



**TO:** City Councilmember Mary Pat Clarke, Health Committee Chair Kristerfer Burnett, and the Health Committee

**CC:** Matthew Stegman, Nina Themelis, Jeff Amoros, D’Paul Nibber, and Jenny Morgan

**FROM:** Robert Cename, Budget Director

**DATE:** September 15, 2020

**SUBJECT:** City Council Bill 20-0495 – Pesticide Control and Regulation

Based on continued conversations with Councilmember Clarke and other City agencies, the Department of Finance is providing an updated cost estimate of City Council Bill 20-0495.

### Fiscal Impact Summary

The Department of Finance estimates that this legislation will cost \$551,600 the first year of implementation and \$481,600 annually.

Expense	Baseline	Year 1	Annual
Enforcement	\$0	\$160,000	\$160,000
Outreach	\$0	\$70,000	\$0
Operations	\$80,400	\$321,600	\$321,600
<b>Total</b>	<b>\$80,400</b>	<b>\$551,600</b>	<b>\$481,600</b>

Considering the current health and fiscal crises facing the City, State, and country, as well as growing uncertainty of how long these crises will last, it is imperative that the City is focused on maintaining current services for residents and responding to the COVID-19 pandemic.

### Montgomery County Legislation

This bill is modeled on a Montgomery County law passed in October 2015. Due to ongoing litigation, Montgomery County has only just begun implementing this program. Montgomery County instituted an extensive one-time public outreach campaign prior to the law going to effect, spending approximately \$600,000 to \$650,000. However, the annual budget for this program is approximately \$125,000, which covers one full-time employee and minimal ongoing outreach. Since beginning enforcement, Montgomery County has received nine formal cases for possible violations to investigate, two of which had direct witnesses of illegal product use. There have been two to three times as many inquiries, but these reports lacked sufficient information or were duplicated reports.

### Current Costs

Baltimore City Recreation and Parks (BCRP) uses both glyphosates and neonicotinoids in the Divisions of Horticulture and Forestry, as well as glyphosates for weed control on basketball courts, tennis courts, curb lines,

and sidewalks. BCRP spends approximately \$80,400 annually on supplies and labor related to glyphosate and neonicotinoids, outlined below.

**Fiscal Impacts**

The Department of Finance conducted a cost analysis for this legislation based on proposed amendments

Expense	Baseline	Year 1	Year 2	Year 3	Year 4	Year 5
Enforcement	\$0	\$160,000	\$160,000	\$160,000	\$160,000	\$160,000
Outreach	\$0	\$70,000	\$0	\$0	\$0	\$0
Operations	\$80,400	\$321,600	\$321,600	\$321,600	\$321,600	\$321,600
<b>Total</b>	<b>\$80,400</b>	<b>\$551,600</b>	<b>\$481,600</b>	<b>\$481,600</b>	<b>\$481,600</b>	<b>\$481,600</b>

*Enforcement*

The legislation currently requires the Baltimore City Health Department (BCHD) to provide enforcement and oversight of the amended program, which is expected to require two full-time employees.

Expense	# FTEs	Cost
Inspector	1	\$60,000
Supervisor	1	\$100,000
<b>Total Cost</b>		<b>\$160,000</b>

*Outreach*

The legislation requires that BCHD and the Baltimore City Office of Sustainability conduct an outreach and public education campaign about the requirements, prohibitions, exemptions, and penalties of the bill. The estimated cost of \$70,000 is based on an estimate provided by the Office of Sustainability for the Comprehensive Bag Reduction program.

*Agency Operations*

Based on amendments, the largest operational impact for BCRP will be park maintenance and labor costs. BCRP anticipates using weedwacking as a mechanical alternative to spraying pesticides, which would require two people spending 5,360 hours per year on treatment. Note, this estimate does not include costs for major projects, such as baseball field renovations, which would have higher labor costs in implementing this alternative.

Alternative Labor Costs	
Hourly Rate	\$30
Personnel	2
Hours	5,360
<b>Annual Cost</b>	<b>\$321,600</b>

### *Revenue*

The Department of Finance does not anticipate that revenues from implementing this legislation will offset the service costs and is unable to provide a projection of possible revenues since there are limited cases and it is challenging to identify formal cases for enforcement.

### **Opposition**

Due to the high costs of this new initiative and the current fiscal situation that the City finds itself in as a result of COVID-19, the Department of Finance opposes this legislation. The City is currently in a hiring and spending freeze and facing uncertainty around the current and future budgets. In the current financial situation, the Department of Finance cannot guarantee that implementation of this bill will not result in agencies needing to pull resources from current services, such as other inspectors or park maintenance. Therefore, adding a new program that requires this level of annual investment is inadvisable. Any additional costs required to implement this legislation will need to go through the annual budget process.