

Mayor and Council

27th Special Session, Work Session, and Executive Session

November 7, 2017

Agenda

*"A diverse, business-friendly, and sustainable community with clean, safe and strong neighborhoods."
"Providing the most efficient and highest-quality services as the municipal location of choice for all customers."*

"The veterans of our military services have put their lives on the line to protect the freedoms that we enjoy. They have dedicated their lives to their country and deserve to be recognized for their commitment."
Judd Gregg

EXECUTIVE SESSION

3:30 PM 1. Executive Session

4:00 PM SPECIAL SESSION

1. Approval of Purchase of Four Vehicles for Police Use - Keystone Ford (Chambersburg, PA) \$ 82,095.00
2. Approval of Retainer Agreement for City Legal Services
3. Approval of a Contract: 2018, 2019, 2020 Fireworks Vendor

4:00 PM WORK SESSION

- 4:15 PM** 1. Washington County Strategic Highway Safety Plan - *Police Chief Victor Brito and Washington County Sheriff Douglas Mullendore*
- 4:35 PM** 2. Main Street Hagerstown's Christkindle Markt - *Amanda Whitmore, Downtown Coordinator*
- 4:50 PM** 3. Stormwater Utility Fee Study - *Rodney Tissue, City Engineer*
- 5:10 PM** 4. Community Coalition Meeting Update - *Mayor and City Council*

CITY ADMINISTRATOR'S COMMENTS

MAYOR AND COUNCIL COMMENTS

ADJOURN

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Executive Session

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

November_7__2017_Executive_Session.pdf

Description

Agenda



EXECUTIVE SESSION

MAYOR & CITY COUNCIL

NOVEMBER 7, 2017

AGENDA

3:30 p.m. EXECUTIVE SESSION – *Council Chamber, 2nd floor, City Hall*

1. To consult with counsel to obtain legal advice; #7
**Legal Advice*

***AUTHORITY:** Annotated Code of Maryland, General Provisions Article: Section 3-305(b)
(Subsection is noted in parentheses)

CITY OF HAGERSTOWN, MARYLAND

PUBLIC BODY: Mayor & City Council

DATE: November 7, 2017

PLACE: Council Chamber, 2nd floor, City Hall

TIME: 3:30 p.m.

AUTHORITY: **ANNOTATED CODE OF MARYLAND, GENERAL PROVISIONS ARTICLE: Section 3-305(b) :**

1. To discuss:
 - ☐ (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
 - ☐ (ii) any other personnel matter that affects 1 or more specific individuals;
- ☐ 2. To protect the privacy or reputation of individuals with respect to a matter that is not related to public business;
- ☐ 3. To consider the acquisition of real property for a public purpose and matters directly related thereto;
- ☐ 4. To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- ☐ 5. To consider the investment of public funds;
- ☐ 6. To consider the marketing of public securities;
- ☒ 7. To consult with counsel to obtain legal advice;
- ☐ 8. To consult with staff, consultants, or other individuals about pending or potential litigation;
- ☐ 9. To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- ☐ 10. To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:
 - (i) the deployment of fire and police services and staff; and
 - (ii) the development and implementation of emergency plans;
- ☐ 11. To prepare, administer or grade a scholastic, licensing, or qualifying examination;
- ☐ 12. To conduct or discuss an investigative proceeding on actual or possible criminal conduct; or
- ☐ 13. To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; or
- ☐ 14. Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.
- ☐ 15. Administrative Function

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Approval of Purchase of Four Vehicles for Police Use - Keystone Ford (Chambersburg, PA) \$82,095.00

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Motion.HPD_Vehicles_11-07-17.pdf

Police_-_Four_Vehicles.pdf

Consent_Agenda_-_Keystone.pdf

Quote_-_Keystone_Ford.pdf

Description

Motion

Consent Agenda -
Completed

Consent Agenda - Pre-
Owned Vehicles

Quote - Pre-Owned
Vehicles

REQUIRED MOTION

MAYOR AND CITY COUNCIL HAGERSTOWN, MARYLAND

Date: November 7, 2017

TOPIC: **Approval of Purchase of Four Vehicles for Police Use**

Charter Amendment	_____
Code Amendment	_____
Ordinance	_____
Resolution	_____
Other	<u> X </u>

MOTION: I hereby move for Mayor and Council approval of the purchase of four vehicles for police use. These vehicles will be purchased from Keystone Ford, Chambersburg, PA for a total of \$ 82,095.00.

Funding will be from HPD's Vehicle CIP Account #C0129.

DATE OF PASSAGE: 11/07/2017

Do Not Complete This Section:
APPROVED FOR:
CONSENT AGENDA _____
NEW BUSINESS _____

Unbudgeted * \$ 1 Source of Funds Gift Fund CIP Balance Reserves
 *(See Department Manager's Comments)

COMMENTS

(1) DEPARTMENT MANAGER:


Signature/Date

(2) PURCHASING AGENT:

Recommend approval.


Signature/Date

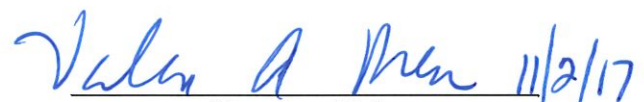
(3) FINANCE MANAGER:

Recommend approval.


Signature/Date

(4) CITY ADMINISTRATOR'S RECOMMENDATION:

Approval


Signature/Date

COMMENTS

(1) DEPARTMENT MANAGER:



Signature/Date

(2) PURCHASING AGENT:

Signature/Date

(3) FINANCE MANAGER:

Signature/Date

(4) CITY ADMINISTRATOR'S RECOMMENDATION:

Signature/Date

◆ **A DEALER FOR THE PEOPLE** ◆



301 WALKER ROAD • CHAMBERSBURG, PA 17201

717.264.5104

WWW.KEYSTONEFORD.COM

10-13-2017

City of Hagerstown Police Department

Below is the Total Cost and Information on the vehicles to be purchased.

- 2017 Black Ford Explorer, Stock # P5434A, VIN# 1FM5K8F8XHGB92540
Price: \$36,400.00
- 2014 Silver Ford Fusion, Stock # P5390A, VIN# 3FA6P0H7XER385104
Price: \$12,988.00
- 2014 Silver Ford Fusion, Stock # 17695A, VIN# 1FA6P0H7XE5378650
Price: \$13,746.00
- 2014 Black Ford Edge, Stock # P5380A, VIN# 2FMDK4JC5EBA23710
Price: \$18,961.00

TOTAL COST: \$82,095.00

Thank You

Chad Sites

Commercial Accounts Manager

717-264-5104 ext.298

csites@keystoneford.com

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Approval of Retainer Agreement for City Legal Services

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Approval_-_Retainer_Agreement_for_City_Legal_Services.pdf

Description

Motion and Contract

REQUIRED MOTION

MAYOR AND CITY COUNCIL HAGERSTOWN, MARYLAND

Date: November 7, 2017

TOPIC: Approval of Retainer Agreement for City Legal Services

Charter Amendment	_____
Code Amendment	_____
Ordinance	_____
Resolution	_____
Other	<u> X </u>

MOTION: I hereby move for Mayor and Council approval of the attached Retainer Agreement with Salvatore & Morton, LLC to serve as general legal counsel for the City of Hagerstown for two calendar years, beginning January 1, 2018 through December 31, 2019. Per the contract, the terms may be re-negotiated for the 2020 calendar year.

DATE OF PASSAGE: 11/07/2017

LAW OFFICES OF
SALVATORE & MORTON, LLC
82 WEST WASHINGTON STREET
HAGERSTOWN, MARYLAND 21740

(301) 739-3600
(301) 797-6065 FAX
www.salvatoremorton.com

John R. Salvatore
Jason Morton
Susan M. Lochbaum
Jennifer M. Keefer

October 13, 2017

RETAINER AGREEMENT

Mayor and Council of the
City of Hagerstown, Maryland
City Hall
1 E. Franklin Street
Hagerstown, MD 21740

Dear Mayor and Council:

These are the terms upon which our firm will serve in capacity as general counsel for the City of Hagerstown and extend our current agreement. It is our understanding that will include all general day-to-day legal work for the City. The scope of this agreement will not include work performed by bond counsel, insurance defense counsel, utility rate counsel, utility collections counsel and labor law counsel. However, we do consider it as part of our engagement to work with these counsel. This letter sets forth the agreement concerning our representation of you. This agreement shall become effective upon our receipt of a counter-signed copy of this letter.

1. The term of our agreement shall be for two (2) years commencing January 1, 2018 and running through December 31, 2019. During this term any party may terminate this Agreement by giving the other 90 days advance written notice of termination, unless terminated earlier by mutual written consent of the parties.

2. Our fees for this engagement shall be as follows:

A. During the 2018 and 2019 calendar years:

- i. There will be no retainer fee.
- ii. For attorney's time in 2018 and 2019, our hourly rate will be \$195.00 per hour. This represents a discount from our regular hourly rate of \$250 per hour legal services rendered at an hourly rate.
- iii. For paralegal's time in 2018 and 2019, our hourly rate will be \$60.00 per hour. This represents a discount from our regular

hourly rate of \$75 per hour for paralegal services rendered at an hourly rate.

The parties acknowledge and agree that they may re-negotiate the above terms for the 2020 calendar year, with said negotiations beginning on or before September 1, 2019, at the request of any party.

3. We will keep weekly time records; in quarter hour increments, that will be used to provide a detailed billing of our work. The billings will be categorized by City Department and by project name. A billing statement will be submitted to you monthly, with payment anticipated by the 15th of the month.
4. Photocopy reimbursement will be billed at twenty-five cents (25¢) per copy for extraordinary photocopying (meaning fifty (50) or more copies at one time). Costs for express mailing, extraordinary mailings, deliveries, mileage, and parking will be reimbursed in the month after the cost was incurred.
5. Costs for filing fees and all other expenses in litigation and real estate matters will be the responsibility of the City. Any advanced costs will be billed at the end of the month with reimbursement for costs advanced payable in the following month.

We will keep you well informed as to the progress of your work: We will usually send you copies of all correspondences, pleadings and other Court documents, which we generate or receive. If no one is available when you telephone, your call will be returned promptly. The files and their contents are open to your inspection at any reasonable time.

Although we cannot guarantee results, every effort will be made to expedite your work promptly and efficiently according to the highest level of quality and ethical standards.

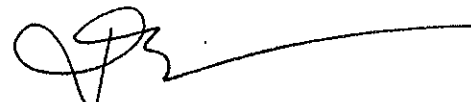
We view this engagement with the City as we would view an engagement with any retainer client. Those City officials and employees that are authorized by you to do so should feel that we are available to assist them at any time.

We appreciate the opportunity to continue to serve as City Attorneys.

Please counter-sign this agreement and return it to us so that we will have a memorandum of our mutual understanding.

Very truly yours,

SALVATORE & MORTON, LLC



Jason Morton

Mayor and Council of the
City of Hagerstown, Maryland
October 13, 2017
Page Three

CONSENTED TO AND APPROVED:

WITNESS AND ATTEST
AS TO CORPORATE SEAL

Donna Spickler, City Clerk

MAYOR AND COUNCIL OF THE
CITY OF HAGERSTOWN, MARYLAND

BY: _____
Robert E. Bruchey, II

Date: _____

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Approval of a Contract: 2018, 2019, 2020 Fireworks Vendor

Mayor and City Council Action Required:

At the November 7, 2017 Mayor and City Council Work Session, staff will review the recommended firework vendor contract for 2018, 2019, and 2020. Staff is seeking approval of the contract at a Special Session on November 7, 2017.

Discussion:

Proposal P1636.18 was issued by staff on October 3, 2017 to seek a vendor to provide fireworks for the 2018, 2019, and 2020 Fireworks at Fairgrounds Park event. Staff is recommending that the City select the bid proposal set forth by Zambelli Fireworks with the following annual and total pricing:

2018	\$20,000
2019	\$20,000
2020	<u>\$21,000</u>
Total	\$61,000

This price compares to the City's incurred, annual expense of \$20,000 for each of the years 2015, 2016 and 2017. The July 1, 2018 expense will be budgeted as part of the FY19 budget process. Similarly, subsequent years will be budgeted respectively.

Background - Following the close of the proposal period, four total bids were received. The prices that each of these companies provided for the total three year contract is as follows:

•

COMPANY NAME	TOTAL CONTRACT PRICE (3 YEARS)
Schaefer Fireworks	\$59,500
Zambelli Fireworks	\$61,000
Fireworks Extravaganza	\$71,850
Pyro Engineering	\$88,500

Staff will attend the November 7, 2017 Work Session to review this selection and answer any questions pertaining to this bid selection.

Financial Impact:

Recommendation:

Zambelli is being recommended over simply the lowest total price for the following reasons:

- Comparison of Zambelli and Schaefer indicates an equal price of \$1.24 per shell. Zambelli

proposed using 16,400 shells per year. Schaefer proposed using 16,001 shells per year.

- Staff reviewed the proposed display for each of the two companies and concluded that the display proposed by Zambelli Fireworks included a wider variety of fireworks. This increased selection of fireworks included additional half and half effects, strobing effects, novelty effects, and rising tall effects that staff believe will create a more memorable and impressive overall display.

Motion:

I hereby move that Mayor and Council approve the bid of Zambelli Fireworks to provide fireworks and technical assistance for the 2018, 2019, and 2020 Fireworks at Fairgrounds Park event at a total contract price of \$61,000.

Action Dates:

DATE OF PASSAGE: 11/7/2017

ATTACHMENTS:

File Name

110717_MOTION_Fireworks_Contract.pdf

110717_Fireworks_Bid_Memo.pdf

Description

MOTION: Fireworks
Contract

MEMO: Fireworks contract

REQUIRED MOTION

MAYOR AND CITY COUNCIL HAGERSTOWN, MARYLAND

Date: November 7, 2017

TOPIC: **Approval of a Contract: 2018, 2019, 2020 Fireworks Vendor**

Charter Amendment	_____
Code Amendment	_____
Ordinance	_____
Resolution	_____
Other	<u> X </u>

MOTION: I hereby move that Mayor and Council approve the bid of Zambelli Fireworks to provide fireworks and technical assistance for the 2018, 2019, and 2020 Fireworks at Fairgrounds Park event at a total contract price of \$61,000.

DATE OF PASSAGE: 11/7/2017



CITY OF HAGERSTOWN, MARYLAND

Department of Community & Economic Development

TO: Valerie Means, City Administrator

FROM: Lauren Metz, Planning and Outreach Coordinator

DATE: November 1, 2017

SUBJECT: 2018-2020 July 4th Fireworks Bid

At the November 7, 2017 Mayor and City Council Work Session, staff will review the recommended firework vendor contract for 2018, 2019, and 2020. Staff is seeking approval of the contract at a Special Session on November 7, 2017.

Proposal P1636.18 was issued by staff on October 3, 2017 to seek a vendor to provide fireworks for the 2018, 2019, and 2020 Fireworks at Fairgrounds Park event. Staff is recommending that the City select the bid proposal set forth by Zambelli Fireworks with the following annual and total pricing:

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- Staff reviewed the proposed display for each of the two companies and concluded that the display proposed by Zambelli Fireworks included a wider variety of fireworks. This increased selection of fireworks included additional half and half effects, strobing effects, novelty effects, and rising tall effects that staff believe will create a more memorable and impressive overall display.

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Zambelli Fireworks	\$61,000
Fireworks Extravaganza	\$71,850
Pyro Engineering	\$88,500

Staff will attend the November 7, 2017 Work Session to review this selection and answer any questions pertaining to this bid selection.

c: Jill Thompson, Michelle Hepburn, Tyler French

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Washington County Strategic Highway Safety Plan - *Police Chief Victor Brito and Washington County Sheriff Douglas Mullendore*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Description

Washington_County_Strategic_Highway_Safety_Plan_2017_to_2020_revised.doc

Strategic
Highway
Safety Plan



WASHINGTON COUNTY

STRATEGIC
HIGHWAY
SAFETY PLAN

2017 - 2020

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Highway Infrastructure.....Page 22 - 25
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Washington County Strategic Highway Plan
Committee Members.....Page 26

Traffic Safety Overview: Moving Towards Zero Deaths

Washington County has three major Interstate Highways that go through the County, Interstate 70, Interstate 81 and Interstate 68. Washington County has also experienced an increase in vehicular, pedestrian and bicycle traffic over the last decade as the population increased and additional businesses moved into the area. As a result, the number of serious and fatal crashes also increased over time. Serious injury is defined as any injury, other than a fatal injury, which prevents the injured person from walking, driving or normally continuing activities he/she was capable of performing before the injury occurred.

Law enforcement resources have been limited as the request for other services have increased and so the amount of time spent on traffic enforcement has decreased. Washington County implemented the Data Driven Approach to Crime and Traffic Safety in 2012. The result was that crime decreased, but traffic fatalities increased. This Strategic Highway Safety Plan will address the shortcomings addressed above so that the goals and objectives of the Plan can be accomplished through partnerships in the community.

Over the past three years (2013 – 2015), Washington County has accounted for approximately 5% of all traffic fatalities in Maryland. That portion has fluctuated from 4.5% to 5.7% to 3.3% over that time, while the County has maintained approximately 2.5% of the State's population and 3.5% of the State's vehicle miles traveled. This means that Washington County is slightly overrepresented in fatalities. However, the proportion of serious injuries (defined as KABCO=4 on the police crash report) has only fluctuated from 2.7% to 2.4% to 1.7%. This means that the County is underrepresented with regards to serious injuries as it related to vehicle miles traveled.

When analyzing traffic citations issued across the State and adjudicated in Maryland District Courts, there are over one million violations each year. From 2013 through 2015, Washington County has accounted for approximately 20,000 (1.6%) of all citations issued each year. This means the citations are issued within the boundaries of Washington County.

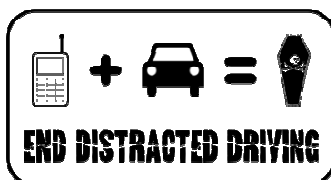


2017 – 2022 Strategic Highway Safety Plan:



The Washington County 2017 – 2022 Strategic Highway Safety Plan focuses on the specific emphasis areas of **Distracted Driving, Pedestrians & Bicyclists, Aggressive Driving, Impaired Driving, Occupant Protection and Highway Infrastructure**, which have been the major factors in causing serious injury and fatalities involving crashes in Washington County. A Strategic Highway Safety Plan Committee, which is a sub-committee of the Traffic Advisory Council, convened to review, strategize and formulate this Plan. All partner agencies of the Traffic Advisory Council have adopted this Plan and are a part of its implementation.

The Plan Committee reviewed historical crash data for the last five years and devised this plan to address the causation of serious and fatal crashes as well as targeting specific roadways where a high number of these crashes have historically occurred.



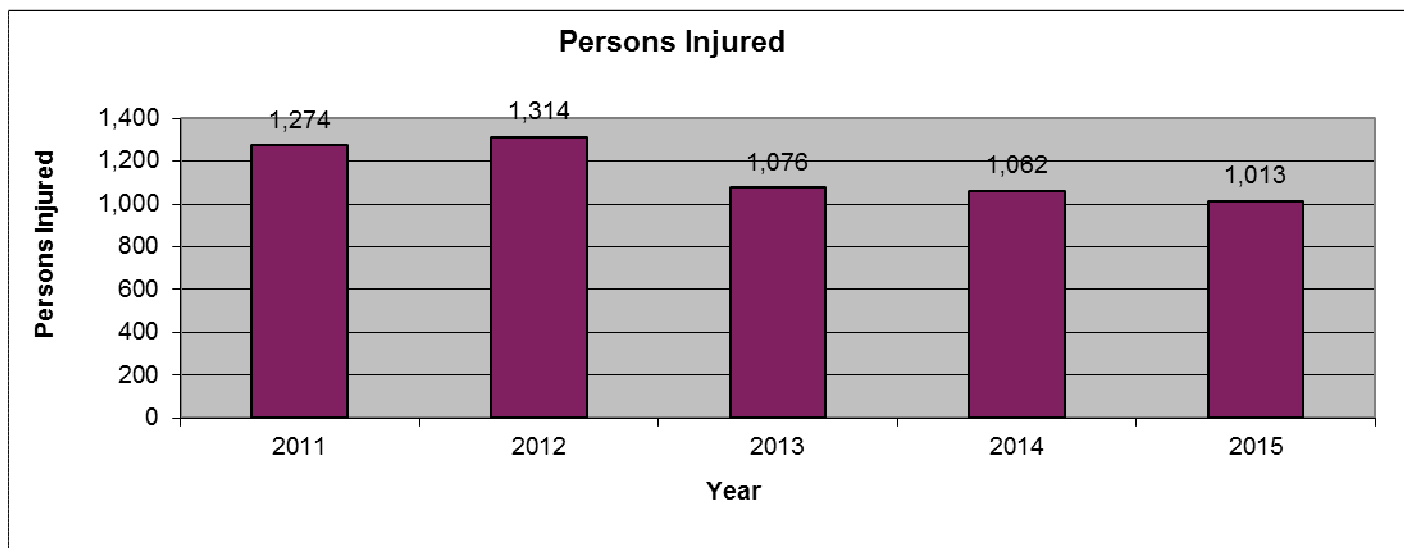
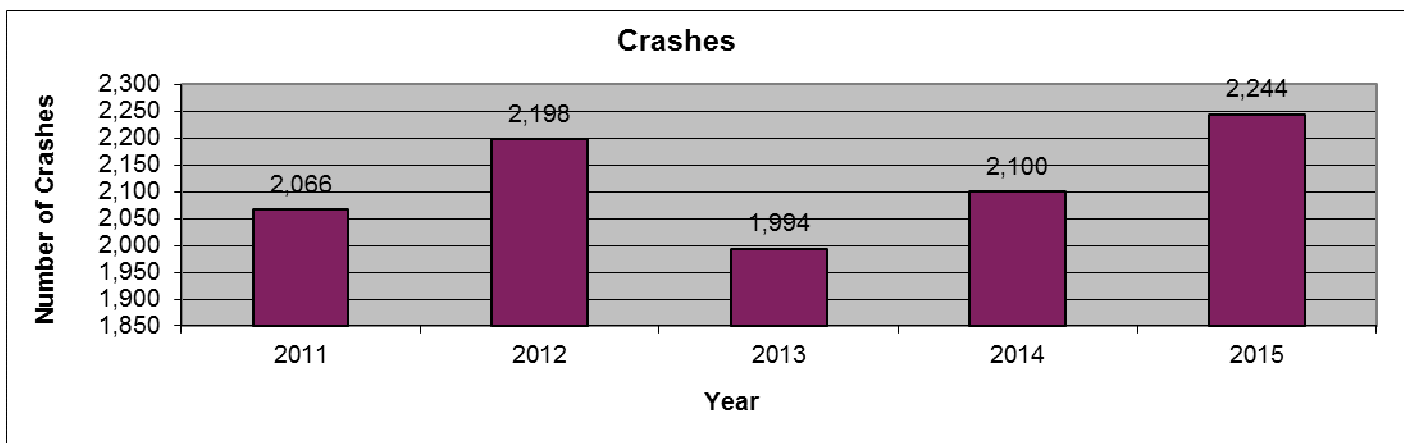
MARYLAND DEPARTMENT OF TRANSPORTATION

Maryland Motor Vehicle Administration

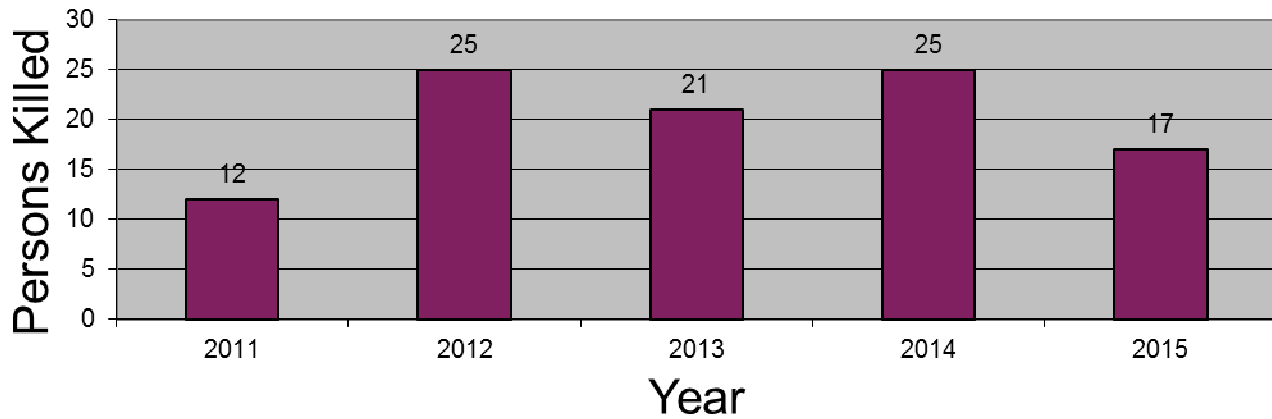
Maryland Highway Safety Office

**Washington County
Crash Summary**

						5 Year AVG.	%
	2011	2012	2013	2014	2015		
Fatal Crashes	12	24	20	22	15	19	0.9
Injury Crashes	847	910	781	760	721	804	37.9
Property Damage Crashes	1,207	1,264	1,193	1,318	1,508	1298	61.2
Total Crashes	2,066	2,198	1,994	2,100	2,244	2120	100.0
Total of All Fatalities	12	25	21	25	17	20	
Total Number Injured	1,274	1,314	1,076	1,062	1,013	1,148	

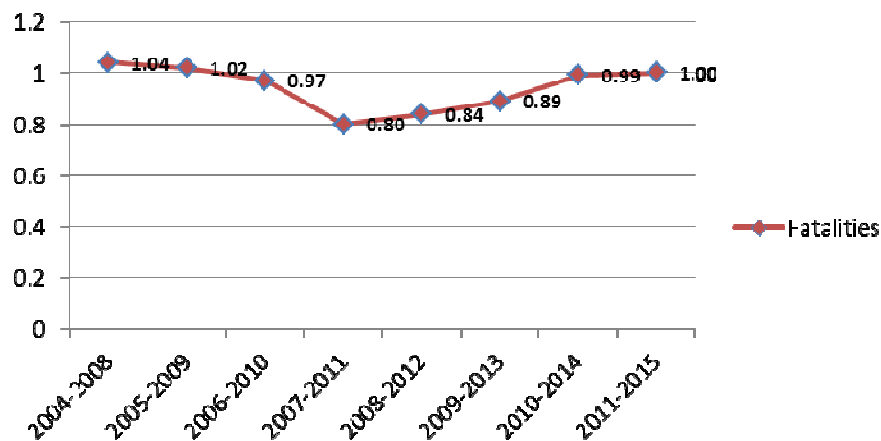


Persons Killed

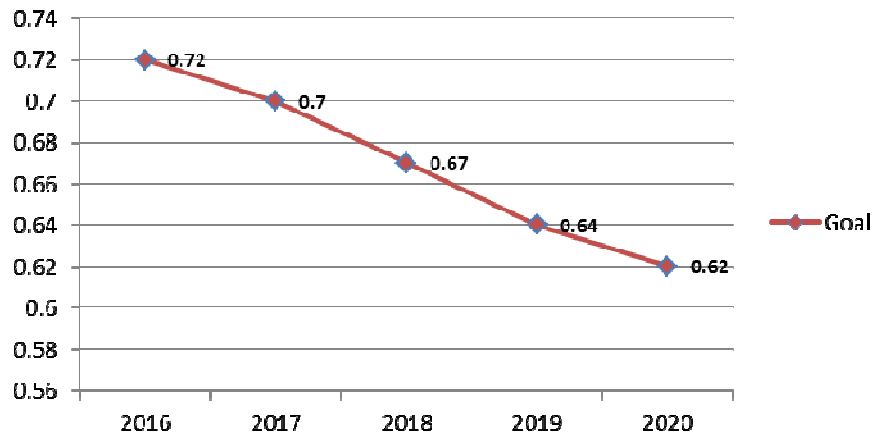


2015 is subject to change. Data is based on reports provided by the Maryland State Police Central Records Division (CRD). 2015 crash reports submitted to CRD during calendar year 2016 (up to December 31, 2016) will be accepted in the database; however, based on an analysis of previous reporting years, nearly all crash reports completed by local agencies have been submitted and processed by this time of year. Revised summary reports may be produced after an analysis is completed on crash reports submitted, or revised, between the run date of this report and December 31, 2016.

Total Vehicle Related Fatalities



Targeted Fatality Goal



The Strategic Highway Safety Plan is established in support of the State of Maryland's Highway Safety Office goal of zero deaths in crashes in Maryland. As you can see by the Fatal Crash Trend chart above, Washington County has begun to trend lower in the last two years in large part due to the increased enforcement efforts of law enforcement. This Plan will incorporate a number of initiatives other than just enforcement and should have a more significant impact toward zero deaths.

Distracted Driving:



A distracted driving crash occurs when a driver shifts attention away from the driving task to do other things such as texting, cell phone use, adjusting the radio, attending to a child, and a number of other things.

Historically, there has been an average of ten distracted driving fatalities in Washington County, with nine occurring in 2015. Over the past three years, Washington County has accounted for 7.5% of the State's distracted driving fatalities. There has been a significant decline in serious injuries resulting from such crashes in the county as well, from a high of 52 in 2013 (2.7% of all distracted driving serious injuries) to a low in 2015 (1.7% of all). However, those figures also mean that in 2015, 52.9% of all fatalities and 43.2% of all serious injuries in Washington County resulted from distracted driving crashes.

Correspondingly, distracted driving crashes resulted in 23.0% of all fatalities and 37.2% of all serious injuries in 2015 statewide. This illustrates the significance of the distracted driving problem in Washington County.

Distracted driving violations include the use of handheld cell phone to participate in calls and texting. The issuance of such citations increased dramatically in Maryland in the past three years through increasing restrictions in the laws, from 14,192 in 2013 to 41,277 in 2014, to 42,744 in 2015. As the State saw this increase, Washington County had a slight decrease from a high of 1,232 in 2014 to 706 in 2015 which accounted for 1.6% of the State distracted driving citations. Also, 3.5% of all citations issues in Washington County in 2015 were for distracted driving violations.

Take the pledge

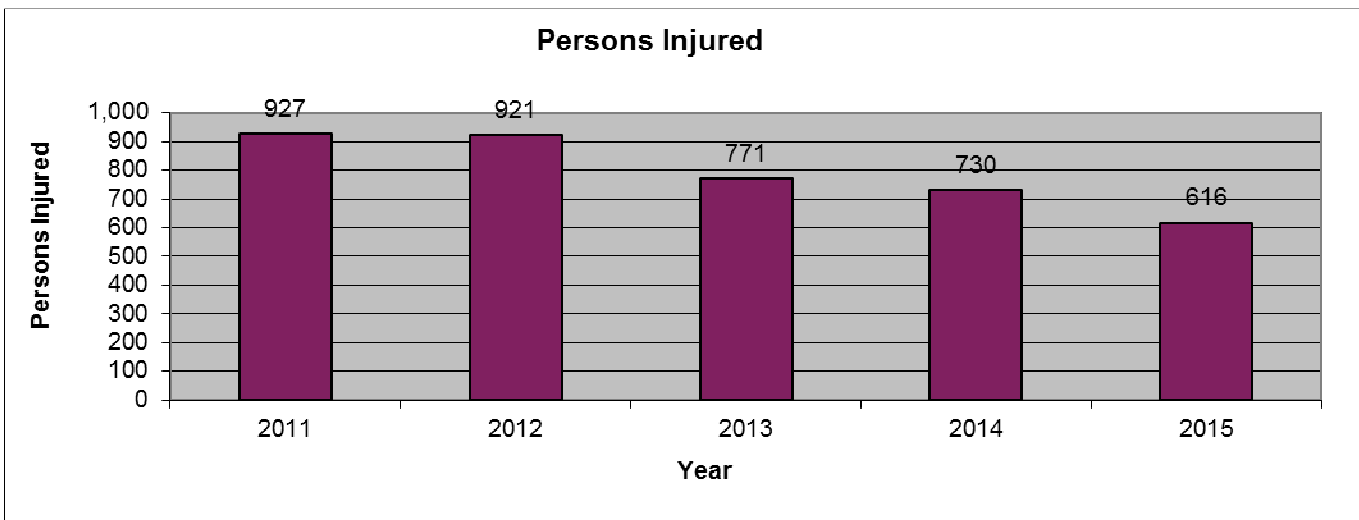
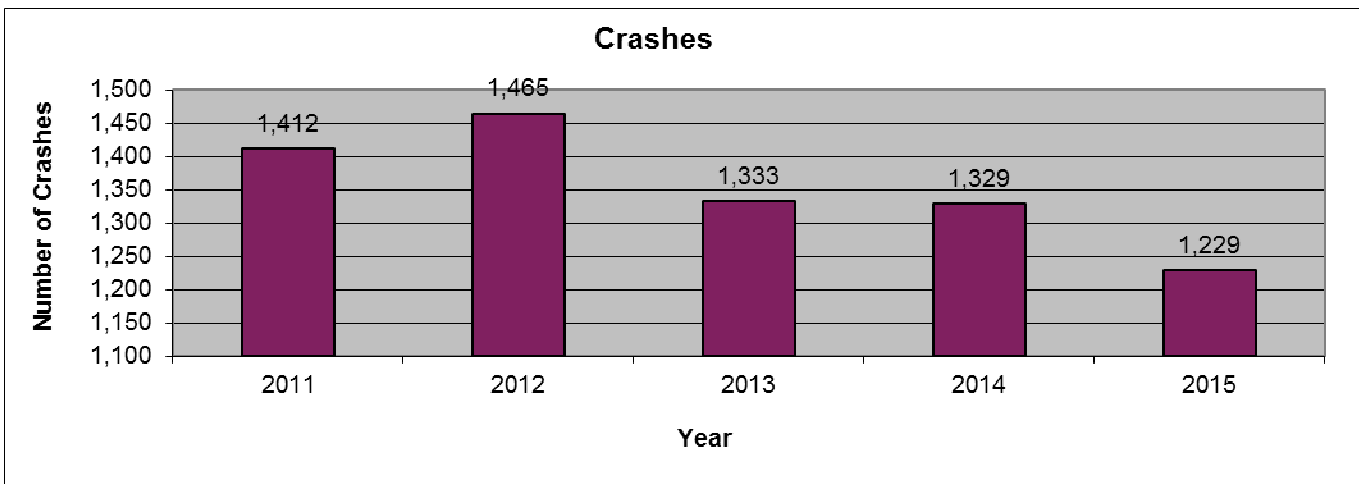
The fight to end distracted driving starts with you. Make the commitment to drive phone-free today.

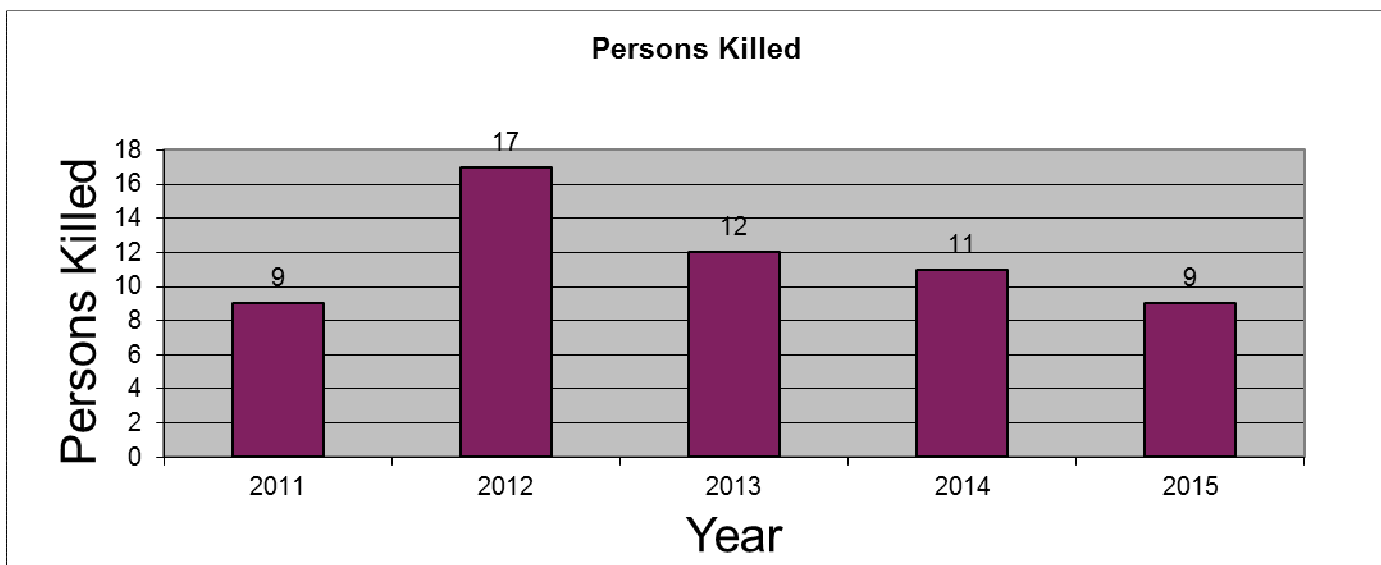
- Protect lives by never texting or talking on the phone while driving.
- Be a good passenger and speak out if the driver in my car is distracted.
- Encourage my friends and family to drive phone-free.

#justdrive

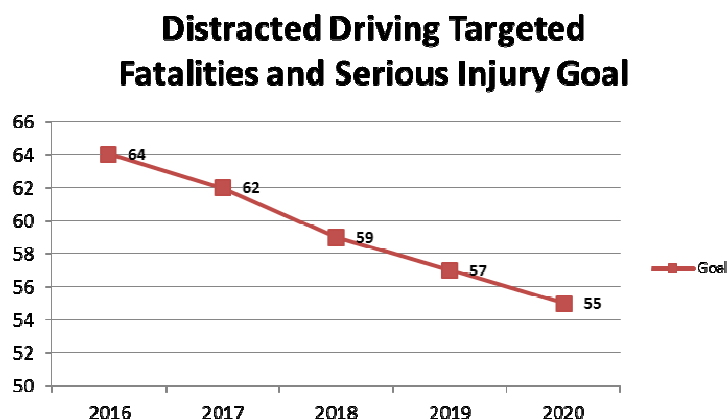
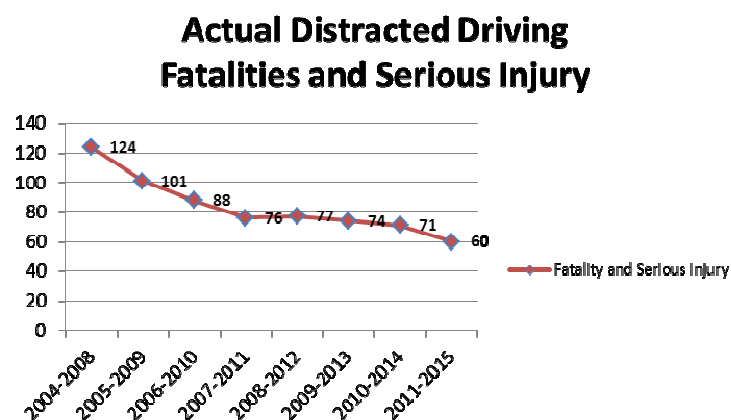
Washington Co. - Distracted Driver Involved Crash Summary

	2011	2012	2013	2014	2015	5 Year AVG.	%
Fatal Crashes	9	17	11	10	7	11	0.8
Injury Crashes	599	616	550	501	424	538	39.7
Property Damage Crashes	804	832	772	818	798	805	59.5
Total Crashes	1,412	1,465	1,333	1,329	1,229	1354	100.0
Total of All Fatalities	9	17	12	11	9	12	
Total Number Injured	927	921	771	730	616	793	





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Distracted Driving Strategies

1. Evaluate and improve **data** quality for problem identification and program evaluation purposes.
2. Enhance and improve **enforcement** of distracted driving laws.
3. Integrate and foster the use of **technologies and engineering application** to address distracted driving infrastructure.
4. Conduct **outreach initiatives** including, but not limited to, education, training, and media programs to reduce distracted driving.
5. Evaluate and recommend **legislation and/or regulations** that address distractive behavior while driving.

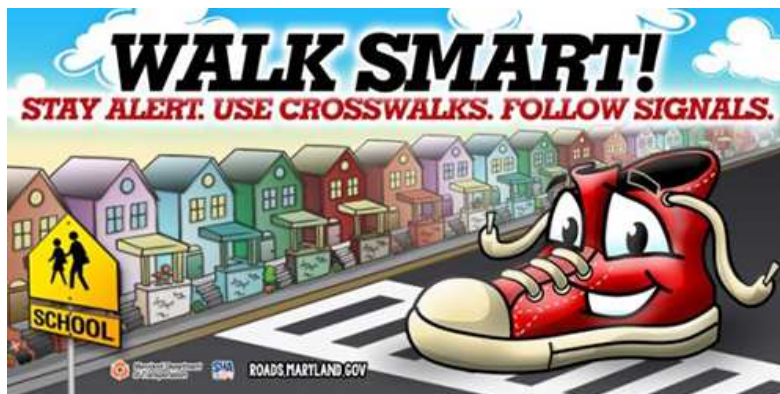
Pedestrians and Bicyclists:



Pedestrian crashes are defined as crashes involving a person reported as a pedestrian on foot, including a motorist who has exited a vehicle.

Bicyclist crashes are defined as crashes involving a person reported as a bicyclist or pedal cyclist.

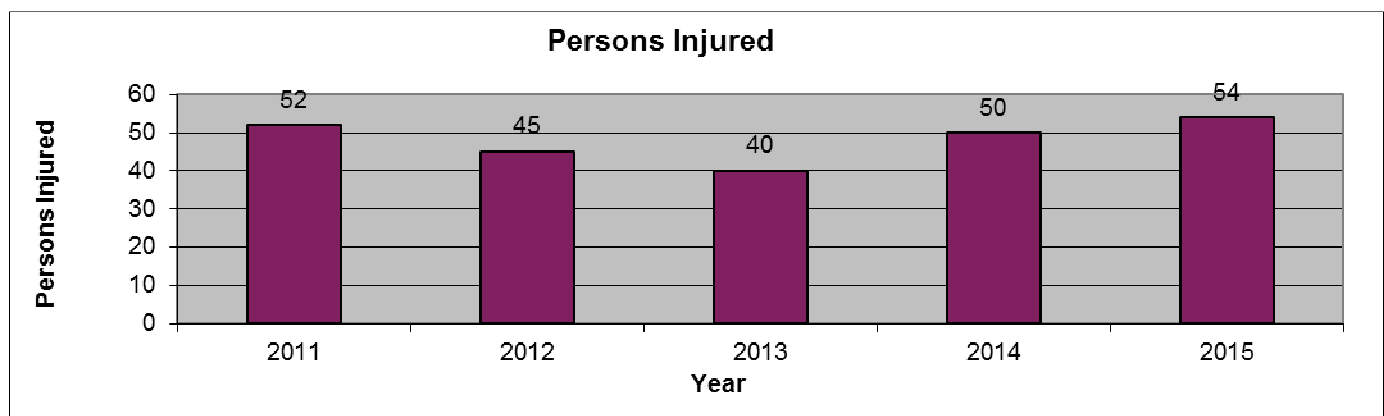
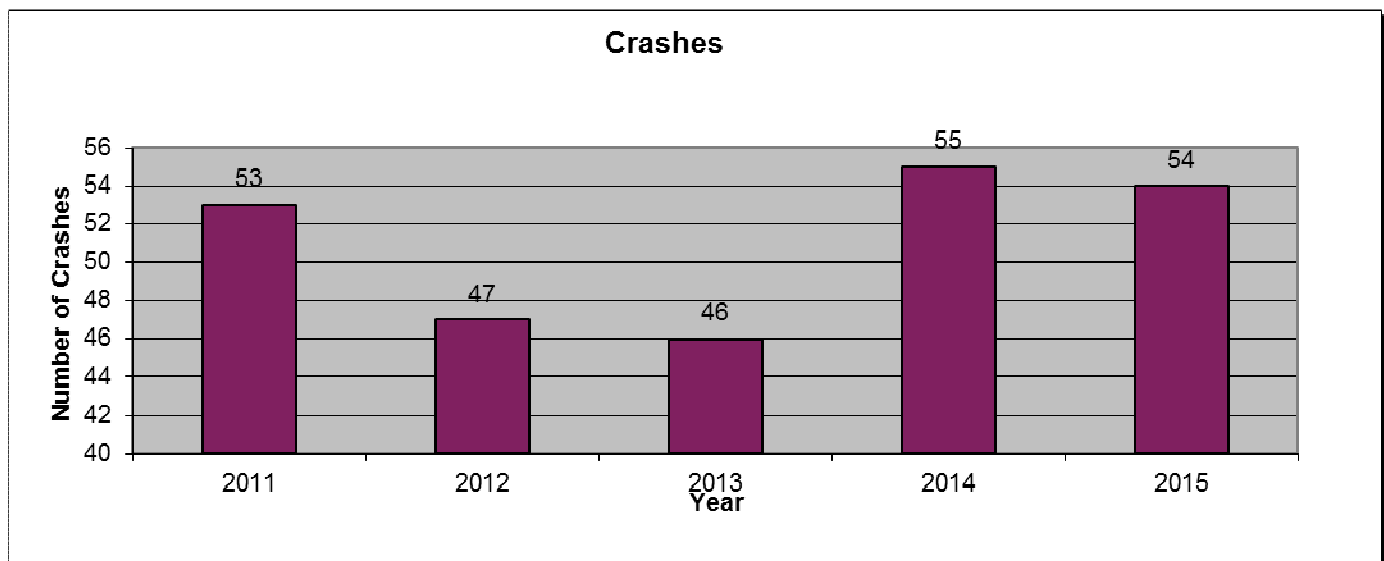
With regards to pedestrian and bicycle safety in Washington County, very few fatalities or serious injuries happen among those populations. Pedestrian fatalities have fluctuated over the past three years, from four in 2013, to six in 2014, to a low of two in 2015. Serious injuries have remained fairly constant with five in 2013, six in 2014, and five in 2015. Bicyclist fatalities have occurred very rarely over the past three years, from zero in 2013, zero in 2014, and one in 2015.

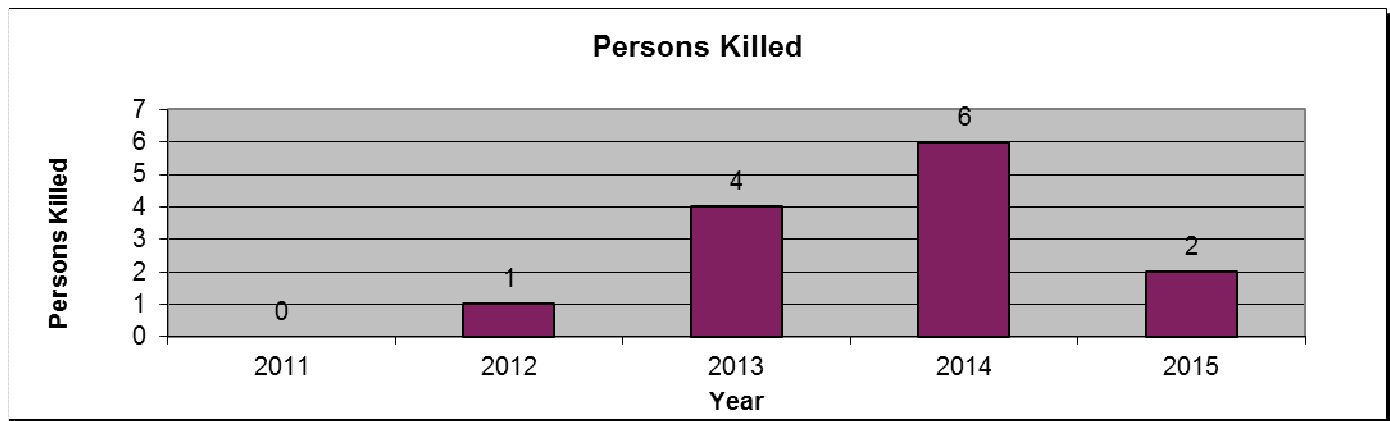


Washington Co. - Pedestrian On Foot Involved Crash Summary

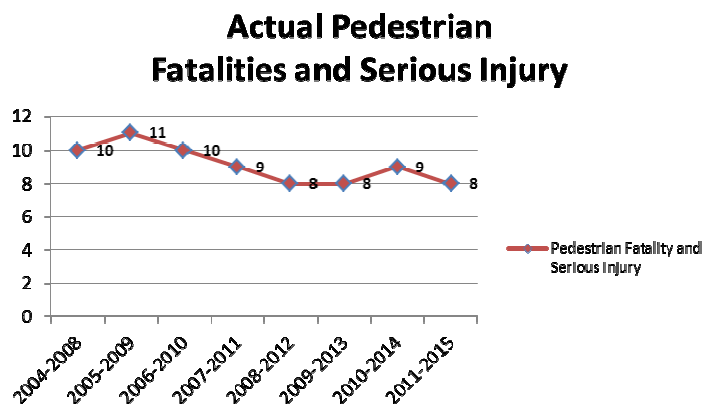
	2011	2012	2013	2014	2015	5 Year AVG.	%
Fatal Crashes	0	1	4	6	2	3	5.1
Injury Crashes	47	41	35	46	49	44	85.5
Property Damage Crashes	6	5	7	3	3	5	9.4
Total Crashes	53	47	46	55	54	51	100.0
Total of All Fatalities	0	1	4	6	2	3	
Total Number Injured	52	45	40	50	54	48	

* Averages for all pages are 5 year averages. % is percent of 5 yr total.





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Pedestrian and Bicycle Strategies

1. Identify and target pedestrian and bicycle safety issues, populations, and locations of activity and concern through the **collection, analysis, and evaluation of data and information**.
2. Promote safe behaviors of all road users appropriate for the environment through **education and enforcement initiatives**.
3. Create and improve roadway environments for safe walking and bicycling through implementation of **engineering treatments, land use planning, and system-wide countermeasures**.
4. **Develop, apply, and promote technological approaches**, including those in vehicles and emergency response equipment, in order to better prevent and reduce the severity of collisions involving pedestrians and bicyclist.
5. **Identify and promote safe driving and pedestrian behavior** for all motorist and public safety professionals at the scene of emergency events.

Aggressive Driving:



An aggressive driving crash occurs when at least one driver in the crash was reported to be driving aggressively, defined by having one of the following values in the first two Contributing Circumstance fields from the standard crash report form.

Failed to yield the right-of-way
Failed to obey traffic signal
Failed to keep right of center
Wrong way on a one way street
Too fast for conditions
Improper lane change

Failed to obey stop sign
Failed to obey other traffic control
Failed to stop for a school bus
Exceeded speed limit
Followed too closely
Improper passing

Historically, there have been very few aggressive driving fatalities in Washington County, with zero occurring in 2015. Minimal serious injuries resulted from such crashes in the County as well, from a high of seven in 2013 (2.4% of all aggressive driving serious injuries) to just three in 2015 (1.6% of all). Those figures mean that in 2015, 7% of all serious injuries in Washington County resulted from aggressive driving crashes. Aggressive driving citations are rarely issued in



Maryland because a driver must be observed committing three or more specific violations to qualify under the aggressive driving statute. In Maryland, only 797 aggressive driving citations were issued in 2015 and 15 (1.9%) of those were issued in Washington County.

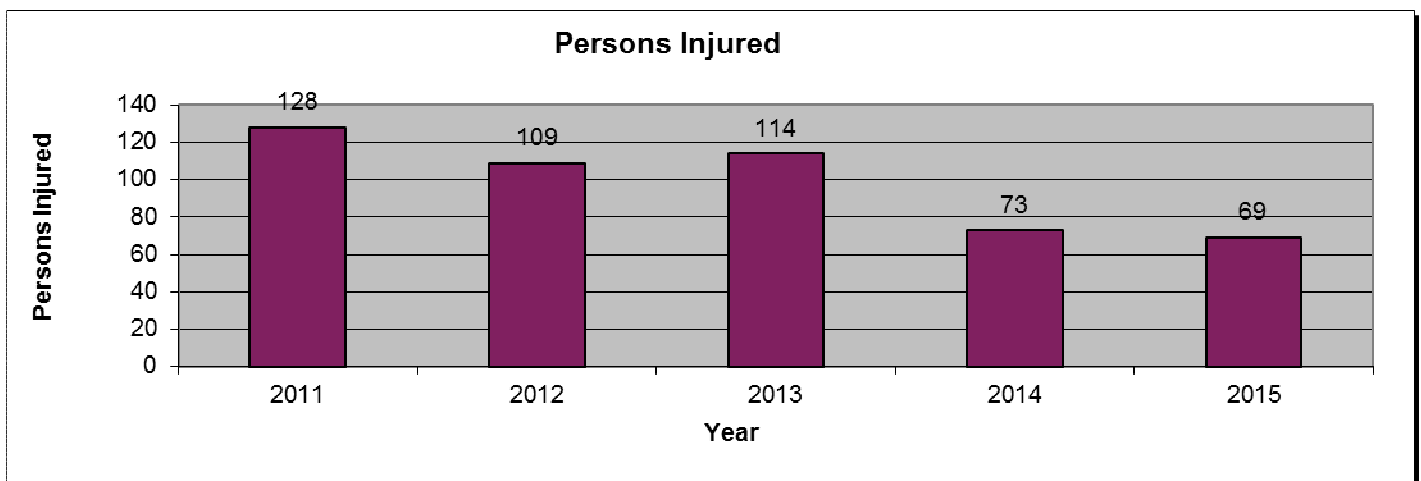
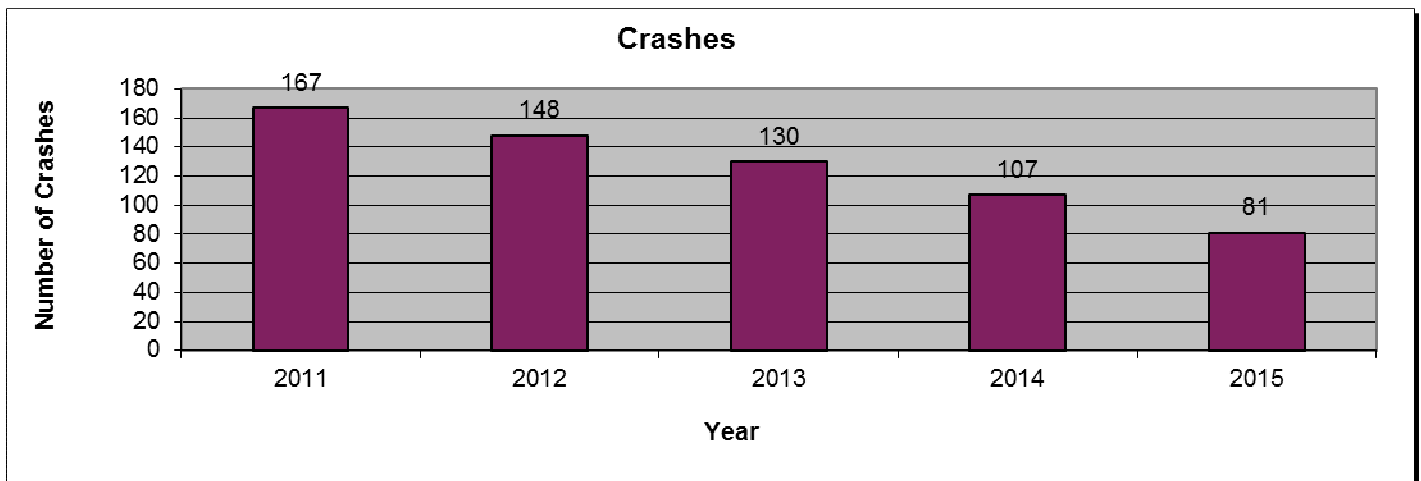
There has been an average of less than ten speed related fatalities in Washington County, with five occurring in 2015. Over the past three years, Washington County has accounted for an average of 8.3% of the State's speeding related fatalities. There has been a significant decline in serious injuries resulting from such crashes in the County as well, from a high of 15 in 2014 (3.3% of all serious injuries in 2015) to a

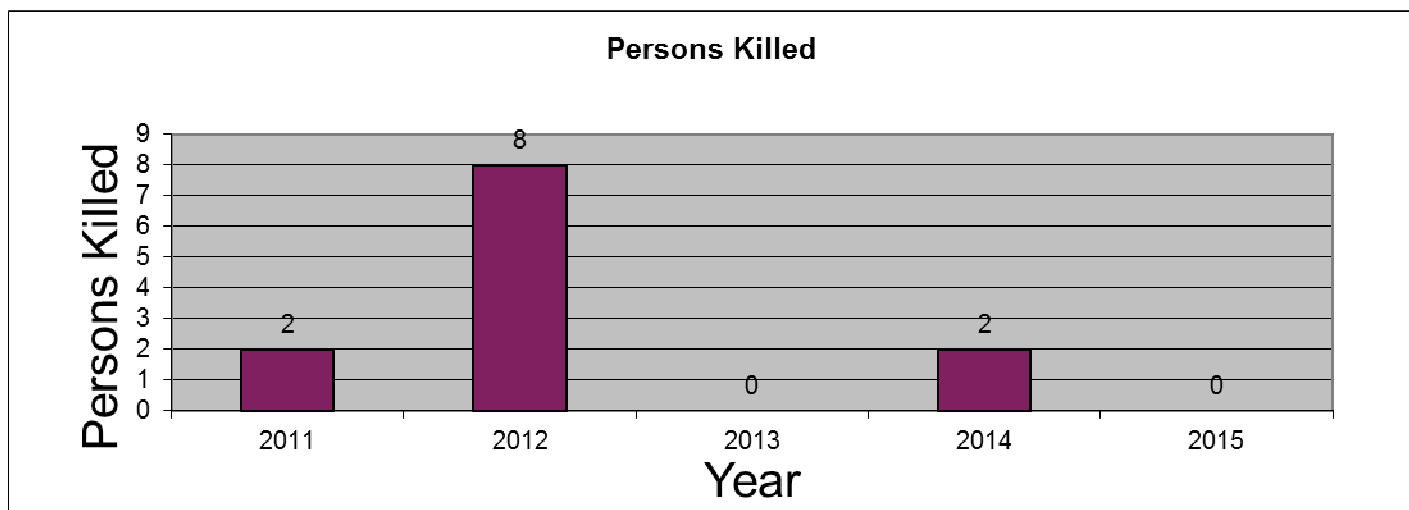
low of five in 2015 (1.7% of all). However, those figures also mean that in 2015, 29.4% of all fatalities and 11.4% of all serious injuries in Washington County resulted from speed related crashes. This illustrates the significance of the speed related fatalities in Washington County. Speeding violations are very common and those adjudicated through the District Court do not include automated speed enforcement. The State has seen an average of 244,588 speed citations issued over the past three years, with 2.0% of those citations being issued in Washington County. Conversely, close to one-quarter (24.1%) of all Washington County citations in 2015 were issued for speeding.

MARYLAND DEPARTMENT OF TRANSPORTATION
Maryland Motor Vehicle Administration
Maryland Highway Safety Office

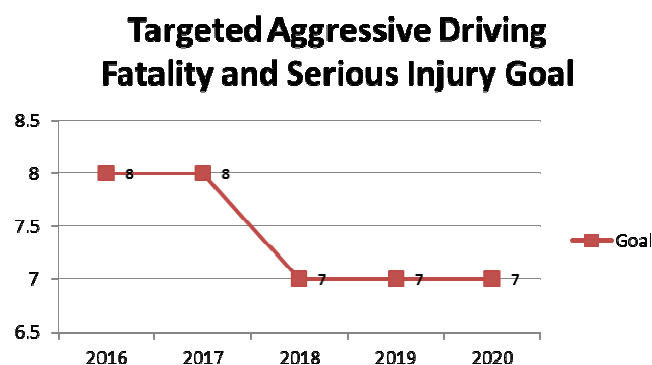
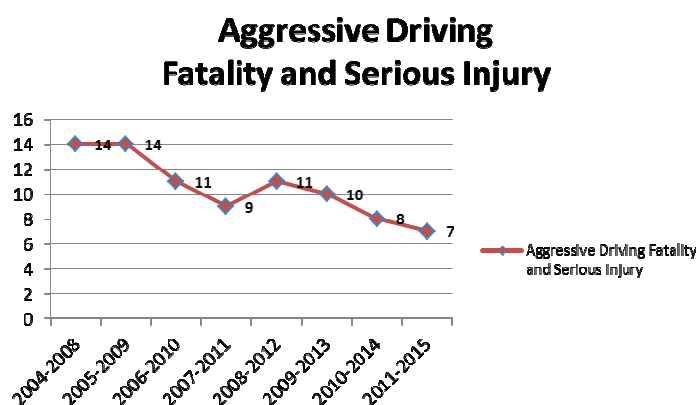
**Washington Co. - Aggressive Driver Involved
Crash Summary**

	2011	2012	2013	2014	2015	5 Year AVG.	%
Fatal Crashes	2	7	0	1	0	2	1.6
Injury Crashes	75	70	66	49	36	59	46.8
Property Damage Crashes	90	71	64	57	45	65	51.7
Total Crashes	167	148	130	107	81	127	100.0
Total of All Fatalities	2	8	0	2	0	2	
Total Number Injured	128	109	114	73	69	99	





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Aggressive Driving Strategies

1. Use data-driven approaches to **identify driver behaviors and target audiences** to focus on aggressive and speed-related enforcement, education, engineering, and emergency services.
2. Develop and implement aggressive driving **enforcement practices**.
3. Identify and implement effective **engineering and technological solutions** to reduce aggressive driving.
4. Conduct **public awareness, training, and media programs** aimed at reducing aggressive driving.
5. Promote and support **legislation and adjudication** to reduce aggressive driving such as ADOPT.

Occupant Protection:

The lack of use of personal restraints or protective equipment is typically not a contributing factor to a crash occurring, but when a crash does occur, the severity of personal injury is greatly affected by the lack of use of this occupant protection equipment.

An unrestrained occupant crash is defined as including a passenger vehicle (automobile, station wagon, van, SUV or pickup truck) occupant:

- Less than 8 years of age recorded as not using a Child/Youth Restraint.
- Eight years of age or older recorded as not using a Lap and Shoulder Belt or Air Bag and Belt, or
- Whose restraint use was recorded as using None or Air Bag Only.



Very few fatalities or serious injuries have occurred as a result of occupant protection over the last three years in Washington County. Fatalities in Washington County resulting from lack of occupant protection decreased from eight in 2013, to seven in 2014, to three in 2015. Serious injuries went from nine in 2013 to six in 2015. These figures account for 4.2% of the State's unrestrained fatalities and 2.1% of the State's serious injuries in 2015.

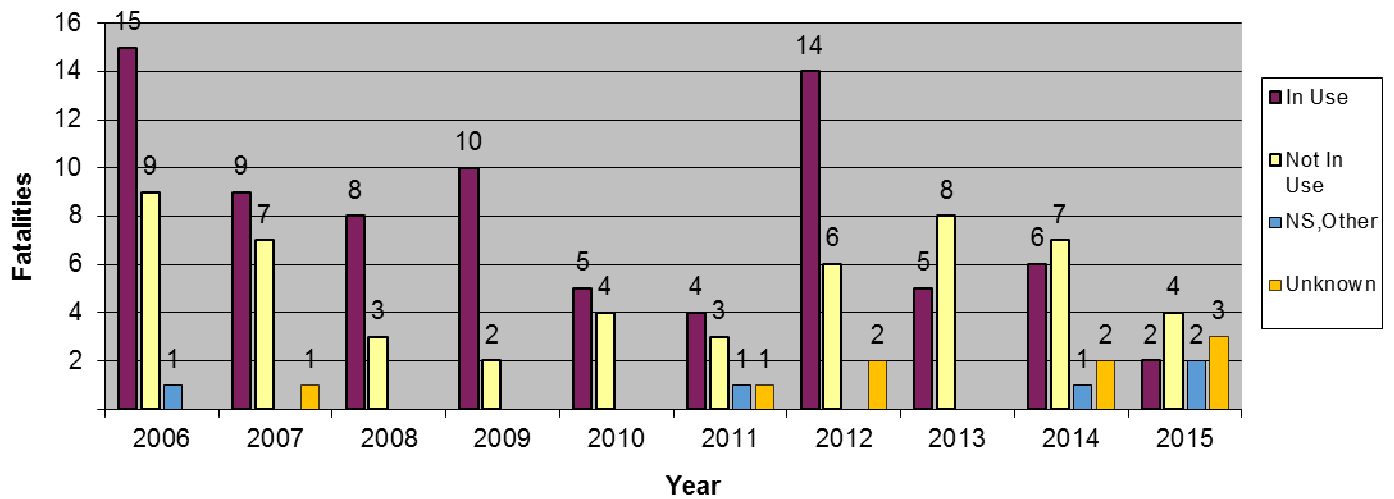
**MARYLAND DEPARTMENT OF
TRANSPORTATION
MARYLAND MOTOR VEHICLE
ADMINISTRATION
Maryland Highway
Safety Office**

Washington County Driver or Passenger - Safety Equipment Use

Safety Equipment	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	TOTAL	AVG	%
In Use	15	9	8	10	5	4	14	5	6	2	78	8	53.8
Not In Use	9	7	3	2	4	3	6	8	7	4	53	5	36.6
NS,Other	1					1			1	2	5	1	3.4
Unknown		1				1	2		2	3	9	1	6.2
Dri/Passenger Fatalities	25	17	11	12	9	9	22	13	16	11	145	15	100.0

Safety Equipment Not in Use - Air Bag Only or None. Excludes motorcycles, mopeds and ATV's.

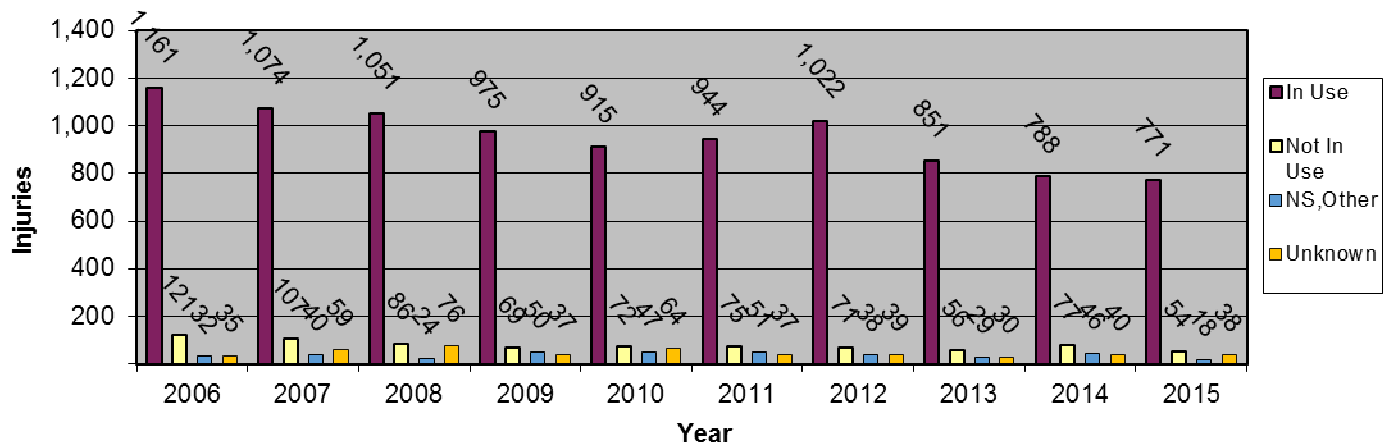
Washington County - Driver/Passenger Fatalities - Safety Equipment Use



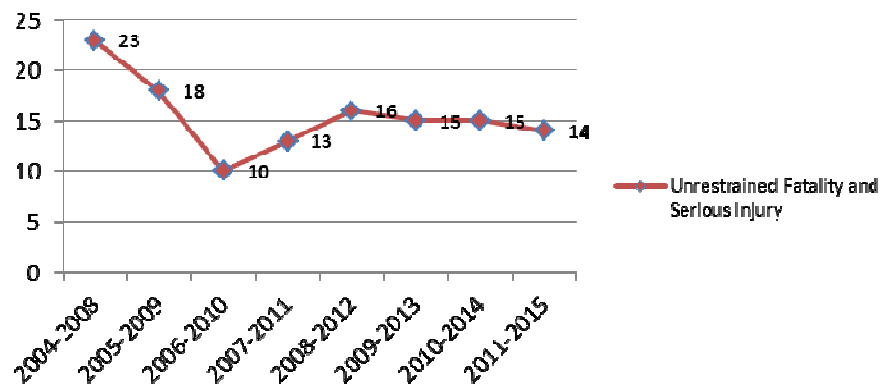
Safety Equipment	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	TOTAL	AVG.	%
In Use	1,161	1,074	1,051	975	915	944	1,022	851	788	771	9,552	955	85.5
Not In Use	121	107	86	69	72	75	71	56	77	54	788	79	7.1
NS, Other	32	40	24	50	47	51	38	29	46	18	375	38	3.4
Unknown	35	59	76	37	64	37	39	30	40	38	455	46	4.1
Dri/Passenger Injuries	1,349	1,280	1,237	1,131	1,098	1,107	1,170	966	951	881	11,170	1,117	100.0

Safety Equipment Not in Use - Air Bag Only or None. Excludes motorcycles, mopeds and ATV's.

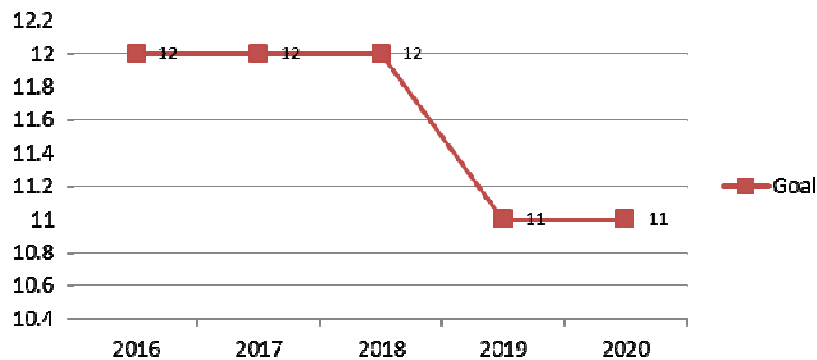
Washington County - Driver or Passenger Injuries



Actual Unrestrained Fatality and Serious Injury



Targeted Unrestrained Fatality and Serious Injury Goal



Occupant Protection Strategies

1. Improve the timeliness, accuracy, completeness, uniformity, accessibility, and integration of **occupant protection-related data**.
2. Enhance and improve **enforcement** of adult and child occupant protection laws.
3. Implement adult and child occupant protection **public awareness and education, training, and media campaigns**.
4. Evaluate and recommend **legislation and/or regulations** to advance occupant protection for all ages.

Impaired Driving:

The National Highway Traffic Safety Administration (NHTSA) defines alcohol impairment as any fatal vehicle crashes involving a driver with a blood alcohol concentration (BAC) of 0.08 grams per deciliter (g/dl) or higher.



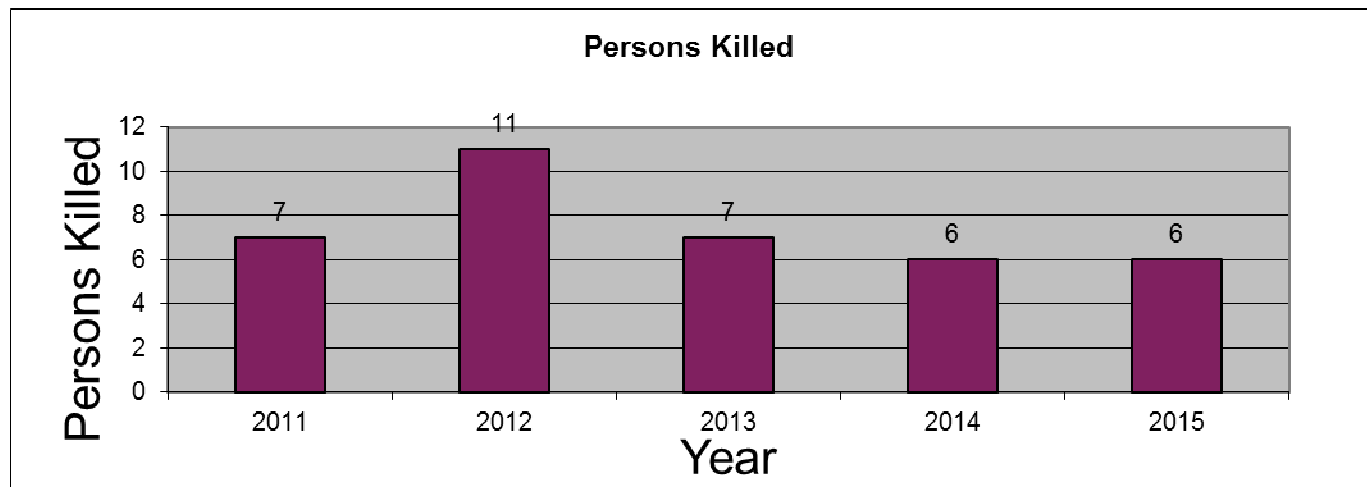
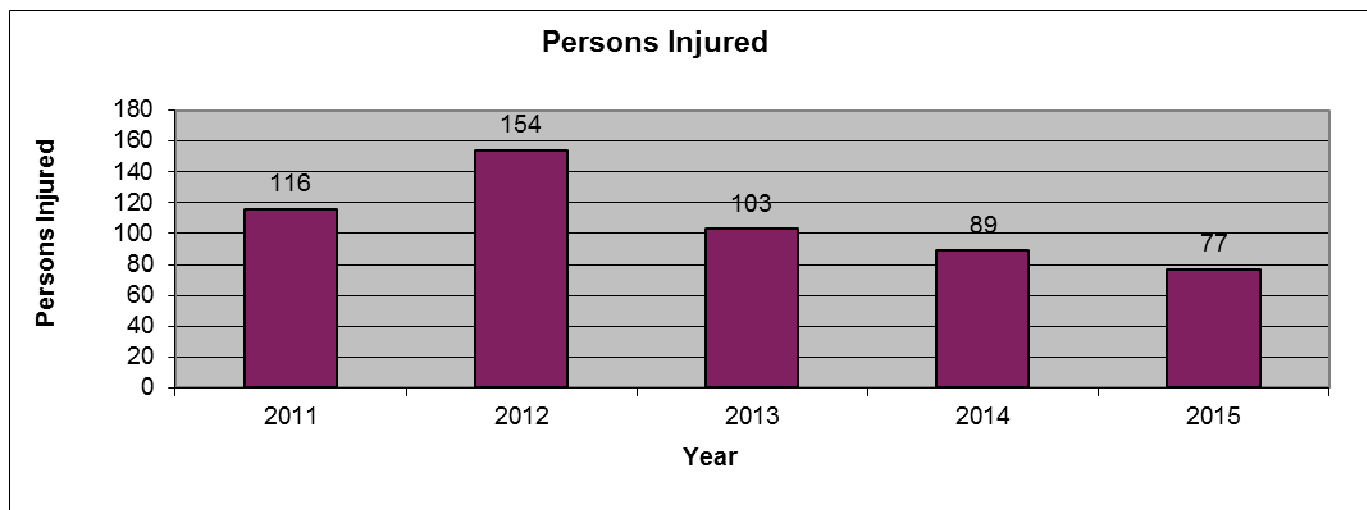
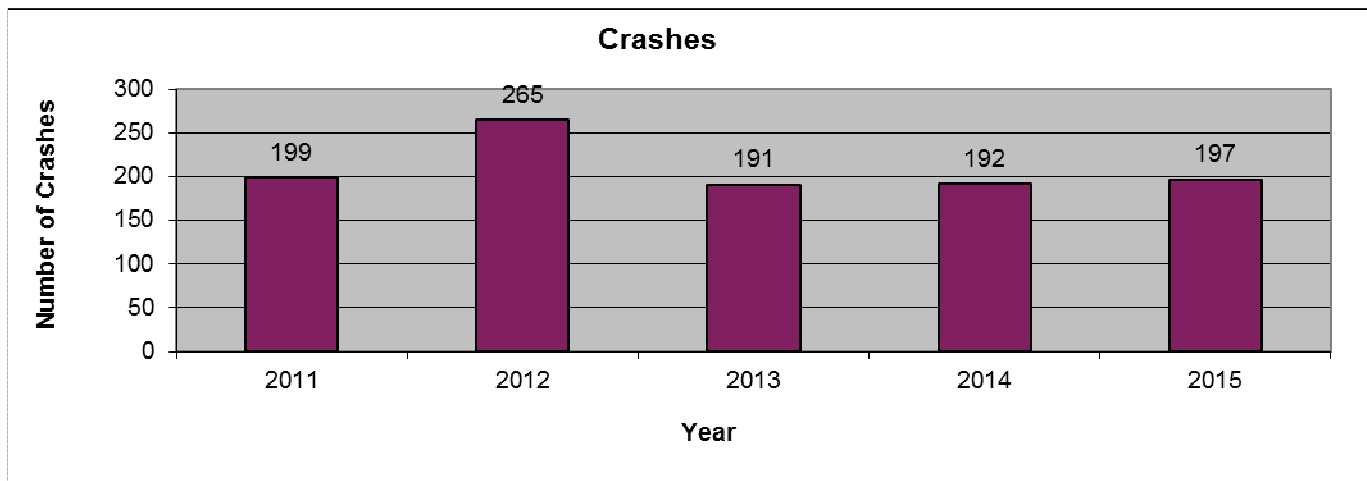
Over the past three years, fewer than ten impaired driving fatalities occurred in Washington County, with just six occurring in 2015. During that time, Washington County has accounted for an average of 4.3% of the State's distracted driving fatalities. There has been a significant decline in serious injuries resulting from such crashes in the county as well, from a high of 20 in 2013 (5.2% of all impaired driving serious injuries) to a low of seven in 2015 (2.0% of all). However, those figures also mean that, in 2015, 35.3% of all fatalities and 15.9% of all serious injuries in Washington County resulted from impaired driving crashes. Correspondingly, impaired driving crashes resulted in 31.1% of all fatalities and 13.2% of all serious injuries in 2015. This shows that Washington County is tracking with the State totals, so impaired driving is a concern but the county is not the worst in the State. Impaired driving arrests relate to driving while impaired by alcohol and/or drugs and several citations are issued at the point of a single arrest. Therefore, all judicial figures related to impaired driving will quantify arrests, not individual citations. Impaired driving arrests have remained fairly steady in Maryland over the past three years, from 23,326 in 2013 to 22,777 in 2014, to 22,051 in 2015. Of those arrests, an average of 1.8% was of older drivers (ages 65+) and 3.9% were of younger drivers (ages 16-20). Washington County had a slight increase from 550 in 2013 to 510 in 2014 to 607 in 2015 which accounted for 2.8% of the State impaired driving arrests in 2015. Of the impaired arrests in the County, an average of 2.0% was of older drivers (ages 65+) and 4.0% were of younger drivers (ages 16-20).



MARYLAND DEPARTMENT OF TRANSPORTATION
Maryland Motor Vehicle Administration
Maryland Highway Safety Office

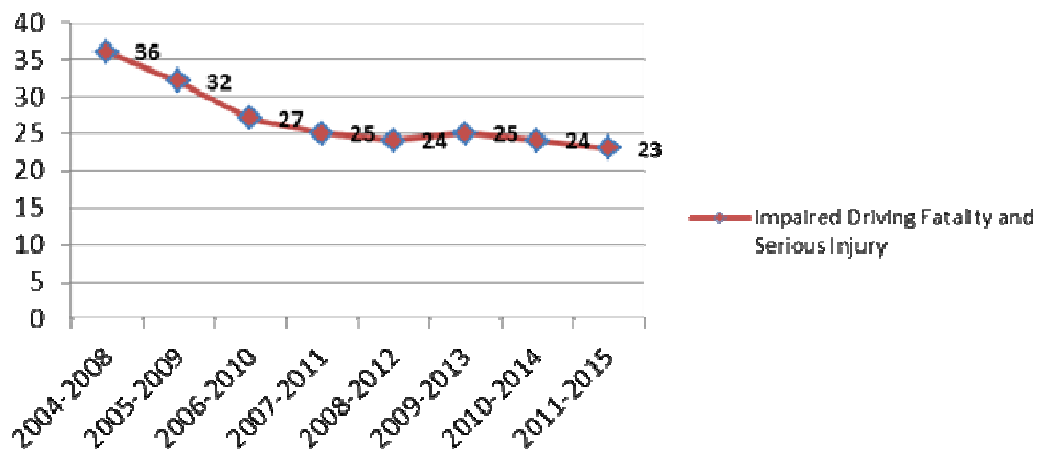
Washington Co. Driver Involved Alcohol or Drug Impaired Crash Summary

	2011	2012	2013	2014	2015	5 Year AVG.	%
Fatal Crashes	7	11	7	6	5	7	3.4
Injury Crashes	81	107	75	74	59	79	37.9
Property Damage Crashes	111	147	109	112	133	122	58.6
Total Crashes	199	265	191	192	197	209	100.00
Total of All Fatalities	7	11	7	6	6	7	
Total Number Injured	116	154	103	89	77	108	

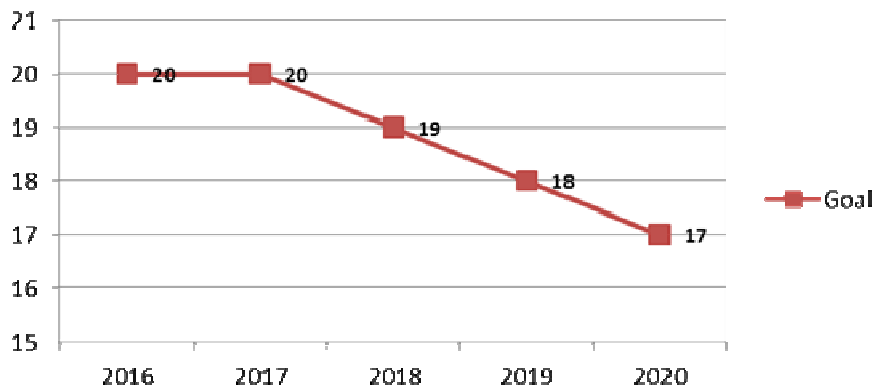


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Actual Impaired Driving Fatality and Serious Injury



Targeted Impaired Driving Fatality and Serious Injury Goal



Impaired Driving Strategies

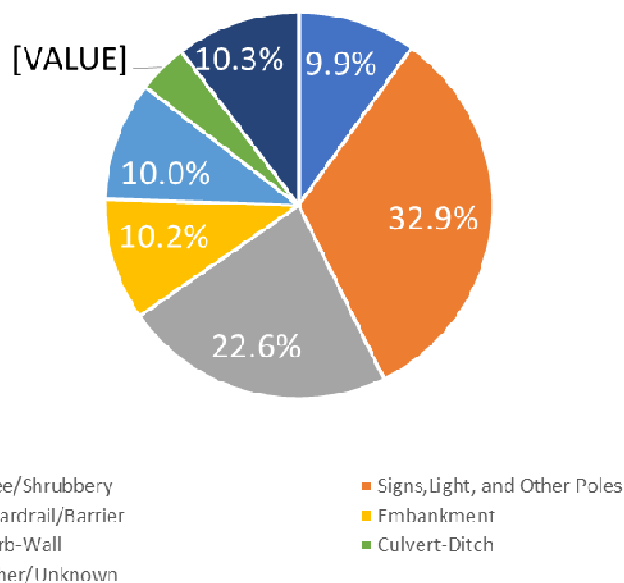
1. Improve the availability, quality, collections, and use of **data** to support impaired driving enforcement, adjudication, programs, and initiatives.
2. Enhance and improve **enforcement** of impaired driving laws.
3. Enhance and improve the **prosecution and adjudication** of impaired driving cases.
4. Investigate and foster the use of **technologies and best practices** to support impaired driving countermeasures.
5. Conduct **outreach initiatives** including, but not limited to, education, training, and media programs to reduced impaired driving.

Highway Infrastructure:

An average of 10 fatalities and 754 serious injuries occurred in crashes involving infrastructure related issues. While work zone crashes are minimal, run-off the roadway and intersection crashes leave an opportunity to improve.



DISTRIBUTION OF FIXED OBJECTS STUCK IN RUN OFF THE ROAD
CRASHES IN WASHINGTON COUNTY



A **Run-Off-the-Road Crash** is defined as a crash where the first event was recorded as striking a fixed object or running off the road, or the location of the crash was reported as off-road or in the median. An average of 8 fatalities and 290 serious injuries per year resulted from run-off-the-road crashes between 2006 and 2015

Intersection Crashes are those crashes reported as occurring in an intersection or being intersection-related (i.e., in a traffic situation resulting from an intersection). An average of 2 fatalities and 443 serious injuries per year resulted from intersection-related crashes between 2006 and 2015.

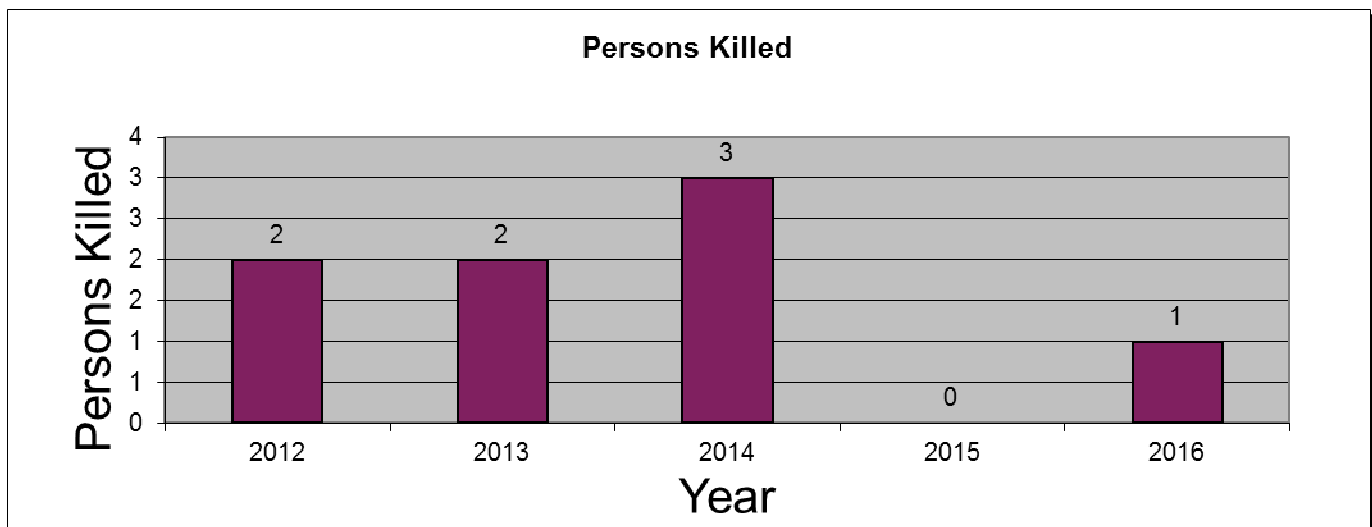
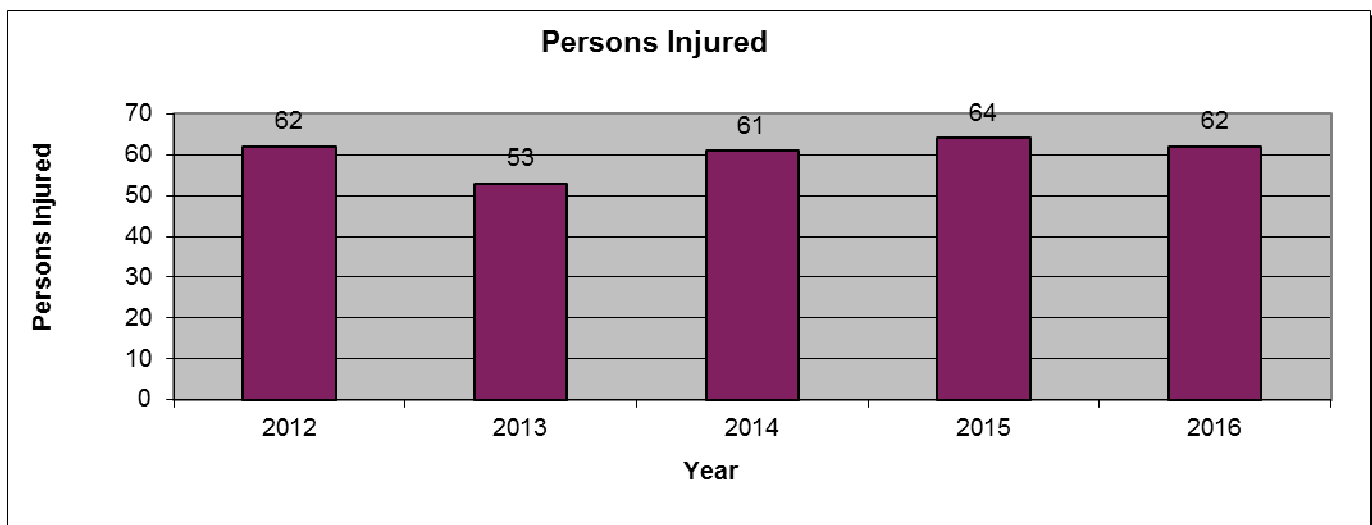
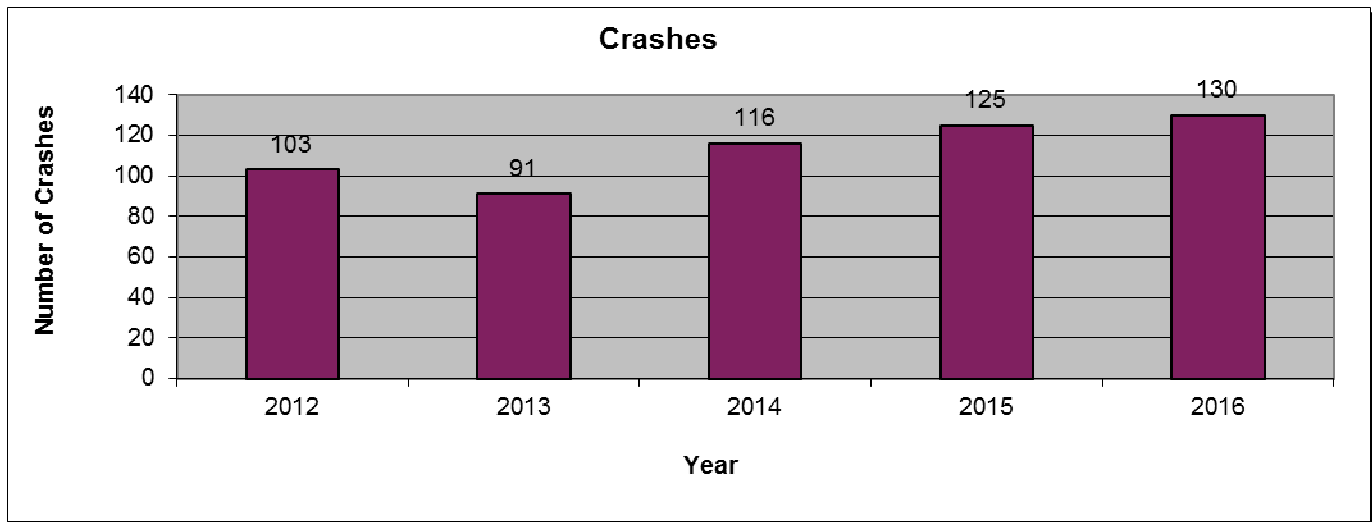
Work Zone Crashes are those crashes reported as occurring in a work zone in the standard crash report. They can include construction, maintenance, and utility work zones. Although Washington County has no fatalities resulting from work zone crashes, an average of 20 serious injuries have occurred each year between 2006 and 2015.



MARYLAND DEPARTMENT OF TRANSPORTATION
Maryland Motor Vehicle Administration
Maryland Highway Safety Office

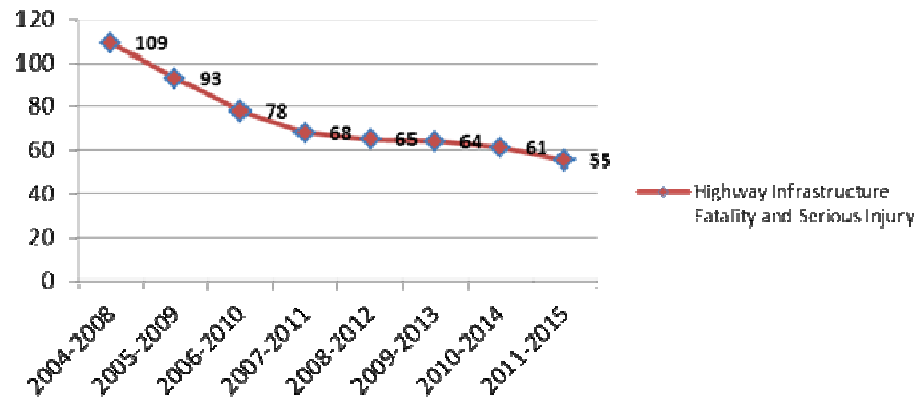
IS81 Crash Summary

	2012	2013	2014	2015	2016	5 Year AVG.	%
Fatal Crashes	2	2	2	0	1	1	1.2
Injury Crashes	38	40	44	40	34	39	34.7
Property Damage Crashes	63	49	70	85	95	72	64.1
Total Crashes	103	91	116	125	130	113	100.0
Total of All Fatalities	2	2	3	0	1	2	
Total Number Injured	62	53	61	64	62	60	

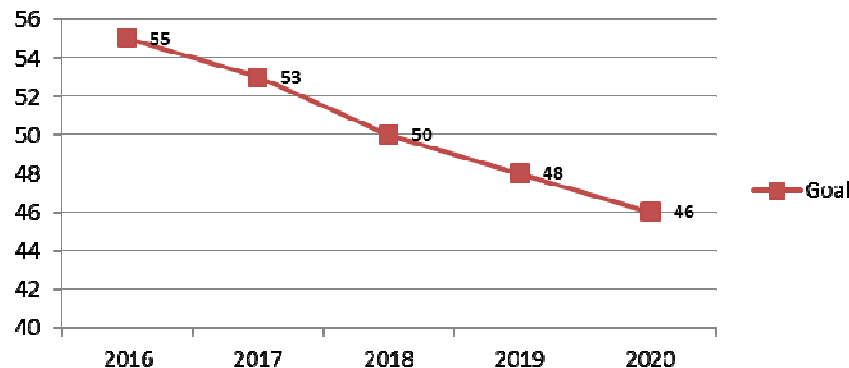


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Actual Highway Infrastructure Fatality and Serious Injury



Targeted Highway Infrastructure Fatality and Serious Injury Goal



Highway Infrastructure Strategies

1. Identify intersections where the Crash Severity Index is high and implement safety improvements.
2. Identify and target safety improvements along corridors where the Crash Severity Index is high and address roadway elements that contribute to crashes.
3. Identify, develop and implement system-wide improvements that address the safety of vulnerable user groups (e.g., bicyclists, pedestrians, motorcyclists, older and younger drivers, etc).

Implementation and Evaluation:

Each law enforcement agency in Washington County has adopted this Washington County Strategic Highway Safety Plan and will conduct increased traffic enforcement and implement public awareness strategies according to the specific focus areas identified in this Plan.

The Washington County Strategic Highway Safety Plan Committee will work with other State and local partners to conduct public awareness campaigns and identify infrastructure deficiencies that will reduce crashes in the specific focus areas identified in this Plan.

The Washington County Traffic Advisory Council has also adopted this Washington County Strategic Highway Safety Plan. The Washington County Commissioners and other municipal governments have adopted the Washington County Strategic Highway Safety Plan. This Plan will be taken into consideration as there is discussion and actions taken to improve highway safety in Washington County.

Washington County Strategic Highway Safety Plan Committee Members:

- **Sheriff Doug Mullendore, Washington County Sheriff's Office**
- **Chief Victor Brito, Hagerstown Police Department**
- **Captain Tom Langston, Hagerstown Police Department**
- **Lt. Joe George, Maryland State Police, Barrick "O"**
- **Major Pete Lazich, Patrol Commander, Washington County Sheriff's Office**
- **Sgt. John Martin, Washington County Sheriff's Office**
- **Merle Saville, Washington County Engineering and Construction (Traffic Advisory Council Chairman)**
- **Karie Braniff, Analyst, Washington County Sheriff's Office**
- **Michael Bible, Law Enforcement Liaison Program Manager at the Maryland Department of Transportation Highway Safety Office**
- **Chris Perkins, State Highway Administration**
- **Chief Chuck Stanford, Boonsboro Police Department**
- **Chief T J Buskirk, Hancock Police Department**
- **Chief George Knight, Smithsburg Police Department**
- **Charles Summers, Deputy Director Emergency Management for Washington County.**

REQUIRED MOTION MAYOR AND CITY COUNCIL HAGERSTOWN, MARYLAND

Topic:

Main Street Hagerstown's Christkindle Markt - *Amanda Whitmore, Downtown Coordinator*

Mayor and City Council Action Required:

Discussion:

At the November 7, 2017 Mayor and City Council work session, staff and volunteers will provide an informational update on Main Street Hagerstown's inaugural Christkindle Markt event scheduled for December 2nd. Monika Wertman and Dieter Bloesel will attend. Monika serves as chair of the Main Street Organization Work Group and is leading the planning group for the Christkindle Markt. Dieter Bloesel is owner of the Schmankerl Stube.

Christkindle Markt is a German Christmas shopping tradition that originated in the streets of Germany. Main Street Hagerstown will be replicating several aspects of a traditional Christkindle Markt in downtown Hagerstown to help usher in the holidays. Specifics about the event include:

What: Christkindle Markt, German Christmas Market

When: Saturday, December 2nd 12 p.m. to 6 p.m.

Where: Public Square, Downtown Hagerstown

Who: Artisan vendors, traditional German foods, musicians, Santa Claus, and kids activities

Main Street Hagerstown is pleased that several downtown restaurants will be participating in the event by offering specials in their establishments. Augustoberfest is also sponsoring the kid's activities for the day.

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

MCC_Memo_Christkindle_Markt.pdf

Description

MEMO: Main Street
Hagerstown's Christkindle
Markt



CITY OF HAGERSTOWN, MARYLAND

Department of Community & Economic Development

TO: Valerie Means, City Administrator
FROM: Amanda Whitmore, Downtown Coordinator
DATE: November 1, 2017
SUBJECT: Main Street Hagerstown's Christkindle Markt

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Attachment: Event Banner

c:
Jill Thompson, Director of Community & Economic Development
Christkindle Markt Planning Group



presents:

Christkindle Market

a German Christmas Shopping Tradition

12 pm - 6 pm, City Center

Food and Drink

Live Music

Gifts

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Stormwater Utility Fee Study - *Rodney Tissue, City Engineer*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Stormwater_Utility_Fee_Study.11717.pdf

Description

Stormwater Utility Fee Study



CITY OF HAGERSTOWN, MARYLAND

Department of Parks and Engineering

November 7, 2017

TO: Valerie Means, City Administrator

FROM: Rodney Tissue, City Engineer *R.T.*

RE: Stormwater Utility Fee Study

Background:

As a follow-up to our discussion with Mayor and Council on July 11, staff has drafted the attached Request for Proposals (RFP). Per your direction, we are available to review this RFP with the Mayor and Council and to discuss any changes they wish to have incorporated.

Mayor and Council Action Requested:

Staff requests any feedback the Mayor and Council may have on the RFP or the process to complete a stormwater utility.

Discussion:

We understood at the July meeting the City Council was ready to move forward with this study. We would offer the following points:

1. With Council concurrence, the RFP would be issued immediately. Staff would bring the proposals back to Mayor and Council in January, 2018 for authorization to proceed and to award a contract for Phase I scope of work.
2. Generally we learned these studies cost between \$40,000 and \$100,000 depending on the scope and the level of interest from consultants. We do not have this study budgeted and envision that the fee that results from the study would cover the cost of the study.
3. In our research, we saw several studies took up to five (5) years to implement with the public input process being the most time consuming, but ESSENTIAL part of the effort. Our RFP suggests a time frame of less than three years with implementation in 2020.
4. This will be a multi-department effort and will require extensive involvement from Finance, Public Works, Customer Billing, and our department.
5. I have attached Jim Bender's excellent 7/6/17 memo that provides a complete summary of the issue. I also attached a July 2017 article from the APWA Reporter entitled "*Is a storm water utility right for your community?*" as it provides some important points to consider.

Attachments: Request for Proposals

Jim Bender 7/6/17 memo

APWA Reporter article entitled "*Is a storm water utility right for your community?*"

cc: Jim Bender, Michelle Hepburn, Eric Deike, Scott Nicewarner

Parks and Recreation Division

351 North Cleveland Avenue • Hagerstown, MD 21740
Ph: 301.739.8577 Ext. 169 • Fax: 301.790.0171

Engineering Division

1 East Franklin Street • Hagerstown, MD 21740-4817
Ph: 301.739.8577 Ext. 125 • Fax: 301.733.2214



CITY OF HAGERSTOWN, MARYLAND

Department of Parks and Engineering

November 10, 2017

TO: Potential Bidders/Consultants

FROM: Rodney A. Tissue, P.E., City Engineer

RE: Request for Proposals
SWM Utility Fee Study
Contract RFP-17-UF-17

Please provide a proposal and possible schedule in response to the following Request for Proposals. Proposals are due by **December 20, 2017** at 11:00 a.m. in the office of the City Clerk, 2nd Floor City Hall, 1 East Franklin Street, Hagerstown, MD 21740. The City of Hagerstown reserves the right to reject or accept any or all proposals submitted, either in whole or in part for any reason within its absolute discretion.

The City of Hagerstown Department of Parks and Engineering Office is the sole entity authorized to provide this RFP package to interested companies or individuals. Firms who are working from an RFP package obtained from any other source may have an incomplete set of documents. *The City assumes no responsibility for any error, omission, or misinterpretation resulting from a company's use of an incomplete RFP package.* Firms who have received the RFP package from a source other than the City Department of Parks and Engineering Office are advised to contact the office to provide their company name, mailing address, telephone number, fax number, contact name and contact e-mail address. This will ensure that the company receives all RFP related communications and documents, including addenda. There may be one or more addendums to this solicitation. If your company desires to receive copies or notices of any such amendments, you must provide the information to the City of Hagerstown. E-mailed addendum will be sent in a PDF format. Addendum also will be posted to the City of Hagerstown website at: www.hagerstownmd.org in a PDF format. Check the webpage for the particular proposal solicitation for any posted addendum.

All questions shall be directed to Rodney Tissue, City Engineer, by no later than 4:30 p.m. on Friday, December 15, 2017.

Attachments: Request for Proposal

Parks and Recreation Division

351 North Cleveland Avenue • Hagerstown, MD 21740
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**CITY OF HAGERSTOWN, MARYLAND
PARKS AND ENGINEERING DEPARTMENT**

REQUEST FOR PROPOSALS

for

**SWM UTILITY FEE STUDY
CONTRACT RFP-17-UF-17**

NOVEMBER 2017



CITY OF HAGERSTOWN, MARYLAND

Department of Parks and Engineering

REQUEST FOR PROPOSAL PROFESSIONAL SERVICES FOR STORMWATER UTILITY FEE STUDY RFP-17-UF-17

GENERAL PROJECT DESCRIPTION:

The City of Hagerstown seeks consulting services to develop a self-sustaining stormwater management (SWM) program funded by a utility fee. The desired outcome of the project is to define and develop a comprehensive program of stormwater services, recommend and implement a funding strategy that will diversify infrastructure revenue and provide sufficient resources to address regulatory pressures, and position the City to effectively construct, maintain and rehabilitate drainage facilities throughout the community. The general fund currently supports staff salaries and benefits, construction of new SWM and stream restoration projects, development of watershed and SWM studies, and maintenance of existing public SWM facilities. This fee study will examine the projected income sources and costs of these services and develop a methodology for charging a yearly fee to all property owners within the City limits to cover these services. In addition, the consultant will estimate costs for additional SWM-related services the City may choose to provide, and estimate the effect these additional services will have on the proposed SWM fee. The analysis will include qualitative and quantitative assessments of benefits, problems, costs, feasibility, and public acceptability, and will provide technical guidance for implementation and fee collection. The consultant will participate extensively in the public process at public meetings and at Mayor and Council meetings.

AWARD:

Award will be made to the qualified bidder obtaining the highest weighted score combining the price and technical specifications.

AGREEMENT:

The successful contractor shall be required to complete a two-party standard form of agreement (sample attached).

NOTICE TO BIDDERS:

Companies not incorporated in the State of Maryland must be in compliance with the State of Maryland Code of Regulations Title 21, State Procurement Regulations in order to enter into a contract with the City. "Pursuant to 7-201 et seq of the Corporations and Associations Article the Annotated Code of Maryland, corporations not incorporated in the State shall be registered with the State Department of Assessments and Taxation, 301 West Preston Street, Baltimore, MD 21201 before doing any interstate or foreign business in this State. Before doing any intrastate business in this State, a foreign corporation shall qualify with the Department of Assessments and Taxation."

THE CITY RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS IN PART OR FULL AND TO WAIVE ANY TECHNICALITIES OR INFORMALITIES AS MAY BEST SERVE THE INTEREST OF THE CITY.

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SPECIFICATIONS

BACKGROUND INFORMATION

The City of Hagerstown occupies 12 square miles in Western Maryland and has an estimated population of 40,000. All drainage enters the Potomac River via the Antietam Creek or the Conococheague Creek. The City is divided between four subwatersheds: Hamilton Run, Marsh Run, an unnamed tributary in the extreme west side of the City, and some areas drain directly to the Antietam Creek.

Due to extensive urbanization, the City's streams have experienced declining water quality and loss of aquatic species diversity, channel down-cutting and widening, loss of trees from bank erosion, and aesthetic decline from sedimentation and trash. The City has comprehensive erosion and sediment control and stormwater management (SWM) regulations for new development and redevelopment projects. However, the City is also concerned with improving watershed management for already developed areas through the use of SWM retrofits, effective low-impact SWM measures, stream restoration, and public education and stewardship. Accordingly, Hagerstown has adopted the *Antietam Creek Watershed Restoration Plan* for Washington County, MD to comprehensively assess watershed conditions and make recommendations to guide the preservation, protection and restoration of Hagerstown's streams.

The City does not currently have a dedicated SWM fund. The City occasionally receives grant money from the State or Federal government for particular projects, typically for construction.

A desired SWM fund could support the following expenditures: full-time and part-time salaries, professional development and benefits for staff engineers, technicians, and inspectors; SWM facility inspection, maintenance and repair; consultant services for watershed-related studies, design projects, and engineering issues; street sweeping; tree planting; construction and inspection of Capital Improvement Program (CIP) projects and local match to grants the City may receive.

STUDY SCOPE:

The intent is for this study to be completed in three separate phases by the same consultant. Proposals should focus only on the first phase; Phases II and III will be negotiated later with the consultant at the end of Phase I. The consultant must work closely with City staff and a stakeholders' task force in each phase. At the completion of each task, the consultant shall submit working documents summarizing and supporting the analysis/evaluations completed in that task.

The SWM fund cashflow shall be evaluated in all scenarios over a projected 20-year cycle (the analysis period) with the goal of maintaining a sufficient balance to accommodate all planned SWM expenditures and maintain financial stability for the SWM fund. The City's Finance Department will set the objectives for maintaining a desirable fund balance without the need to issue debt. Phase I recommendations will include a recommendation on the program of services, funding strategy, rate structure, policy considerations (i.e. exemptions, credits, bill delivery) and the utility rates proposed to support the program needs. To ensure that the program and funding strategy are understood and supported by the community, a citizen's advisory committee would review and provide feedback on key issues during Phase I

Phase I: Preliminary Stormwater Funding Recommendations:

Task One: Stormwater Program Assessment and Planned Program Development:

The objective of Task One is to define a "future" comprehensive program of services. This involves the following key activities:

1. **Statutory Analysis:** Verify all the required legislation is in place to allow the development and implementation of the stormwater utility fee
2. **Current Program Assessment:** Detail the stormwater services currently provided in the areas of regulatory compliance, operations, maintenance, planning, capital improvements, and administration.
3. **Level of Service and Extent of Service** - Define current levels of service and extent of service. These are two critical policies to review and understand how services are delivered to the community.
4. **Cost of Service:** Quantify resources currently dedicated to stormwater by service or functional area, as

appropriate, and build a Cost of Service Model to capture all resources dedicated to the delivery of current services for stormwater management. This will be used to project future costs as well.

5. **Priorities:** During the development of the current service, develop the goals and priorities for both the short and long-term management of the system. A clear definition of the program priorities will be needed to assess the effectiveness and completeness of current services.
6. **Gap Analysis:** Identify gaps in the program based on regulatory mandates, program priorities, capital needs and other challenges facing the city.
7. **Planned Program:** Define a five-year plan for program improvements, including such key items as regulatory compliance, conditions assessment, infrastructure rehabilitation, stream maintenance, stormwater retrofits, and long-term capital investment.

Task Two: Public Involvement and Education:

Public understanding is critically important in making changes to current local government programs and policies as well as creating support for funding initiatives. It is important to garner support both internally (with City leaders and City staff) as well as with the general public. This task addresses both internal and external education activities. These activities would be on-going throughout the project:

1. **Citizen's Advisory Committee:** Meet with a City-Council-appointed citizen's advisory committee to garner feedback on stormwater funding policies and approaches and to provide a forum for the City to gain an understanding of the community's goals and objectives for a comprehensive management approach for stormwater in the City.
2. **City Council/City Leadership Involvement:** Develop materials for and conduct a workshop with City Council and staff on the recommended program of services.
3. **Public Meetings:** Participate in education of the public including up to two public meetings with citizen groups, including the facilitation of the meeting as appropriate.
4. **Preparation of Public Education Materials:** This could include such items as presentation materials and fact sheets that can be uploaded to the City's website and or can be handed out in public meetings.

Deliverables for Phase I:

Report on funding options available to the City including the outcome of the review of current funding options and a recommendation on a funding strategy for the five-year program. Also include a summary of public input.

Phase II: Finalize Stormwater Funding Recommendations:

The planned program elements will be the driver in the analysis of funding options. Creating a rational relationship between the services provided and the manner in which they should be funded is foundational to creating a stable, defensible, equitable and adequate funding strategy. The planned program shall be evaluated against all the funding tools the City has authority to utilize and a rational relationship will be identified for each funding tool. Activities under Phase II include:

1. **Current Revenue Sources:** A complete a review of current revenue sources including their capacity to address the Planned Program for stormwater will be undertaken.
2. **Funding Options Evaluation:** All appropriate funding options available to the City including primary and secondary sources will be analyzed to develop an optimal funding plan for the five-year planned program developed in Task One.
3. **User Fee Analysis (Utility):** This will include the following steps.
 - a. Review of rate structures to identify the potential rate construction that will support a rational relationship to the recommended program.
 - b. Using the existing GIS data, estimate revenue generation will be calculated for each rate structure recommended to the City.
 - c. Determine the appropriate legally-based or policy driven exemptions and development of a credit policy that support the long-term goals of the stormwater program.

d. **Develop Billing Options:**

- (1) Data analysis will be completed to determine the most effective delivery methodology for a new fee.
- (2) Current billing methodologies available to the City will be reviewed for compatibility of including a stormwater fee.
- (3) Policies necessary for billing the fee will be developed and reviewed with the Staff.

4. **Implementation Plan:** An Implementation Plan will be prepared, including a schedule for the implementation for creating a new revenue source over the five year period.

Deliverables for Phase II:

- A. A report on specific application of a user-fee (utility) for stormwater management. This report will address rate structures, billing options, credit policy, rate options, and potential revenue generation.
- B. Implementation Plan.

Phase III: Implementation:

The actual steps necessary to implement the new program plan and funding method are dependent on the decisions made during the first phase. Scope will potentially include updating of the data in support of a Master Account file, the integration of the billing system, the focus of the public education plan, and the training of customer service staff. The following tasks are anticipated:

1. **City Utility Ordinance:** A draft and final ordinance to establish the utility and implement related policy decisions will be developed in coordination with the City Attorney. The ordinance will be developed in conformance with the enabling authority established in Section 4-204(d) of the Annotated Code of Maryland.
2. **Public Education:** A separate public education plan prepared for outreach to the public to create an understanding of the changes in program, the funding anticipated, and the reason and method used to develop the new fee.
3. **Data Management/Billing:**
 - a. Process for finalization of the Master Account File including any required updating of the GIS-based data
 - b. Process for integration of the Master Account file into the selected billing system.
 - c. Process for long-range management of the data files supporting the billing system.
4. **Customer Service:**
 - a. Development of a Customer Service Manual and answers to frequently asked questions to support customer service needs. Typically this will include information on how rates were calculated, how to appeal a fee, how to apply for credits, etc.
 - b. Training of customer service staff
 - c. Technical support during first month of billing

PROPOSED PROJECT SCHEDULE AND CONTRACT INFORMATION

Time is of the essence in this contract. The consultant must be able to meet the City's schedule. Work shall begin within ten (10) business days of the consultant receiving the Notice to Proceed. Although it is not anticipated, the City reserves the right to extend the schedule and contract as necessary to meet the needs of the community or the City. At this point, the City anticipates the following schedule:

Start Date	Finish Date	Action
December 20, 2017	---	Proposals Due to City
January 8, 2018	January 12, 2018	Consultant Interviews
January 23, 2018	---	Mayor and Council Award of Phase I
February, 2018	---	Appoint Citizen's Advisory Committee
March 2018	October 2018	Phase I Work
November 2018	January 2019	Negotiate Phase 2 and 3 and Execute Agreement
February 2019	October 2019	Phase 2 Work
November 2019	June 2020	Phase 3 Work

DELIVERABLE REQUIREMENTS

The number of copies and format for deliverables during the project will be as follows: Submit six (6) hard copies of each submittal, including one reproducible unbound copy, and electronic files of all material to facilitate posting material on the City's website. The City will comment on information in the submittals and return questions and changes to the consultant. The consultant will incorporate changes into each subsequent submittal based on City staff's comments. All mapping and numeric data, financial analyses, and charts/graphs referred to in a submittal shall be provided electronically with each submittal.

The final report submittal shall contain 20 bound paper copies, one reproducible unbound paper copy, and an electronic copy. It shall include the summary minutes from public meetings and Mayor and Council work sessions, and incorporate final changes as directed by the Mayor and Council and/or City staff with explanations of any revisions to the draft recommendations.

DATA AVAILABILITY:

The City's Project Manager and Team members will provide the successful consultant with background materials, general guidance, and be the liaison between the consultant and other City or County agencies. The consultant will also have access to City financial records and electronic files with coordination from the Finance Department. The Finance Department will work with the consultant to facilitate data retrieval and assistance with understanding the City's cash flow analysis and budget methodology.

The City will make its ArcGIS data available to the consultant and will provide data layers on DVD to the consultant. In addition, the City can obtain needed data layers from the Washington County GIS database. Although the City has aerial photography and topographic, building, public storm drain, public SWM facilities, property line and street information, the consultant is advised that this general data may not be accurate at the property level. The consultant may need to field-sample representative sites to verify aerial photos and other available data.

COMPENSATION

The consultant will be paid monthly within 30 days upon submission of an acceptable and approved invoice.

TECHNICAL CONTACT

Questions concerning this scope of services should be addressed to Rodney Tissue, Project Manager, telephone 301-739-8577 Ext 128, or e-mailed to rtissue@hagerstownmd.org

BIDDING INSTRUCTIONS

One original and five (5) copies of the proposal, marked "**RFP # 17-UF-17, SWM UTILITY FEE STUDY**" must be submitted to and received no later than **11:00 AM, Wednesday, December 20th**, in the City Clerk's office, City Hall, 1 East Franklin Street, Hagerstown, MD 21740. Attn: City Clerk

Each proposal shall include at a minimum:

Work Plan - Submit a well-defined work plan consistent with the project objectives and scope of work and demonstrating the ability to complete the project within the scheduled eighteen month time frame.

- (a) Explain the proposed analysis of both the SWM Program costs to be provided by the City's SWM Fund and of the possible options for assessing property owners.
- (b) Present a plan for obtaining the property-specific data needed to investigate each option.
- (c) Describe how community involvement and input will be incorporated during the entire project.
- (d) Clearly distinguish tasks that your firm will undertake as distinguished from those which will be the responsibility of the City. Absence of this distinction will be construed that your firm is fully assuming responsibility for all tasks.
- (e) The consultant may propose changes to the RFP's scope and explain the advantages.

Technical Qualifications - Submit technical qualifications of the firms and staff involved in this project.

- (a) Provide a brief company background, company name and title of owners/partners. Describe the company history, type of projects the firm typically works on, and approximate percentage of the total business devoted to the type of services requested in this RFP. Describe current and future workload and staff allocations.
- (b) Provide the name, title, address and telephone number of the individual who will manage this project. Provide a resume detailing education, qualifications and previous work assignments related to this RFP. Also provide resume detailing education, qualifications and previous work assignments related to this RFP for each person (including sub-contractor firms or other team members) who will perform substantial services under the contract, and identify the tasks or specific work elements they will perform. Describe any completed SWM Fee studies for jurisdictions within or outside of the State of Maryland that your local office has completed.
- (c) Provide a statement acknowledging that the consultant shall use the staff identified in this proposal for the work as described in the proposal, and that the City shall approve staff substitutions prior to any changes.
- (d) Provide an overview of computer software your firm will utilize for this project and its ability to generate, analyze and document costs for the SWM fee.
- (e) Provide a sample user fee study completed by your firm.

Phase 1 Fee Proposal - Submit a fee proposal **for Phase I only** which details the following:

- (a) total project cost by task;
- (b) hourly rates and estimated hours by task for each person assigned to work on this project;
- (c) itemized costs by task and the estimated hours needed to complete each task (broken down by staff level);
- (d) an estimate of non-personnel costs.

No additional payment will be made for travel expenses. The City reserves the right to increase or decrease the estimated quantities without affecting the unit price.

Submittal List - The proposal shall include a list and description of submittals and deliverables. The City will review this as part of the study approach.

References - Submit a minimum of three (3) references on projects similar in scope undertaken within the last five years, such as SWM program fee studies or municipal funding evaluations. The relevant work may be part of a larger project. Include reference contact name and telephone number, dates and a description of the work performed, and which staff was assigned to the project. Also include the contract amount for each project. Of the three reference projects, two must be for SWM Fee Analysis.

Additional Information - Provide any additional information you wish to call to the City's attention with respect to the bidder's qualifications.

All proposals will become the property of the City.

EVALUATION AND AWARD:

All proposals will be evaluated by a committee made up of City Staff, which may include the Engineering Division and Finance Department. The committee members will independently evaluate the proposals based on the following criteria:

- Technical soundness of approach and level of understanding of tasks and overall project 30%
- Cost of services 25%
- Experience, abilities and references of the firm in conducting SWM User Fee Studies. 25%
- Project organization and technical qualifications of staff assigned to project 20%

The Review Committee will evaluate the proposals and may also ask questions of a clarifying nature from bidders as required. Each Review Committee member will complete a proposal evaluation matrix form for each submission received.

The Review Committee may schedule interviews for those bidders whose proposals seem to be the most beneficial to the City. Interviewed consultants will have the opportunity to make oral presentations of up to 30 minutes duration in order to clarify their proposals, which will be followed by discussion and questions with the Review Committee. Interviews are expected to last a maximum of 90 minutes. After interviews, if any, the Review Committee will choose the consultant best suited to the City's needs.

When the committee has tentatively selected a consultant, it may request a conference to clarify specific matters. The City of Hagerstown reserves the right to reject any and all proposals and to accept the proposal the City considers most advantageous.

ATTACHMENTS:

- **Standard form of agreement**



CITY OF HAGERSTOWN, MARYLAND

Department of Parks and Engineering

July 6, 2017

TO: Valerie Means, City Administrator
FROM: Jim Bender, Assistant City Engineer
RE: Stormwater Fee / Stormwater Utility Information

Background:

Over the past six years, staff has made several presentations to the Council regarding the Watershed Implementation Plan (WIP) process for reducing stormwater pollution. Using cost estimating tools provided by the Maryland Department of the Environment (MDE), staff has estimated that the cost to the City to fully comply with the pollutant reduction requirements could be as high as \$210 million between 2013 and 2025. The City's Capital Improvement Program budget currently allocates only a fraction of this amount of money to stormwater projects, and it will be difficult to find additional revenue from the General Fund. Many other communities are facing the same challenge; one attempted solution has been the implementation of a stormwater fee/stormwater utility to raise revenue to help cover these costs. The purpose of this memo is to describe how such a fee could be structured, and the steps required to implement such a fee if the Council chose to pursue this alternative.

Mayor and Council Action Requested:

Staff requests direction on whether or not to proceed with the selection of a consultant to conduct a Rate Study; that study would be the basis for the implementation of stormwater fee. In the City's approved budget for FY 18, \$200,000 in revenue was expected from the implementation of a fee. However, it is unlikely that the necessary studies and legislation will be in place to begin collecting the fee in FY 18. Staff will be present at the work session to discuss.

Discussion:

Under the National Pollutant Discharge Elimination System (NPDES) regulations, municipalities are separated into two categories: Phase I and Phase II communities. In general, Phase I communities consist of larger cities and urbanized areas; examples of Phase I communities in Maryland are the City of Baltimore and the surrounding counties (e.g. Howard, Montgomery, Frederick, etc.). The City of Hagerstown and Washington County are classified as Phase II communities. The NPDES stormwater permits (and their requirements) for Phase I communities are much more stringent than the permits for Phase II communities.

In 2012, the General Assembly approved House Bill 987; this bill required Phase I communities to begin collecting a "stormwater remediation fee" and establish a "local watershed protection and restoration fund". Subsequent legislation in 2015 removed the requirement for charging this fee if the community could show a financial plan guaranteeing that an equivalent amount of money from other sources would be dedicated to their stormwater program. To date, no legislation has yet been introduced to extend these requirements to Phase II communities.

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MDE has notified all Phase II communities that it hopes to issue a new NPDES Phase II permit by the end of the 2017 calendar year. Based upon staff's review of the draft permit, the City will be required to treat the runoff from 20 percent of the existing impervious surfaces that do not currently have any type of treatment within the five-year term of the permit. Staff's preliminary analysis indicates that this may mean providing treatment for as much as 400 acres of impervious surfaces; the cost associated with that effort will likely exceed \$20 million.

A "Stormwater Utility" is basically an enterprise fund responsible for addressing stormwater management issues in a community. The Utility is funded through the collection of a fee charged to property owners in the municipality. As of 2016, there were more than 1600 municipalities across the United States and Canada that operated a Stormwater Utility, and the number is growing rapidly as Federal and State regulations become more stringent (and legislation like HB 987 is adopted). In Maryland, examples of municipalities that are charging a stormwater fee or operating a Utility include Montgomery County, and the Cities of Frederick, Gaithersburg, and Rockville.

The process to develop a Utility typically begins with a Rate Study to determine how much money needs to be collected to fund a municipality's stormwater pollutant reduction efforts. Consultants quantify the cost to operate/maintain the Utility; this overall cost is then used as the basis for setting the amount of the fee schedule. A Rate Study for a stormwater fee would require the same rigor, and will likely receive as much or more scrutiny, as a similar study for water, wastewater, or electric rates. Add to this the public's low level of awareness of the costs to build and maintain a stormwater program, and the characterization of this approach as a "rain tax", and the need for public stakeholder education and participation becomes apparent. Without a Rate Study or "business plan" as justification, stormwater fees are open to disputes and legal challenges. Successful Rate Studies, and the subsequent legislative process to enact a fee, typically require 12–18 months to complete.

Stormwater fees are not a tax; they are typically a charge that is based upon the amount of impervious (i.e. storm runoff-producing) surface on a parcel of land. Because most developed properties contain impervious surfaces in the form of roofs, patios, or pavement, the fee applies both to taxable properties and to properties that are normally tax-exempt (e.g. churches, non-profit organizations, etc.). It is important to note that the collected fees must be devoted to operation/maintenance of the stormwater system; the fees cannot be lumped in with other General Fund revenue.

The most common method used for establishing the amount of the stormwater fee is the Equivalent Residential Unit (ERU) method. Based upon survey/GIS analysis, the "average" amount of impervious area on a typical residential lot is determined; all similar residential lots are then assumed to have this amount of impervious area without any actual measurement on each lot. For non-residential, commercial, and industrial properties, the amount of impervious area on the lot is measured. That measurement is then divided by the average amount assumed for a residential lot to get an ERU value.

The stormwater fee charged by a Utility will vary from municipality to municipality, depending upon the results of the Rate Study. Nationwide, average fees range from \$3 to \$5 per month per ERU. Montgomery County, Maryland charges \$92.60 per year per ERU; the City of Frederick charges \$48.63 per ERU, and the City of Lynchburg, VA charges \$48.00 per ERU.

According to the 2016 Stormwater Utility Survey prepared by Western Kentucky University, out of 739 cities with stormwater utility fees that were studied, the median size of an ERU was 2,900 square feet. Using that figure, and assuming a fee of \$5 per month per ERU, the table below shows approximate utility fee costs to some select non-residential properties in the City. Please note that these are just examples; not every type of property listed in the table will have the same fee, because the amount of impervious area will vary from property to property.

Sample Stormwater Utility Fee Calculations

Property Type	Impervious area (sq. ft.)	# of ERU's	Monthly fee
Dentist Office	17,400	6	\$30.00
Tire Retail Store	28,700	10	\$50.00
Fast Food Restaurant	45,000	15.5	\$77.50
Public Housing Complex	53,650	18.6	\$93.00
Church (large, with parking lots)	64,000	22.0	\$110.00
Strip Shopping Center	385,500	132.0	\$660.00
Big Box Retail Store	577,560	199.0	\$995.00

Some municipalities, such as Montgomery County, MD, have different levels or “tiers” for their fees; the more impervious area that actually exists on a lot, the higher the fee. This tiered structure, while more equitable to individual property owners, requires more work from the municipality to actually measure impervious surfaces on individual lots. Montgomery County, and some other municipalities, offer fee discounts to non-profit organizations. Others offer discounts or credits to property owners that install stormwater management facilities on their property (e.g. rain barrels, infiltration trenches, etc.).

The question has been raised as to whether a fee could be levied on only commercial/non-residential properties. Staff, through its research, was unable to find an example of a “commercial only” stormwater fee. Although this has not been confirmed by legal research, staff feels that a “commercial only” fee would be difficult to implement because (a) without being able to spread the overall stormwater program costs over all properties, the fee charged to the commercial properties would have to be disproportionately high, and (2) it would be difficult to establish the “fairness” of such a system when residential properties were also discharging storm runoff and pollutants into the City’s system without having to pay the fee.

If the Council wishes to proceed with the development of a Utility, staff will prepare a Request for Proposal to solicit bids from qualified consultants to perform a Rate Study.

cc: Michelle Hepburn

Is a stormwater utility right for your community?

Bob Lowry, P.E., PWLF, Retired Public Works Official, Colleyville, Texas, and member, APWA Small Cities/Rural Communities Committee; **David Mason, P.E., DWPE**, Principal Engineer, CDM Smith, Nashville, Tennessee, and member, APWA Water Resources Management Committee



The National Pollutant Discharge Elimination System (NPDES) Stormwater Program, in place since 1990, regulates discharges from municipal separate storm sewer systems (MS4s), construction activities, industrial activities, and those designated by EPA due to water quality impacts. When first implemented, the regulations applied only to cities with a population of 100,000 or more and certain industrial operations, and required qualitative improvements to discharges into the waters of the U.S. In 2000, Phase II of the NPDES program was implemented for cities with a population of 10,000 or greater, but less than 100,000. These Phase II rules require small MS4 operators to design a program that:

1. Reduces the discharge of pollutants to the "maximum extent practicable" (MEP);
2. Protects water quality; and
3. Satisfies the appropriate water quality requirements of the Clean Water Act.¹

These water quality regulations arrived as unfunded federal mandates that impact the bottom line of local governments, whose budgets were already strained to meet existing stormwater challenges to manage flooding and repair/replace failing infrastructure. As the challenges and costs of managing stormwater continue to grow, many

communities across the country have implemented stormwater utilities as a sustainable option for funding their stormwater management programs. The 2016 Stormwater Utility Survey conducted by Western Kentucky University identified more than 1,600 stormwater utilities in 30 states plus the District of Columbia. The largest stormwater utility is in Los Angeles, California (population 3,000,000+); the smallest is in Indian Creek Village, Florida (population 88).

When considering a stormwater utility it is first necessary to evaluate your existing stormwater management program and determine (1) whether or not it is in compliance with state and/or federal regulations, and (2) if it is meeting the needs and expectations of the community. Implementing a stormwater utility requires considerable effort and therefore requires thoughtful planning and attention to local communities' needs to ensure that a stormwater utility is right for your community.

As such, the key to any successful new program is community support. The public must want the service and all too often, they know very little about stormwater management and its importance to the community. Many successful stormwater utility programs begin by forming a Citizens Advisory Committee as means of educating the public and developing a core group of influential citizens who can become advocates for the program. Preparation

- by staff for the committee meetings is critical, as there is a lot to cover, and it is important to be respectful of the committee members' time. Topics which need to be covered may include:
- Overview of existing stormwater program
 - Funding options
 - Stormwater utility concepts
 - Possible rate structures
 - Existing program needs, issues and priorities
 - Policy issues
 - Potential liabilities
 - Billing options
 - Current level of service
 - Finalize recommendations
 - Planned programs
 - Governing Body presentation
 - Possible exemptions
 - Implementation strategy

Developing a rate structure is often the most controversial piece of the utility. Equity is the key and it must be clear to the stakeholders that the benefits equal the charges. Key strategies to consider are listed below:

1. Let them tell you what they want based on their assessment of the needs and associated costs.
2. Make sure they understand that a stormwater fee can only be used for

the stormwater program and that it may pay for the cost of Operations and Maintenance, Program Management and Regulatory Compliance, and Capital Improvement Projects.

3. Make sure public education continues after implementation. Celebrate program successes in a way that is highly visible to the community.



Public education should not end at the implementation. Continue to share with your customers how their stormwater fees are being used to benefit the community.

Most stormwater utilities base the charges on impervious area and set a fee for each parcel. Current GIS technology makes it relatively easy to measure impervious area from aerial photographs and it isn't necessary to measure every residential parcel. A concept called Equivalent Residential Unit (ERU) is commonly used as the basis for rate setting.

The ERU is determined by calculating the average impervious area of a statistically significant sample of residential parcels. This average impervious area is one (1) ERU, and a single fee is charged for the ERU. For example, if the average impervious area for all residential parcels is 2,300 sq. ft., then 1 ERU = 2,300 sq. ft. To determine the rate for non-residential parcels, simply divide the impervious area of the non-residential parcel by 2,300 and obtain the ERU for that parcel. The fee for that

parcel is the rate for 1 ERU multiplied by the number of ERUs for that parcel. For example:
1 ERU = 2,300 sq. ft. Rate is \$5.00/ERU.
Size of non-residential parcel is 67,459 sq. ft.
Fee for the non-residential parcel is 67,459/2,300 x \$5.00 = \$146.65/month
water fee is not a tax, but still a utility charge. Billing via a separate stormwater

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bill is the least attractive option as collections can be difficult. As is the case with many new billing system rollouts, errors to bills will undoubtedly be made. This fact should be acknowledged to the public and you should have procedures in place for addressing them. If there's a question whether a bill is correct, it is advisable to always err on the side of the customer.

Keys to a successful stormwater utility rollout include:

- Public involvement, education and support
- Political support
- Transparency
- Ongoing citizen oversight through an advisory committee
- Periodic review of rate structure

A stormwater utility is not for every community, but if your stormwater program is underwater (no pun intended) due to lack of resources, it may be worth considering.



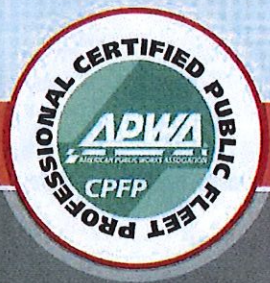
Soon after implementation, it is important to identify, prioritize and implement key capital projects to demonstrate that the utility is working to improve longstanding drainage issues in the community.

Bob Lowry can be reached at (817) 937-4934 or rdl1966@gmail.com; David Mason can be reached at (615) 340-6516 or masond@cdmsmith.com. 

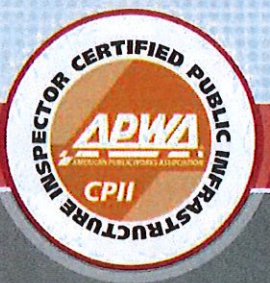
¹United States Environmental Protection Agency website, www.epa.gov/npdes

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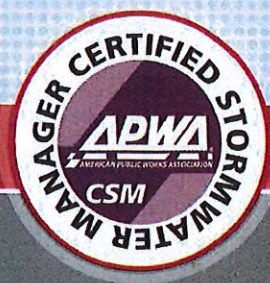
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APWA REPORTER

PROJECTS OF THE YEAR
Healdsburg Avenue Bridge,
one of 23 projects awarded
(Page 48)

Also Inside:
Transportation Issue
Snow Conference highlights

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19

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MR. RODNEY A. TISSUE
CITY ENGINEER
CITY OF HAGERSTOWN
1 E FRANKLIN ST STE 3
HAGERSTOWN MD 21740-4859

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Community Coalition Meeting Update - *Mayor and City Council*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Community_Coalition_Meeting_Update.pdf

Community_Coalition_Meeting_10-23-17.pdf

2018_Draft_List_of_Coalition_Agenda_Items_10-15-17.pdf

Description

Memo - Community
Coalition Meeting Update

Community Coalition
October 23, 2017 Meeting
Packet

2018 Draft List



CITY OF HAGERSTOWN, MARYLAND

Donna K. Spickler

City Clerk

One East Franklin Street • Hagerstown, MD 21740

E-mail: dspickler@hagerstownmd.org

Telephone: 301.766.4183 • TDD: 301.797.6617

TO: Mayor and City Council Members
Valerie Means, City Administrator

FROM: Donna K. Spickler, City Clerk

SUBJECT: Community Coalition Meeting Update

DATE: November 3, 2017

Time is included on the November 7, 2017 Work Session to review the Community Coalition's meeting topics prior to the Coalition's appearance before the Mayor and City Council.

Jill Thompson, Director of Community and Economic Development, provided the following summary of the October 25, 2017 meeting:

1. Brett Wilson is recommending that the CRIZ legislation be removed from the 2018 agenda as he will not be in a position to champion this legislation. He advised the group could continue to work on how to revisit this for 2019 or later. There is a suggestion to look at the RISE Zone incentives. It is important to understand how the benefits of a RISE Zone differ from the existing Enterprise Zone. All of downtown/CC-Mu zoning district is an Enterprise Zone which provides 10 years of property tax credits on new, qualified investment and income tax credits or the creation of new jobs.
2. The Funding Request of \$ 5,000 from the City for the Coalition is scheduled during the November 21, 2017 Work Session.
3. Planning will begin for the reception in Annapolis. The group is seeking ideas for the reception including if attendance by a Washington County personality/celebrity could be a draw. The group is seeking ideas of who such personalities/celebrities might be.

Copies of the Coalition's October 23, 2017 meeting packet and the 2018 Draft List of Possible Community Coalition Agenda items are attached.

Please let me know if you have any questions.

Thank you.



**WASHINGTON COUNTY
COMMUNITY COALITION MEETING**

October 23, 2017

Agenda

Introductions:

- Welcome

Old Business:

- Minutes from September 27, 2017 (attached)
- Final Discussion on Agenda Items for 2018
 - (Current list from discussion last meeting attached)

New Business:

- Vote to approve agenda for 2018 (note: the agenda is always open should issues arise)
- Discussion on Legislative Reception
- Open Discussion with partners

Future Meeting Schedule/Agendas (tentative):

- Wednesday, November 15, 2017 – Coalition Meeting – USMH Room #433
 - Begin gathering details for blue sheets
- **Wednesday, November 29, 2017** – Coalition Meeting – USMH Room #433
 - **Have all blue sheet information completed for coalition booklet**
- Tuesday, December 5, 2017 – GHC Meeting
 - Invited Coalition members will offer presentation to State Delegation on 2018 Agenda
- Wednesday, January 31, 2018
 - Day in Annapolis and Reception – likely “State of the State”

Action Items for Next Meeting:

- Members present should actively take back Coalition’s agenda and discuss within their partner organization. Please let Jim or Paul know if any issues arise or if any new items are identified.
- Members identified should gather information on each agenda item that can be shared with members at next meeting and begin preparing a summary (blue sheet) for the coalition booklet.
- Think about ideas for promoting and improving the reception in Annapolis and bring those to the next meeting (i.e. the delivery of the invitations to the legislators, creative handouts, special guests to draw people and recognition for the event, etc.)

Adjourn:

Next Meeting:

Wednesday, November 15th from 2pm-3pm at **USMH Room # 433**

Washington County Community Coalition Meeting Minutes
Wednesday, September 27, 2017
USMH Room #123 & 124
2:00 PM

Introductions:

Jim Kercheval

- Welcome
- Individuals Present:

Washington County Government: Rob Slocum, County Administrator Commission Jeff Cline	GHC: Jim Kercheval, Executive Director Dawn R. Hoover-Miller, Executive Assistant
City of Hagerstown: Jill Thompson	USMH: Mark Halsey
Maryland State Government: Delegate Brett Wilson	Washington County Free Library: Mary Baykan
Other: Brad Sell, Community Foundation	

Old Business:

New Business:

- **Minute Review**
- **Partner Updates/Discussions**
 - **City of Hagerstown** *Jill Thompson*
 - Poll of city council reflects no emerging items from City
 - **Washington County Free Library** *Mary Baykan*
 - Congratulated on opening of Hancock Branch.
 - **Washington County Public School** *Jim Kercheval*
 - Jim Kercheval noted that Paul Frey received a letter from WCPS noting that they were not planning to provide funding for the coalition this year. However, WCPS indicated that they will continue to provide printing support (for coalition booklet), will send representatives to meetings if desired, and will continue to support the Legislative Reception with a booth for students from Tech High to highlight the innovative programs they are offering.
- **Discussion of 2018 Agenda Items (separate Agenda Item detailed listing)** *Jim Kercheval*
 - **Consensus of Agenda**
 - I81
 - I70/Rt.65 Interchange
 - Urban Improvement Project (UIP)
 - CRIZ Legislation (still under review)
 - RISE Zones (still under review)
 - NPS Headquarters/Visitors Center in Williamsport
 - C&O Canal Towpath Rehabilitation
 - Boonsboro Road Museum and Visitor Center
 - Seeking bond funding to complete project
 - Note: Dan Spedden (in discussion after the meeting) decided to withdraw the rail trail issue for 2018 – not yet ready for consideration
 - MHA Mobile Crisis Team and Walk-in Mental Health Clinic
 - City will be checking with Chief Brito on this issue

- **Watch Items**
 - USMH Operational Funding
 - Gaming Revenue Protection
 - Shifting of Liabilities from State to Localities
 - Highway User Revenue Restoration
 - HCC Operational Funding and Capital Funding
 - New or altered state incentive for downtowns
 - State funding of K-12 education
 - Kirwan Commission (final report coming out in December)
 - 21st Century School Construction Commission
 - Joint Commission Report on Integration of Local Mental Health Authorities under local Health Departments
- **Miscellaneous Information Sheets**
 - Educate Annapolis on workforce challenges in rural areas and local educational initiatives taking place in Washington County (i.e. OnTrack)
- **Day in Annapolis**
 - Speaker suggestions:
 - Secretary Shultz
 - Secretary of Transportation Pete Rahn
 - Derek Davis; about growing industry of wineries and breweries
 - Maggie MacIntosh
 - Kerwan Commission
 - House and Senate Leadership
 - Governor's staff

Future Meeting Schedule/Agendas:

- Wednesday, November 15, 2017 – Coalition Meeting – USMH Room #433
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 - Day in Annapolis and Reception – likely “State of the State”

Action Items for Next Meeting:

- Members to confer with your body's leadership to finalize agenda items they would like to be considered and bring to next meeting
- Members to consider ideas for promoting the reception in Annapolis; the delivery of the invitations to the legislators, creative handouts, ponder a name recognition.
- Members to give more consideration to speakers at reception

Adjournment: The meeting adjourned at 3:00 p.m.

**Next Meeting: Wednesday, November 15th, 2017.
At USMH #433**

2018 Washington County Community Lobbying Coalition Draft Agenda

Funding Partners

Partner	2017 Contribution	2018 Request	2018 Committed
City of Hagerstown	5,000	5,000	
Convention & Visitors Bureau	3,000	3,000	3,000
Chamber	2,000	2,000	2,000
CHIEF	3,000	3,000	3,000
Greater Hagerstown Committee	In-Kind	In-Kind	In-Kind
Friends of the Library	5,000	5,000	5,000
Washington Co. Public Schools	5,000	5,000	In-Kind
The Town of Williamsport	1,000	1,000	1,000
County	5,000	5,000	

- **Urban Improvement Project (County, City, WCPS, MD Theatre, USMH, Private Business)** – Looking for continued funding to complete the project as well as protecting the funding currently pledged.
- **City Revitalization Improvement Zone (CRIZ)** –Del. Wilson and City staff are discussing and plan of action and whether to continue pursuit of this initiative in 2018 or to pursue a different plan to achieve the same goals. Coalition will await their advice.
- **I-81 Widening Improvements (County/City)** - The State is currently widening I-81 to 6 lanes from the Potomac River Bridge to Exit #1 in Williamsport (Phase 1). In addition, the state has allocated \$5M for the engineering and design of Phases 2 through 4 and applied for a federal INFRA grant to provide a significant portion of the construction funding for Phase 2. Phase 2 would widen I-81 an additional 3.5 miles from the end of Phase 1 to I-70. We are asking the State to identify funds to construct Phase 2 in conjunction with a INFRA grant award, and create a 10-year plan to finish the widening of I-81 to the Pennsylvania line. *Note: SHA's revised cost estimate for I-81 Phases 2, 3, and 4 is a total of \$291M.*
- **I-70/Rt. 65 Interchange improvements (County/City)** – SHA recently announced it had approved the county's interchange design as the preferred design option. We will begin asking the state for design and construction funds to be programmed into their future state transportation plans for these interchange improvements.
- **NPS Headquarters/Visitors Center in Williamsport (Williamsport/CVB)** The Town will be asking for funding to assist with the construction costs of project. The funding to purchase the land has been secured.

- **Funding for a Mobile Crisis Team and 24/7 Walk-In Mental Health Clinic** - Our Mental Health Authority (MHA) has put in for funding for a mobile crisis team (MCT) as well as a 24/7 Walk-in clinic for mental health for those having a mental health crisis. HPD and our Sheriff's Department get numerous calls that involve people suffering from a mental health crisis. The police are often challenged with properly handling calls involving those with mental health need, as well as finding medical treatment for them outside of our Emergency Room. The MCT would provide a person(s) to be on call and/or ride with officers when these issues arise to assist with getting patients immediate care (when appropriate) vs going into the criminal justice system. In addition, it would take pressure off of Meritus's ER. The Coalition would be supporting MHA's funding request.
- **Towpath Rehabilitation** - C&O Canal NHT is applying for a \$6.7M grant over 5 years through the Maryland State Highway Administration's Transportation Alternatives Program (TAP) to resurface the entire towpath in multiple counties (including Washington County in Boonsboro). They have successfully competed for these funds before, most notably the towpath at Big Slackwater and the Restoration of the Conococheague Aqueduct in Williamsport. Coalition would support request.
- **Boonsboro Visitor Center and National Road Museum.** – The town may be pursuing bond bill funding to complete this project
- **Promotion/Educational Outreach** – continue educational efforts to promote Washington County as an area for economic prosperity and innovation for Maryland through meetings with legislators and reception. Discuss workforce development challenges for rural counties and educational efforts underway to improve them (i.e. OnTrack)

"Watch List"

- University System of Maryland at Hagerstown Operational Funding
- Protection of County's Gaming Revenue
- Shifting liabilities from state to localities
- Highway User Revenue restoration
- HCC Operational and Capital Funding
- State funding of K-12 education
 - Kirwin Commission "Thorton 2" will set education funding formulas for next 20 years – report due out in December 2017
 - 21st Century School Construction Commission working on capital funding
- Joint Commission Report on Integration of Local Mental Health Authorities – monitor how recommendations from this report would affect our County's mental health system of providers

2018 Budget

Each of the Coalition partners contribute to the overall effort and the Chamber manages both the finances and the logistics. The lobbying program's goal is to maintain a fund balance equal to approximately one year's budget for cash flow and planning. The current fund balance is \$27,973, as of August 2017.

Community Coalition Financial Breakdown		
REVENUE	2018 Budget	2017
Coalition Dues:		
City of Hagerstown	\$ 5,000.00	\$ 5,000.00
Chief	\$ 3,000.00	\$ 3,000.00
Hagerstown-Wash Co CVB	\$ 3,000.00	\$ 3,000.00
Wash Co Free Library	\$ 5,000.00	\$ 5,000.00
Wash Co Public Schools	\$ 5,000.00	\$ 5,000.00
Washington County Govt.	\$ 5,000.00	\$ 5,000.00
Chamber of Commerce	\$ 2,000.00	\$ 2,000.00
Town of Williamsport	\$ 1,000.00	\$ 1,000.00
SUBTL	\$ 29,000.00	\$ 29,000.00
Miscellaneous Revenue:		
Vendor and Sponsor Revenue	\$ 7,500.00	\$ 8,250.00
Community Foundation	\$ 1,000.00	\$ 1,000.00
Lunch Reimbursement	\$ 1,125.00	\$ 1,125.00
Leadership Wash Co. Reception Fee	\$ 900.00	\$ 900.00
SUBTL	\$ 10,525.00	\$ 11,275.00
TOTAL REVENUE	\$ 39,525.00	\$ 40,275.00
EXPENSES	2018 Budget	2017
Reception Expenses:		
Calvert House Reception	\$ 9,000.00	\$ 9,169.54
Wine	\$ 275.00	\$ 201.05
Cheeses	\$ -	\$ -
Symphony Orchestra	\$ 350.00	\$ 320.00
Gifts for Reception Guests (MD Tumblers)	\$ 800.00	\$ 754.81
Postage	\$ 3,300.00	\$ 2,249.68
SUBTL	\$ 13,725.00	\$ 12,695.08
Miscellaneous Expenses:		
Lunch with Delegation - Galway Bay	\$ 1,400.00	\$ 1,350.00
Coalition Packets (Prepared by GHC/City and Printed by WCPS)	\$ -	\$ -
SUBTL	\$ 1,400.00	\$ 1,350.00
Lobbyist Fee and License Fees	\$ 24,400.00	\$ 24,400.00
TOTAL EXPENSES	\$ 39,525.00	\$ 38,445.08
NET PROFIT/LOSS	\$ -	\$ 1,829.92

2018 Draft List of Possible Community Coalition Agenda Items:

Transportation:

- **I-81:**
 - Construction funding for Phase 2 (Williamsport to I-70 interchange)
 - Note: SHA approved \$5M for engineering and design of widening of I-81 for Phases 2 to 4 (Pennsylvania line)
 - SHA Applying for new INFRA grant in November.
 - We will need support for matching construction funding in upcoming CTP budget if INFRA grant is approved
 - Long term plan to complete widening for full 12 miles over 10 years
 - See Blue Sheet provided by County and maps of I-81
- **I-70/Rt. 65 Interchange improvements**
 - County is working with SHA to install an enhanced cloverleaf interchange due to new commercial development (WalMart, etc.) current congestion, and expected new development projected for the area.
 - County originally asked for a full cloverleaf but compromised on an enhanced design that will keep one circular ramp on each side of MD65, and will be a 50% improvement for what they have now. County estimates cost at \$41M.
 - State estimates were much higher due to overhead and contingency money. County in discussions over the disparity in estimates.
 - State committed to support the County's recommendation and will use their design as the preferred design for this project.
 - SHA may ask for feedback as to how this project ranks in priority against the final phases of I-81 improvements.
 - Blue Sheet will be provided by County, map of proposed design, and map of future development

Community Revitalization:

- **Urban Improvement Project** (County, City, WCPS, MD Theatre, BISFA, USMH, Private Business for corporate office space)
 - \$7.5 million, 5-year pledge by governor
 - County will be lead agency on this item and provide direction to coalition as to how to best support this initiative. (Delegation, WCPS, City, are also part of these discussions)
 - County will be providing the Blue Sheet for use in our coalition packet for the general assembly
- **CRIZ Legislation (CITY)**
 - Del. Wilson is reviewing options with city and whether this will be presented again this year
 - City/Del. Wilson will need to provide Blue Sheet on this item.
- **RISE Zones/Other**
 - Lobbyist asked that we also consider an existing program such as RISE zones given CRIZ defeat
 - RISE zones would not require legislation as they are already established, but we would need to see if RISE zones or another similar incentive can be used as an alternative to CRIZ
 - RISE zones provide tax credits for designated areas that incorporate education institutions

- **NPS Headquarters/Visitors Center in Williamsport (Williamsport/CVB)**
 - @40k sq. foot building - \$20M project)
 - Ask for \$3M from State (Capital Budget) denied in 2017 is still a possibility in 2018
 - Governor Hogan (& Secretary Holt) supportive of project and stepped up with funding 2018 to purchase property and begin design
 - Additional money would be asked for in following years for construction
 - Long term lease with NPS bringing in 109 employees which includes 33 new to county (Incidental command, Park police) generating \$7M in salary
 - Additional visitor parking and improved visitor experience
 - Creates Williamsport as a premier center and tourist destination for C&O Canal. Canal gets 1.5M visitors per year on Washington county section. Tourism benefits for the entire county.
 - 81k people per day go by Williamsport on I-81, Rt. 11, etc. - hoping to attract a portion of them to C&O Canal with new amenities and visitor's center.
 - Blue sheet provided by Williamsport

Tourism:

- **Towpath Rehabilitation**
 - C&O Canal NHP applying for a \$6.7M grant over 5 years through the Maryland State Highway Administration's Transportation Alternatives Program (TAP) to resurface the entire towpath in multiple counties (including in Boonsboro). They have successfully competed for these funds before, most notably the towpath at Big Slackwater and the Restoration of the Conococheague Aqueduct. Coalition will support this request as part of it will benefit Washington County
- **Boonsboro Visitor Center and Transportation Museum**
 - Boonsboro may seek bond bill funding to complete this project

Rural Mental Health Challenges

- **Funding for a Mobile Crisis Team and 24/7 Walk-In Mental Health Clinic**
 - Our Mental Health Authority (MHA) has put in for funding for a mobile crisis team (MCT) as well as a 24/7 Walk-in clinic for mental health for those having a mental health crisis. HPD and our Sheriff's Dept is getting inundated with calls that involve people having a mental health crisis. The police are often challenged with properly handling those with mental health needs that they respond to as well as finding medical treatment for them outside of our Emergency Rooms. The MCT would provide a person(s) to be on call and/or ride with officers for when these issues arise to assist with getting patients immediate care (when appropriate) vs going into the criminal justice system. The state has noticed uneven mental health care between counties and that the basic needs require an MCT and a 24/7 walk in clinic which we do not currently have. Current providers are only open normal business times and may not be able to take immediate appointments. It can sometimes be days or weeks to get into a provider. When families have a crisis, often the only place to go is our Emergency Room at Meritus (which is the 2nd busiest ER in the state for mental health issues). Having an MCT and Walk-in clinic would take pressure off Meritus's ER. In addition, patients that are not diagnosed to be severe enough for admittance into the hospital, could get services quicker from the clinic until they can be connected to one of our local providers for continuing care.

2018 Watch List:

- **USMH Operational Funding**
 - *(need additional operating funding with new programs coming online FY'17 to FY'19) USMH will receive an additional \$200,000 in FY'18*
- **Gaming Revenue Protection** *(no negative legislation anticipated)*
- **Shifting of Liabilities from State to Localities**
 - *Last year a proposal was defeated that would require counties to pay 90% of SDAT assessment and directorial functions; counties will continue to fund at 50%*
- **Highway User Revenue Restoration**
 - *Governor Hogan continued to support increasing HUR to local governments and included \$53M in his initial budget to begin restoring funds in FY '18. DLS recommended this funding be rejected, but the House did not support the recommendation. The Senate reduced funding for transportation grants by \$16.5 million and this amount was further modified in conference committee. In the budget as finalized, counties will receive an additional \$8.8 million in transportation aid, Baltimore City maintained its funding level of \$5.5 million, and the municipal share remained at \$20.1 million.*
- **HCC Operational Funding and Capital funding**
 - *Last year we received \$1.52 million in capital funding - \$1,088,000 million for the SMART House/Energy Efficiency Training Center and \$448,000 for the Student Center – Parking Lot Construction*
 - *We will support any funding requested in 2018 for the new Center for Business and Entrepreneurial Studies (CEBES)*
- **State funding of K-12 education**
 - **Kirwin Commission** "Thorton 2" will set education funding formulas for next 20 years
 - The commission will continue its work during the interim.
 - legislation passed, HB 684, to provide assistance to counties with all day pre-K and/or counties with declining enrollments until the final Kirwin Commission recommendations are made.
 - \$5.5 million was approved in the budget to provide scholarships to students attending private schools.
 - Final report with recommendations will come out in Dec. 2017
 - **21st Century School Construction Commission** working on capital funding side
 - *Need to keep watch on what they recommend and how that affects our county*
- **Joint Commission Report on Integration of Local Mental Health Authorities**
 - *The Behavioral Health Administration is in the process of studying how core service agencies (like our Mental Health Authority) should be integrated into a county's system of care. One item under consideration is that should these agencies be independent (like ours) or become a part of the local Health Department. Interviews around the state are taking place, and a consultant will be making recommendations to BHA on a course of action. MHA officials are concerned about conflict of interest issues. Our Health Department is also one of the providers of mental health services, and the authority's role is to provide oversight of providers so that the patients are getting the service they deserve. If MHA was under the health department it could cause challenges in providing oversight authority over the entity that employs them.*

MISCELLANEOUS INFORMATION SHEETS (not necessarily agenda items):

- Educate Annapolis on local educational initiatives like OnTrack and discuss where the State could assist (CHAMBER/GHC)
 - *What other counties are affected or have needs like ours where partnerships could be formed?*
 - *Possibly present to Ways and Means Committee or Education subcommittee (without an ask)*