

**Stormwater Fee Committee
Monday, 30 July 2018, 6:00pm
City Hall: The Reeves Room**

Attendees:

Leon Pinkett III, Councilmember, 7th District,
Vice-Chair of the Council Judiciary & Legislative Investigations Committee
Peter Auchincloss, Member
Rupert Denney, Member
Adeline Hutchinson, Member
Elisabeth Hyleck, Member
Phil Lee, Member
Dawn Rhodes, Member
Joshua Sharon, Proxy Member
Carl Simon, Vice-Chair of the Committee
Bonnie Sorak, Member
Marcia Collins, DPW
Kim Grove, DPW
Kristyn Oldendorf, DPW
Justin Lane, Staff to the Committee
3 Members of the General Public

Introductory Remarks:

Having reached a quorum of 9, Justin Lane introduced the members of the public and the members of the committee and DPW representatives. Carl Simon calls the meeting to order at 6:05pm.

Approval of the 11 June 2018 Minutes:

Carl Simon asks for a motion to approve the minutes. Peter Auchincloss moves the acceptance of the minutes, Rupert Denney seconds the motion. Motion carries, 8 in favor, 0 opposed, 1 abstaining (due to absence during the meeting in question).

Discussion of Fact Sheet

The intended audience of the Fact Sheet is the Stormwater Fee Committee. This is the document that we thought that we needed in order to give the SFC the foundation to move forward to collaborate with DPW and get the department to compliance with the MS4 requirements. We have gotten these answers from several sources. We are trying to think outside the box to figure out what's necessary. Without the private sector, we don't fulfill the objectives. This is a working session; the fact sheet has not yet been finalized. *A discussion about bonds ensues. D. Rhodes to continue discussion w/K. Grove. DPW's Balance Sheet discussed.*

Right now, we're focused on "Revenue Collected." How do we define maximum benefits? In 2006, we had the first conversation about stormwater. The first bond issuance has not yet been executed. Stormwater is much "younger" than water and sewer. The City's MS4 permit will expire this December 2018. We are unlikely to obtain a new permit until at least July 2019, and even that's optimistic. The state

is trying to align with TMDL (6 states around the Chesapeake Bay).... We're evaluating more than just stormwater. How does this committee know that there's enough revenue to check the expenses?

Tabled: C. Simon, D. Rhodes, P. Lee to work with DPW Finance on this.

The Fact Sheet needs to be in language that everyone can understand.

Emergencies & the Stormwater Enterprise Fund

DPW worked with MEMA on the Monument St incident, but it's been slow going. We have a list of things deemed as emergencies as defined by the City Department of Finance. This impacts procurement. There should be an Emergency Category (e.g., Ellicott City). Is the Stormwater Fee used for emergencies? The Stormwater Fund is an Enterprise Fund, so it's in its own box.

Historically, the funds set aside in the General Fund for stormwater got raided to pay for other things.

This eventually led to the sequestration of stormwater-designated funds into an Enterprise Fund.

This Enterprise Fund is a sustainable source. When the state mandate language came down, we were able to tailor this to it. The Race St emergency took 5 years to resolve.

Private Sector Involvement, BAT & BMP

Implementing BAT and BMP would escalate the figures, but to what degree? We would need a range. There will need to be private sector commitment at the end of the day. Knock out all impermeable surfaces? No. There's a political component to this. Do private businesses want that fee to rise? Is this politically incorrect on its best day? As much as possible, public spaces need to be permeable and environmentally friendly. This committee will have to recommend how we get to that point. Development is at least keeping pace with demolitions, if not outpacing demolitions, so the fee will not be reduced by demolitions.

DPW's Progress & Incentivizing Impermeable Surfaces

In terms of where things stand now: A year ago, DPW was at 93% of its goal. We do not know what the new goal will be. We should have multiple strategies: what are those? What is the balance that we need to strike? How often do we see BMP in other municipalities? Montgomery Park is a perfect example of repurposing. It has a green roof, etc. Multiple technologies have been applied there.

How are we going to market this? The commercial side is more lucrative. It is cheaper for developers to pay the fee than to deploy BATs and BMPs. In reporting that, question: have the date that this information is supposed to go to the City Council?

J. Lane does not know the answer to this question.

Delegation / Thematic Meetings of SFC

We have volunteers to work on the Fact Sheet, etc. Do we want a Communications Subcommittee? SWAC had this, a whole communications plan. Can we dig this up somewhere? SWAC had communications requirements, DPW had communications objectives. BMPs cost more than businesses want to pay. It's much easier to do with new construction. Is there a period of time in which we can incentivize them to do these things?

E. Hyleck: Group of people to think through what sort of incentives to offer?

Grant funds mentioned; Prince George's County's failure mentioned; Anne Arundel County's Pay for Performance model mentioned.

Should we have a meeting dedicated to private sector solutions? Committee interested in hearing from 1-2 PFP?

P. Auchincloss volunteers to do this.

SFC needs to keep an eye on the Maryland Department of the Environment in terms of trading.

B. Sorak, A. Hutchinson, K. Grove discuss on-site with Schools.

C. Simon: Next objectives: Finalize Fact Sheet, Communications Plan. After that, Private Sector meeting, coordinated by P. Auchincloss, R. Denney, J. Sharon.

SFC decides next meeting will be held Mon. 20 Aug. 2018. 9-0.

Adjournment

J. Lane asks for a motion to adjourn. P. Auchincloss moves, R. Denney seconds, no opposition voiced, motion carries.