment, developed and administered by the
2 Maryland Water Quality Financing Administration, in excess of the amount from this source that
3 was relied on by the Board of Estimates in determining the tax levy required to balance the
4 budget for Fiscal Year 2017.

5 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
6 enacted.

Avery

Catherine E. Pugh
Mayor



Room 250, City Hall
Baltimore, MD 21202

January 12, 2017

TO: Avery Aisenstark, Director, Department of Legislative Reference

FROM: Angela C. Gibson, Mayor's Legislative Liaison to the City Council

acg sw

SUBJECT: Bill Introduction for the Administration:

An Ordinance Concerning:

**Supplementary State Fund Operating Appropriation
\$3,000,000 – Department of Public Works**

Please prepare the attached for introduction at the City Council meeting scheduled for Monday, January 23, 2017. This bill is introduced at the request of the Administration (Department of Finance). Please return legislation to this office when completed.


If you have any questions regarding this legislation, please contact Andrew Kleine at 410.396.5944.

Thank you

ACG:sw

Attachment

cc: Peter Hammen, Chief of Operations
Karen Stokes, Director, Mayor's Office of Government Relations

FROM	TO	Andrew Kleine. Chief Deputy, for:	CITY OF BALTIMORE MEMO 89	
	FROM	Bureau of the Budget and Management Research Room 432, City Hall (410) 396-4941		
	SUBJECT	FY17 Energy Water Infrastructure Program Grant		

TO The Honorable President and Members
of the Board of Estimates

DATE: October 11, 2016

Dear President and Members:

ACTION REQUESTED OF B/E:

Approval for a supplemental State Fund appropriation to provide funding for a grant for the Department of Public Works, Service Number 730: Public and Private Energy Performance.

AMOUNT OF MONEY AND SOURCE OF FUNDS:

The source of funds for this appropriation (\$3,000,000) will come from the Maryland Department of Environment (MDE) developed and administered by the Maryland Water Quality Financing Administration (MWQFA).

BACKGROUND AND EXPLANATION:

The purpose of the grant is to the installation of Combined Heat and Power (CHP) at Back River Waste Water Treatment Plant.

MBE/WBE PARTICIPATION:

N/A

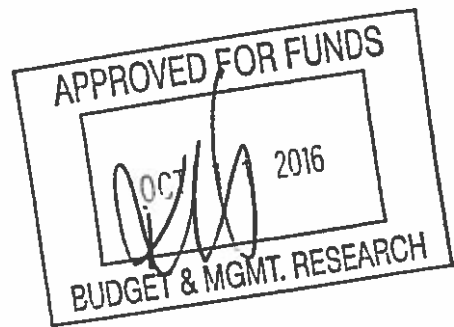
BALTIMORE CITY RESIDENTS FIRST (BCRF):

BCRF Applicable: ___yes ___x___no

APPROVED BY BOARD OF ESTIMATES

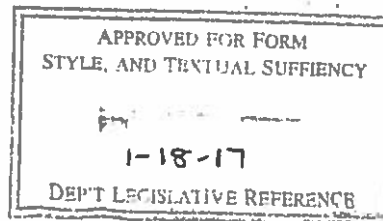
Bernice N. Taylor

DATE OCT 26 2016 CLERK



BBMR

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: The Council President
At the request of: The Administration (Department of Finance)

A BILL ENTITLED

AN ORDINANCE concerning

**Supplementary State Fund Operating Appropriation –
Department of Public Works – \$3,000,000**

FOR the purpose of providing a Supplementary State Fund Operating Appropriation in the amount of \$3,000,000 to the Department of Public Works – Service 730 (Public and Private Energy Performance), to provide funding for the installation of Combined Heat and Power (CHP) at the Back River Waste Water Treatment Plant; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(2) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents a grant from the Maryland Department of the Environment, developed and administered by the Maryland Water Quality Financing Administration, in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2017.

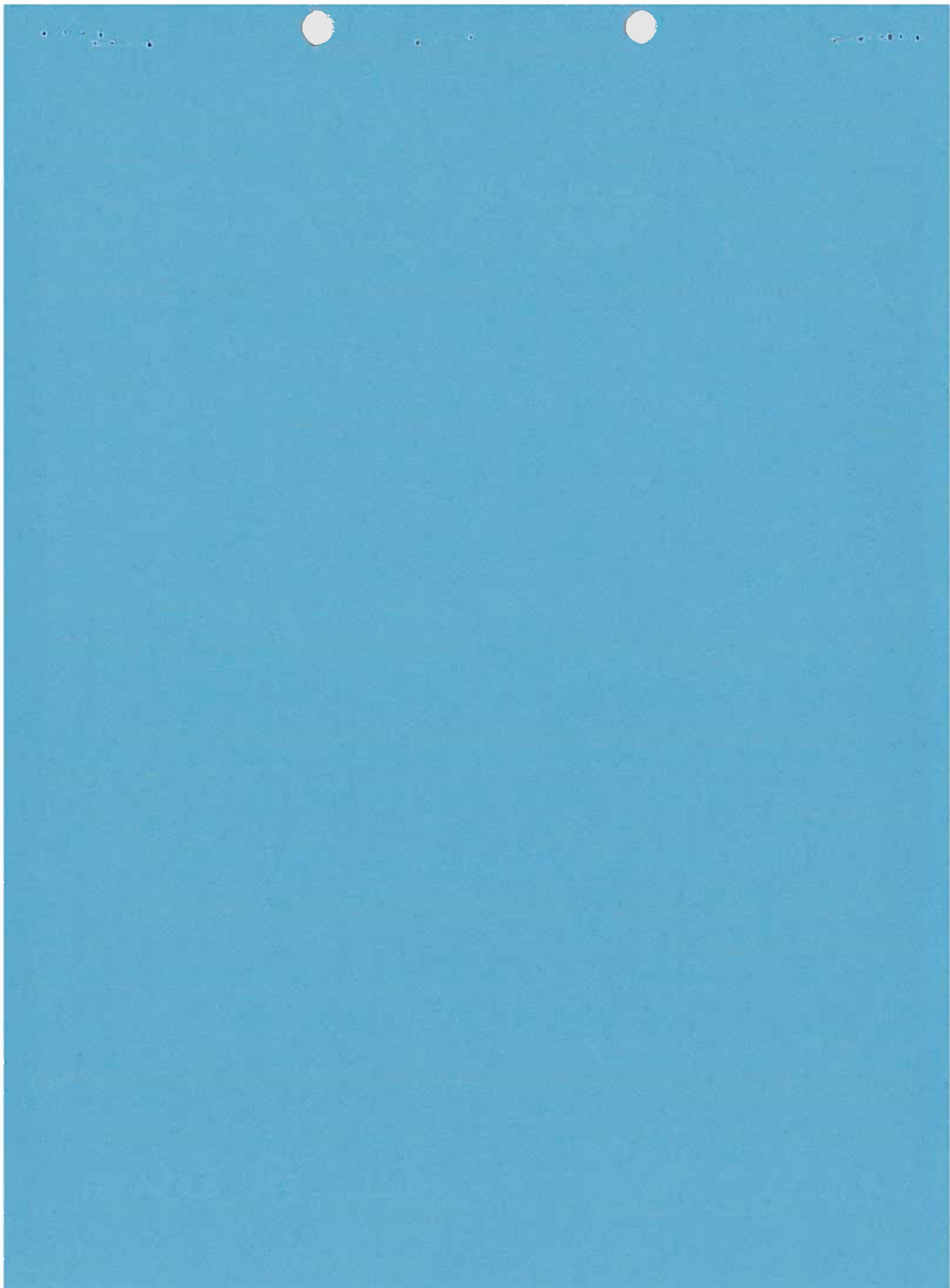
That grant could not have been expected with reasonable certainty when the Ordinance of Estimates for Fiscal Year 2017 was formulated.

On October 26, 2016, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$3,000,000 shall be made available to the Department of Public Works – Service 730 (Public and Private Energy Performance) as a Supplementary State Fund Operating Appropriation for Fiscal Year 2017, to provide funding for the installation of Combined Heat and Power (CHP) at the Back River Waste Water Treatment Plant. The source of revenue for this appropriation is the grant from the Maryland Department of the Environment, developed and administered by the Maryland Water Quality Financing Administration, in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2017.

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

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.



ACTION BY THE CITY COUNCIL

JAN 23 2017
20

FIRST READING (INTRODUCTION) _____

PUBLIC HEARING HELD ON January 31, 2017 _____ 20

COMMITTEE REPORT AS OF February 6, 2017 _____ 20

FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION

P. V. Costa
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: FEB 06 2017
20

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

THIRD READING _____ FEB 27 2017
20

_____ 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

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 17-0009

CITY of
BALTIMORE
MEMO



TO

DATE:

January 26, 2017

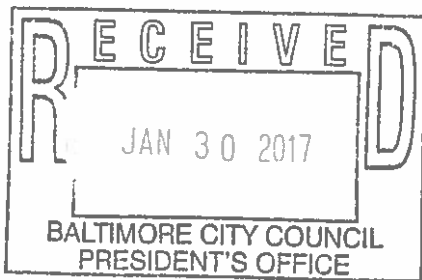
The Honorable President and Members
of the Baltimore City Council
c/o Natawna Austin
Room 400 – City Hall

I am herein reporting on City Council Bill 17-0009 introduced by Council President Young on behalf of the Administration (Department of Finance).

The purpose of the Bill is to provide a Supplementary State Fund Operating Appropriation in the amount of \$3 million to the Department of Public Works (Service 730 – Public and Private Energy Performance), to provide funding for the installation of Combined Heat and Power at the Back River Wastewater Treatment Plant.

The source of funds is a grant from the Maryland Department of the Environment, developed and administered by the Maryland Water Quality Financing Administration FY 2017 Energy Water Infrastructure Program. An earlier grant award of \$494,320.00 was approved under Ordinance 16-564 for the same purpose. This request will fund the installation of the 2,000 kW Combined Heat and Power system at the Back River Wastewater Treatment Plant. The system will consist of natural gas fired combustion turbines with waste heat recovery from the treatment plant processes. The project completion date is February 1, 2018. This project will supplement an existing combined heat and power plant already in operation at the Back River plant.

The Board of Estimates approved and authorized the acceptance of this grant award at their October 26, 2016 meeting. Approval of City Council Bill 17-0009 would allow the Department to accept this grant and complete this important power generating project. It is for this reason that the Department of Public Works supports passage of City Council Bill 17-0009.



Sincerely,

Rudolph S. Chow, P.E.
Director

RSC/MMC:ela

F

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

January 26, 2017

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

Re: City Council Bill 17-0009 – Supplementary Federal Fund Operating
Appropriation –Department of Public Works– \$3,000,000

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0009 for form and legal sufficiency. The bill provides a Supplementary State Fund Operating Appropriation in the amount of \$3,000,000 to the Baltimore City Department of Public Works. The bill has an immediate effective date.

The City Charter establishes the criteria for making supplementary appropriations. City Charter, Art. VI, §8. Section 8(b)(2) of Article VI of the City Charter permits such a supplementary appropriation when it is made necessary by a government grant that could not reasonably have been anticipated at the time the Ordinance of Estimates was formulated. The supplementary appropriation must be recommended by the Board of Estimates and must be approved by the Mayor and City Council via an ordinance, which may only encompass a “single program, purpose, activity or project.” This is the appropriate method to accept this federal grant from the Maryland Department of the Environment.

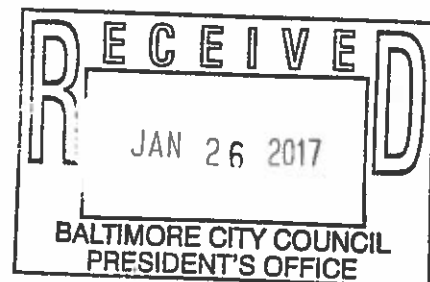
The Law Department approves this bill for form and legal sufficiency.

Very truly yours, *ecm*

Hilary Ruley

Hilary Ruley
Chief Solicitor

cc: David Ralph, Acting City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Victor Tervalá, Chief Solicitor
Jennifer Landis, Assistant Solicitor



AKA, Deputy, for :

FROM	NAME & TITLE	Andrew Kleine, Chief
	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 432, City Hall (410) 396-4941
	SUBJECT	City Council Bill #17-0009 – Supplementary State Fund Operating Appropriation – DPW \$3,000,000

CITY of
BALTIMORE
MEMO



DATE: January 26, 2017

TO

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

Attention: Ms. Natawna Austin

City Council Bill 17-0009 authorizes Supplementary State Fund Operating Appropriation in the amount of \$3,000,000 to the Department of Public Works – Service 730 (Public and Private Energy Performance), to provide funding for the installation of Combined Heat and Power (CHP) at Back River Waste Water Treatment Plant.

Background

The revenue appropriated by this Ordinance represents a grant from the Maryland Department of Environment (MDE) in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2017.

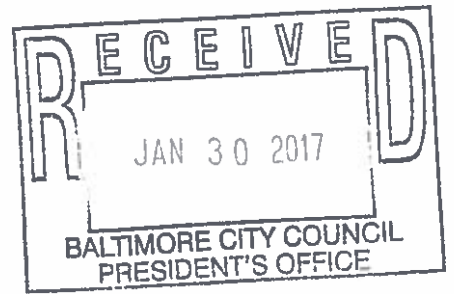
Recommendation

The Department of Finance supports this legislation.

Cc: Henry Raymond
Angela Gibson

Visit Our Website @ www.baltimorecity.gov

F



**CITY OF BALTIMORE
COUNCIL BILL 17-0009
(First Reader)**

Introduced by: The Council President

At the request of: The Administration (Department of Finance)

Introduced and read first time: January 23, 2017

Assigned to: Budget and Appropriations Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Supplementary State Fund Operating Appropriation –**
3 **Department of Public Works – \$3,000,000**

4 FOR the purpose of providing a Supplementary State Fund Operating Appropriation in the
5 amount of \$3,000,000 to the Department of Public Works – Service 730 (Public and Private
6 Energy Performance), to provide funding for the installation of Combined Heat and Power
7 (CHP) at the Back River Waste Water Treatment Plant; and providing for a special effective
8 date.

9 BY authority of

10 Article VI - Board of Estimates
11 Section 8(b)(2) and (c)
12 Baltimore City Charter
13 (1996 Edition)

14 **Recitals**

15 The revenue appropriated by this Ordinance represents a grant from the Maryland
16 Department of the Environment, developed and administered by the Maryland Water Quality
17 Financing Administration, in excess of the revenue relied on by the Board of Estimates in
18 determining the tax levy required to balance the budget for Fiscal Year 2017.

19 That grant could not have been expected with reasonable certainty when the Ordinance of
20 Estimates for Fiscal Year 2017 was formulated.

21 On October 26, 2016, the Board of Estimates recommended this appropriation to the City
22 Council.

23 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That**
24 **\$3,000,000 shall be made available to the Department of Public Works – Service 730 (Public and**
25 **Private Energy Performance) as a Supplementary State Fund Operating Appropriation for Fiscal**
26 **Year 2017, to provide funding for the installation of Combined Heat and Power (CHP) at the**
27 **Back River Waste Water Treatment Plant. The source of revenue for this appropriation is the**

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

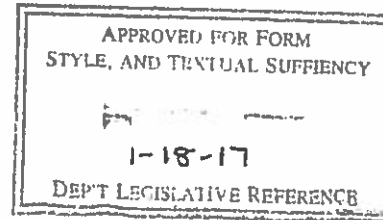
Council Bill 17-0009

1 grant from the Maryland Department of the Environment, developed and administered by the
2 Maryland Water Quality Financing Administration, in excess of the amount from this source that
3 was relied on by the Board of Estimates in determining the tax levy required to balance the
4 budget for Fiscal Year 2017.

5 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
6 enacted.

INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL *17-0009*



Introduced by: The Council President
At the request of: The Administration (Department of Finance)

A BILL ENTITLED

AN ORDINANCE concerning

**Supplementary State Fund Operating Appropriation –
Department of Public Works – \$3,000,000**

*Budget
Law
Finance
BOE
DPW*

FOR the purpose of providing a Supplementary State Fund Operating Appropriation in the amount of \$3,000,000 to the Department of Public Works – Service 730 (Public and Private Energy Performance), to provide funding for the installation of Combined Heat and Power (CHP) at the Back River Waste Water Treatment Plant; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(2) and (c)
Baltimore City Charter
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Recitals

The revenue appropriated by this Ordinance represents a grant from the Maryland Department of the Environment, developed and administered by the Maryland Water Quality Financing Administration, in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2017.

That grant could not have been expected with reasonable certainty when the Ordinance of Estimates for Fiscal Year 2017 was formulated.

On October 26, 2016, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$3,000,000 shall be made available to the Department of Public Works – Service 730 (Public and Private Energy Performance) as a Supplementary State Fund Operating Appropriation for Fiscal Year 2017, to provide funding for the installation of Combined Heat and Power (CHP) at the Back River Waste Water Treatment Plant. The source of revenue for this appropriation is the grant from the Maryland Department of the Environment, developed and administered by the Maryland Water Quality Financing Administration, in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2017.

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SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 17-0009

Introduced by: The Council President
At the request of: The Administration (Department of Finance)
Introduced and read first time: January 23, 2017
Assigned to: Budget and Appropriations Committee

Committee Report: Favorable
Council action: Adopted
Read second time: February 6, 2017

AN ORDINANCE CONCERNING

**Supplementary State Fund Operating Appropriation –
Department of Public Works – \$3,000,000**

1
2
3 FOR the purpose of providing a Supplementary State Fund Operating Appropriation in the
4 amount of \$3,000,000 to the Department of Public Works – Service 730 (Public and Private
5 Energy Performance), to provide funding for the installation of Combined Heat and Power
6 (CHP) at the Back River Waste Water Treatment Plant; and providing for a special effective
7 date.

8 BY authority of
9 Article VI - Board of Estimates
10 Section 8(b)(2) and (c)
11 Baltimore City Charter
12 (1996 Edition)

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14 The revenue appropriated by this Ordinance represents a grant from the Maryland
15 Department of the Environment, developed and administered by the Maryland Water Quality
16 Financing Administration, in excess of the revenue relied on by the Board of Estimates in
17 determining the tax levy required to balance the budget for Fiscal Year 2017.

18 That grant could not have been expected with reasonable certainty when the Ordinance of
19 Estimates for Fiscal Year 2017 was formulated.

20 On October 26, 2016, the Board of Estimates recommended this appropriation to the City
21 Council.

22 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
23 \$3,000,000 shall be made available to the Department of Public Works – Service 730 (Public and
24 Private Energy Performance) as a Supplementary State Fund Operating Appropriation for Fiscal
25 Year 2017, to provide funding for the installation of Combined Heat and Power (CHP) at the

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike-out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

Council Bill 17-0009

1 Back River Waste Water Treatment Plant. The source of revenue for this appropriation is the
2 grant from the Maryland Department of the Environment, developed and administered by the
3 Maryland Water Quality Financing Administration, in excess of the amount from this source that
4 was relied on by the Board of Estimates in determining the tax levy required to balance the
5 budget for Fiscal Year 2017.

6 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
7 enacted.

Certified as duly passed this ____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this ____ day of _____, 20__

Chief Clerk

Approved this ____ day of _____, 20__

Mayor, Baltimore City