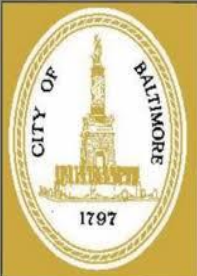


FROM	NAME & TITLE	Dr. Jason W. Mitchell, Director	CITY of BALTIMORE <i>MEMO</i>	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	City Council Bill 23-0385		

June 20, 2023

TO:

Public Safety and Government Operations Committee

I am herein reporting on City Council Bill 23-0385 introduced by Councilman Conway.

The purpose of the Bill is to require the Directors of Finance, Transportation, Public Works, Planning, Sustainability, and the City Solicitor to submit a report detailing how Baltimore City may establish a local climate resilience authority originally authorized by Chapter 236 of the Acts of 2020, now codified as Title 22 {“Resilience Infrastructure”} of the State Local Government Article.

Senate Bill 457 was introduced and enacted during the 2020 Maryland General Assembly Session and, as noted in the purpose clause above, is now codified as Title 22 {Resilience Infrastructure} of Maryland’s Local Government Article. This law permits counties and municipalities, either jointly or separately, to establish and to fund resilience authorities according to the requirements of Title 22. A local administrative ordinance is the vehicle to establish a resilience authority, which is not subject to a referendum. These climate resilience authorities are considered to be quasi-governmental bodies that may be granted all or some of the powers to undertake, finance, manage, own, convey, or support resilience projects. Charles County was the first jurisdiction in Maryland to pass local legislation in December 2020 establishing a nonprofit resilience authority. This quasi-governmental entity is able to finance and contract for climate change-related projects.¹ Anne Arundel County and the City of Annapolis jointly established a resilience authority, with its appointed Board of Directors’ first meeting occurring in October of 2022.² In January of 2023, Baltimore County announced its plans to develop a framework for a resilience authority that would finance and support sustainable infrastructure projects to protect against climate change-related threats.³

¹ Link to the Charles County Resilience Authority: <https://www.charlescountymd.gov/government/boards-commissions/resilience-authority>

² Link to the Anne Arundel County and City of Annapolis Resilience Authority: <https://resilienceauthority.org/>

³ Link to Baltimore County announcement: <https://www.baltimorecountymd.gov/county-news/2023/01/05/baltimore-county-to-develop-framework-for-new-resilience-authority-to-combat-climate-change-and-promote-environmental-infrastructure-projects>


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The City of Baltimore has or is currently updating citywide plans that address sustainable and resilience goals, including the Disaster Preparedness and Planning Project (DP3), the 2023 Climate Action Plan, the 2020 Nuisance Flood Plan, the 2019 Baltimore Sustainability Plan, and the 2018 Food Waste and Recovery Plan, just to name a few. Examples of sustainable and resilient operational and infrastructure plans and projects specific to the Department of Public Works are the Modified Consent Decree, Baltimore's Municipal Separate Storm Sewer System permit (MS4 permit), the 2020 Less Waste Better Baltimore Plan, the Ten-Year Solid Waste Management Plan (2023 Final Draft Plan), the Comprehensive Water and Wastewater Plan (update underway), and a comprehensive study of the raw water reservoirs (underway). The Department is also collaborating with other city agencies and public/private partners to address specific concerns, such as with the Frederick Avenue and 35th Street/Hillen Road flooding mitigation plans. All of these plans and projects inform the prioritization and selection process for the Department's capital improvements of critical infrastructure projects.

The Office of Sustainability's report on City Council Bill 23-0385 proposes amendments to provide additional time to produce the required report, expand the scope of the report to include the assessment of national as well as regional and Maryland resilience authorities, and to focus the study on funding mechanisms and gaps in data. This Department finds these recommendations to be reasonable and supportable.

The Department of Public Works supports the passage of City Council Bill 23-0385 with the addition of the amendments proposed by the Office of Sustainability.


Dr. Jason W. Mitchell
Director

JWM/MMC