

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #18-0228 / ISSUANCE OF REVENUE OBLIGATIONS – STORMWATER PROJECTS		

DATE:

TO

The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

June 1, 2018

At its regular meeting of May 31, 2018, the Planning Commission considered City Council Bill #18-0228, for the purpose of authorizing the issuance, sale and delivery from time to time by the City of revenue obligations that may be issued by the City to finance or refinance stormwater facilities; prescribing that the maximum aggregate principal amount of such revenue obligations that may be outstanding at any one time is \$202,000,000; authorizing the Board of Finance of the City to specify, prescribe, determine, provide for, approve, and amend the form, terms, provisions, manner or method of issuing and selling, the time or times of issuance, and all other details of the revenue obligations and any other matters necessary or desirable in connection with the authorization, issuance, sale, and payment of these revenue obligations; providing for a special effective date; and generally relating to the issuance and payment of revenue obligations.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #18-0228 and adopted the following resolution; Seven members being present (seven in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #18-0228 be passed by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

TJS/ewt

attachment

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
Mr. Kyron Banks, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission

Mr. William H. Cole IV, BDC
Mr. Derek Baumgardner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Ms. Katelyn McCauley, DOT
Ms. Marcia Collins, DPW
Ms. Natawna Austin, Council Services



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Sean Davis, Chairman



Thomas J. Stosur
Director

STAFF REPORT

May 31, 2018

REQUEST: City Council Bill #18-0228 Issuance of Revenue Obligations - Stormwater Projects

For the purpose of authorizing the issuance, sale and delivery from time to time by the City of revenue obligations that may be issued by the City to finance or refinance stormwater facilities; prescribing that the maximum aggregate principal amount of such revenue obligations that may be outstanding at any one time is \$202,000,000; authorizing the Board of Finance of the City to specify, prescribe, determine, provide for, approve, and amend the form, terms, provisions, manner or method of issuing and selling, the time or times of issuance, and all other details of the revenue obligations and any other matters necessary or desirable in connection with the authorization, issuance, sale, and payment of these revenue obligations; providing for a special effective date; and generally relating to the issuance and payment of revenue obligations.

RECOMMENDATION: Approval

STAFF: Kristen Ahearn

PETITIONER: Department of Public Works

OVERVIEW: In 2013, the City of Baltimore established a stormwater utility, consistent with the requirements of the 2012 State of Maryland *Stormwater Management – Watershed Protection and Restoration Program* law. The utility charges a stormwater remediation fee in order to fund projects to meet the requirements of its Municipal Separate Stormwater System (MS4) permit. The Department of Public Works (DPW) has stated that for the first time since its inception, the stormwater utility is now in a position where its credit worthiness is sufficient to issue debt.

ANALYSIS: The legislation sets a cap of \$202 million in revenue loans that can be outstanding at any time. The FY 2019 budget includes \$65 million in stormwater revenue loan appropriations. Including prior appropriations, DPW will have \$110 million in total stormwater revenue loan appropriations, or 55 percent of the cap imposed by this legislation. The current FY 2019 -2024 Capital Improvement Program (CIP) shows no stormwater revenue loan appropriations in FY 2020 – 2024. DPW is working to meet the requirements of its current MS4 permit, which requires projects to be implemented by December 2018. When the current MS4 expires, DPW will work with the State of Maryland to apply for a new permit and develop new program/project requirements. The new permit requirements will likely require additional revenue loans to be issued within the timeframe of the current CIP, but because they have not yet been developed they are not included in this year's CIP. Future CIPs will need to be consistent with the debt ceiling established by this legislation for this fund source.

According to DPW, City Ordinance 13-143 establishes that the stormwater utility funds (including revenue loans) may be used for stormwater management capital improvements, including stream and wetland restorations; operation and maintenance of stormwater management systems and facilities; stormwater management planning, including monitoring, inspection and enforcement activities; review of stormwater management plans and permits for future development; grants to nonprofits for watershed restoration and rehabilitation projects; public education and outreach; and reasonable costs necessary to administer the fund. The funds are used for projects included in Baltimore City's Watershed Implementation Plan, or WIP. The WIP is the plan created by the City with stakeholder input and approved by the State that outlines how the City will meet the requirements of its MS4 permit. Many of the projects included in the WIP also have a community benefit and are consistent with the goals of the City's Green Network Plan. There is an opportunity to continue to align projects funded by this fund source and through the stormwater utility more generally with the goals of the Green Network Plan. This alignment would happen during planning for the next WIP.

CONFORMITY TO PLANS: The bill is consistent with the FY2019 -2024 Capital Improvement Program, as approved by the Board of Estimates.

NOTIFICATION: Email notification was sent to the entire 10,000 plus email list Planning maintains.



Thomas J. Stosur
Director