

Mayor and Council Work Session November 20, 2018 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."*

"An attitude of gratitude brings great things." - Yogi Bhajan

EXECUTIVE SESSION

2:45 PM 1. Executive Session

3:30 PM WORK SESSION

3:30 PM 1. "This Little Light of Mine" Dedication at University Plaza, 50 W. Washington Street

4:00 PM 2. Proclamation: Transgender Day of Remembrance ~ *Michael Jones, Fourstate Pride Network*

4:05 PM 3. Proclamation Small Business Saturday ~ *Amanda Whitmore, Downtown Coordinator*

4:10 PM 4. Introduction of Guest Dr. Jim Klauber, President of Hagerstown Community College to Mayor and Council – *Jill Thompson, Director of Community and Economic Development*

4:15 PM 5. Stormwater Advisory Committee - Status Update - *Rodney Tissue, City Engineer*

5:05 PM 6. Request from Funkstown for Water and Wastewater Services - *Mayor Paul Crampton*

5:10 PM 7. Preliminary Agenda Review

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:

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HAGERSTOWN, MARYLAND**

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Proclamation Small Business Saturday ~ *Amanda Whitmore, Downtown Coordinator*

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HAGERSTOWN, MARYLAND**

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Introduction of Guest Dr. Jim Klauber, President of Hagerstown Community College to Mayor and Council – *Jill Thompson, Director of Community and Economic Development*

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

Topic:

Stormwater Advisory Committee - Status Update - *Rodney Tissue, City Engineer*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

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Motion:

Action Dates:

ATTACHMENTS:

File Name

stormwater_advisory_committee_-_status.2018.pdf

Description

Stormwater Advisory
Committee - Status Update



CITY OF HAGERSTOWN, MARYLAND

Department of Parks and Engineering

November 15, 2018

TO: Valerie Means, City Administrator
FROM: Rodney Tissue, City Engineer *RT*
RE: Stormwater Advisory Committee – Status Update

Background:

In January, Council approved a consulting contract with Amec Foster Wheeler (now Wood PLC) to prepare a study of the City's existing stormwater program, and to explore the formation of a Stormwater Utility; that Utility would manage the program in the future in order to comply with the City's new NPDES MS4 permit. A key part of Wood's work was to seek input from various stakeholder groups around the City. To that end, a Stormwater Advisory Committee (SAC) was formed to examine the state of the existing program, review the financial and administrative burdens expected under the new permit, and discuss various options for funding a comprehensive program going forward. The SAC has met seven times, and Wood has prepared a draft report of their efforts and their conclusions. Representatives of Wood will present the draft report and other information to the Council at the work session meeting on November 20th.

Mayor and Council Action Requested:

No action is requested at this time; this presentation is only for informational purposes, and to receive preliminary feedback from the Council. Staff anticipates that the final report will be compiled in December, and that the presentation of the final report and recommendations will occur in January 2019. At that time we must decide if we wish to continue with Phase II of the process, which will greatly refine the financial model and establish stormwater fee rates.

Discussion:

Staff wishes to recognize the members of the SAC who have donated their time to this effort, and to thank them for the dedication and engagement in this important discussion. The SAC members are:

NAME	REPRESENTING	PLACE OF EMPLOYMENT
Paul Frey	Business Community	Chamber of Commerce
Elmer Weibley	Environmental Community	Washco. Soil Conservation
Sean Griffith	Public Housing	Hagerstown Housing Authority
Margaret Yaukey	Realtors	Century 21
Dr. Mark Halsey	Higher Education	USMH
Rob Rollins	Public Schools	WCPS
Keith Moore	Engineering/Land Development	Frederick Seibert & Assoc.
Stan Steele	Faith Community	St. Mark's Lutheran Church
Chris Howlett	Resident	

cc: Michelle Hepburn
Jim Bender

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

wood.

Hagerstown Stormwater Utility Fee Study



City Council Work Session Briefing



November 20, 2018

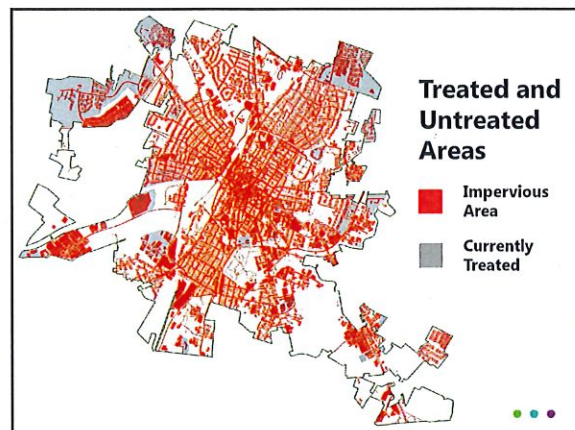
Discussion Overview

- Purpose of the study; role of the Stormwater Advisory Committee (SAC).
- Study process.
- Needs and priorities = proposed stormwater program.
- Analysis of funding options.
- SAC findings and recommendations.
- Next steps.



Driving Action – New State Mandates

- Maryland has committed to restoring the Chesapeake Bay by meeting EPA-mandated Total Maximum Daily Loads (TMDLs).
- Actions to restore the Bay must be in place by 2025.
- The City's Municipal Separate Storm Sewer System (MS4) permit is used to require reductions from urban pollutant sources.
- The new MS4 permit requires the City to "treat" 20% of untreated impervious area.
- City staff estimates that ~450 acres must be treated.



City Council Charge

- Define and develop a **comprehensive program** of stormwater services...
- Recommend a **funding strategy** that will diversify infrastructure revenue and provide sufficient resources to address regulatory pressure...
- Position the City to effectively **construct, maintain, and rehabilitate** drainage facilities throughout the community.

Phase 1

- Public Involvement
- Program Assessment and Development
- Funding Option Evaluation and Recommendations

Phase 2

- Refine User Fee Rate Structure
- Develop User Fee Policies
- Assess Billing Mechanisms
- Develop Ordinance

Phase 3

- Implementation



Role of the SAC

- Engage key community stakeholders in the evaluation process.
- Provide informed, engaged feedback on:
 - Current services
 - Challenges faced by the City
 - Strategies for addressing these challenges
 - Methods for funding the stormwater program
- Seven meetings since May. Additional meeting in December.

SAC Questions

What must the City's future stormwater program include to meet both external (state and federal) mandates and internal goals and targets?

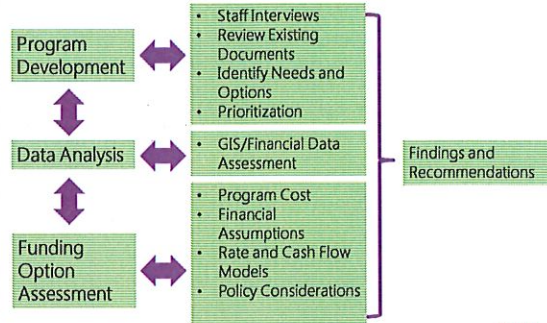
What funding methods will best meet the City's long-term challenges?



SAC Membership

- Business Community
- Housing Authority
- Realtors
- Private Engineering Company
- Faith-Based Community
- Public Education (K-12)
- Higher Education
- Environmental Community

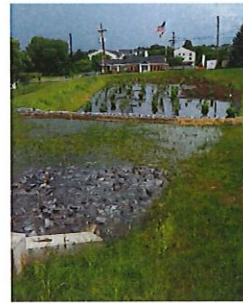
Assessment Process



Key Driver – MS4 Permit

- ~ 450 acres of impervious area must be treated.
- Cost per acre highly variable; availability of public land, conflicts with utilities, underlying geology, etc.
- Assume \$60,000 per impervious acre treated, **resulting in estimated capital need of \$27 million by 2025.**
- Current capital budget for stormwater is \$1.1 million.
- \$650,000 of current CIP assumes grants that may or may not materialize.

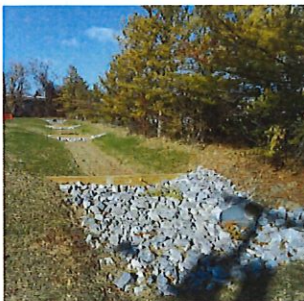
Recent Project Examples



Clean Water Circle Bioretention

Drainage area = 24.5 acres
Impervious area treated = 14.2 acres

Recent Project Examples



Hager Park Bioswale

Drainage area = 8.7 acres
Impervious area treated = 7.2 acres

Key Driver – Stormwater management Structure Maintenance

- The number of stormwater quality management structures the City must inspect is increasing.
- Currently, there are 276 structures on 192 properties; 240 are privately maintained.
- Private structures are inspected every three years.
- City staff anticipates ~10 new structures each year.
- At this pace, workload will exceed City staff capacity starting FY2021.

Key Drivers – Aging Storm Drain System

- The City manages ~106 miles of pipe and 4,000 storm drain inlets.
- Much of the drainage system is >100 years old.
- The current maintenance program is reactionary based on discovery of problems after failure.
- A more proactive approach has two benefits:
 - Avoid short-term cost of road closures, flooding, safety issues, property damage, etc.
 - Rehabilitation is more cost-effective in the long-term.
- The cost to CCTV of the pipe system is highly variable. Staff assumes \$12,000 per mile using a contractor.

10 Presentation by Word

Collapsed Pipe



11 Presentation by Word

Key Drivers – Curbs and Sidewalks

- Roadway curb and sidewalk maintenance is currently a private landowner responsibility.
- This can impose a significant burden on a property owner.
- Curb and sidewalk are typically considered public resources.
- As a part of the drainage system, roadway curb could be covered under the stormwater program.
- Staff estimates the annual cost of roadway curb and gutter at \$100,000 per year.
- The cost of sidewalk maintenance could be covered under the General Fund.

12 Presentation by Word

SAC Priorities

- Meet regulatory mandates, including the 20% treatment requirement.
 - Ensure projects support multiple objectives, if possible.
 - Create an incentive program to encourage property owners to partner with the City.
- Shift, over time, from a reactive O&M program for the drainage pipe network to a more proactive strategy.
- Shift the burden of curb and gutter replacement from property owners to the City.

13 Presentation by Word

Proposed Program

Expense Category	FY19	FY20	FY21	FY22	FY23	FY24	FY25
Existing Program	\$2,589,885	\$1,356,282	\$1,110,458	\$1,748,372	\$1,306,698	\$995,495	\$1,022,019
New Program							
Stormwater Retrofit Projects (Increase from Existing Program)	\$0	\$0	\$5,162,000	\$5,168,000	\$5,168,000	\$5,268,000	\$5,268,000
Personnel - Engineer Tech III	\$0	\$0	\$54,544	\$87,080	\$99,257	\$91,489	\$91,770
Contract - BMP Inspection	\$0	\$0	\$25,000	\$0	\$0	\$62,500	\$0
City Curb Maintenance	\$0	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
Storm Pipe Inspection	\$0	\$0	\$148,500	\$148,500	\$148,500	\$148,500	\$148,500
Inlet Cleaning	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Incentive Program	\$0	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Subtotal	\$0	\$120,000	\$556,544	\$553,580	\$553,657	\$570,989	\$564,570
Total	\$2,589,885	\$1,476,282	\$6,666,002	\$7,282,252	\$6,842,755	\$6,666,284	\$6,662,589

14 Presentation by Word

Reducing the Program Cost

- Continue to investigate the most cost-efficient practices to meet the 20% treatment requirement.
- Develop public/private partnership with funding for incentives.
- Investigate the potential for participation in Maryland's Water Quality Nutrient Trading Program.
- Continue to coordinate with Washington County and identify opportunities to achieve regional economies of scale when possible.

15 Presentation by Word

Funding Option Basics

Question is not "whether" there will be cost impacts, but rather "how" those costs will be distributed among property owners.

Real Property Tax

- Property value based.
- ~\$258K per 1¢ on the tax rate.
- Can be accounted for separately but is not legally segregated.
- Does not generate revenue from tax exempt properties.
- 502 tax exempt parcels = 3.6% of parcels, but ~\$5 million in unbilled revenue.
- No additional billing infrastructure needed.

User Fee

- System impact based.
- Impervious area serves as the "meter" for allocating costs.
- Legally separate enterprise fund.
- All properties contribute.
- Federal and state properties pay if City pays.
- Credit (fee reduction) allowed for stormwater activities.
- Maintenance of impervious areas; add'l billing prep.

10 Presentation by Word

Straight Impervious Rate Basis

All properties are charged based on a fixed unit of impervious area.



Example:

- IA = 2,500 SF
- Billing Unit = 1,000 SF
- Number of Billing Units = $2,500/1,000 = 2.5$
- Rounded = 3 BUs
- Fee = 3 * Rate Set by City Council

11 Presentation by Word

Equivalent Residential Unit Rate Basis

All single family detached residential (SFDR) properties are charged one billing unit times the rate set by City Council. The BU for all other properties is the median value of SFDR impervious area – known as the ERU.

SFDR = 1 BU



All Other = $\text{Impervious Area} / 1,861 \text{ SF} = \# \text{ Billing Units}$

12 Presentation by Word

Tiered Residential Rate Basis

SFDR properties are assigned to tiers, with one tier's median impervious area value used as the billing unit for all other property types.

SFDR-Tiers



Example

Tier 1 = IA 500 to 1,450 SF

Tier 2 = IA >1,450 to 2,300 SF

Tier 3 = IA > 2,300 SF

BU

0.7 BU

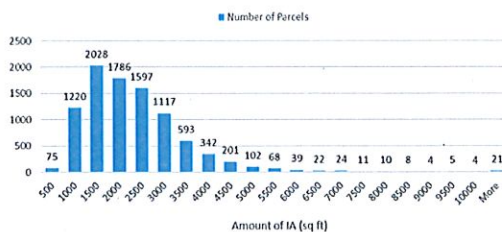
1 BU

1.7 BU

All Other = $\text{Impervious Area} / 1,000 \text{ SF} = \text{Billing Units}$

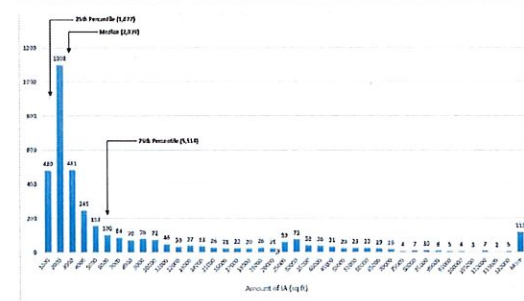
13 Presentation by Word

Distribution of SFDR Based on IA



14 Presentation by Word

Distribution of Non-SFDR Based on IA



15 Presentation by Word

Financial Analysis – Rate Elements

Rate Model Includes:

- Operating Costs
- Capital Costs
- Cost of Money (current bonds, future bonds, and interest earnings)
- Cash Flow (use of unexpended revenues across FYs)
- Credits and Bad Debt as expenses
- Other Revenues – grants and other fees
- Reserves

Key Assumptions:

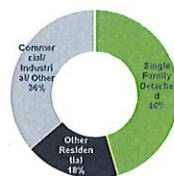
- Meager interest earnings
- No growth in billing units
- Delinquencies – 50% recovered
- Personnel benefits adjusted annually based on historical rates
- User fee rates are stable for first three years
- Everyone received a bill

2. Approximation by Wood

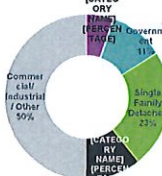


Shift in Distribution of Costs by Property Type

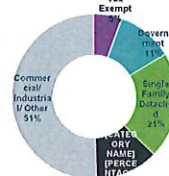
Real Property Tax



Fixed IA Billing Unit (1,000 SF)



ERU Approach



3. Approximation by Wood



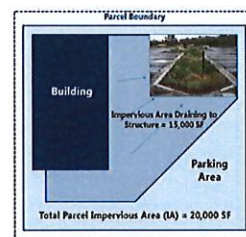
Stormwater Fee Credits

- A credit is a reduction in a property owner's fee that recognizes an investment that ultimately reduces the cost of publicly provided stormwater services.
- Is considered an advantage of a user fee.
- Maryland Code requires credit for a structural practice, but the specifics are up to the municipality.

2. Approximation by Wood



Example Financial Credit – Structural Practice



Example:

- Total Site IA = 20,000 SF
- Treated IA = 15,000 SF
- Credit is applied to the 15,000 SF and is typically a % reduction in the fee.
- % financial credit can be differentiated based on value to the public system.
- Proof of maintenance is required.

2. Approximation by Wood



Other Financial Credit Options

- Credit for properties implementing Maryland NPDES industrial stormwater permits.
- Credit for pollution prevention activities.
 - Goal is to ensure that all property owners have a way to reduce their fee.
 - May involve practices such as rain barrels, tree planting, conservation landscaping, etc.
 - The public benefit is meeting the education and involvement requirements of the City's MS4 permit.
 - Greater participation = higher rates = shift in costs.

2. Approximation by Wood



City of Falls Church Example



In addition to more traditional financial credits, residents may receive 10% fee reduction if 10 points are earned from a menu of options:

- 2 points each rain barrel
- 1 point per hour volunteered
- 5 points for each 50 SF rain garden
- 2 points per tree
- 1 point per downspout disconnect
- 1 point for "no-fertilizer" pledge

2. Approximation by Wood



Hagerstown is Not Alone

- All MS4 permit holders in Maryland are faced with similar challenges.
- This includes Washington County and 90+ other local, state, and federal government agencies.
- Municipalities in VA, WV, and PA face similar mandates.

Local News

http://www.gettyburgtimes.com/news/local/article_82162204644000-86475405701de.htm

Tax cut, new stormwater fee on tap in Gettysburg

By Anne Marie Coffey - 12 hrs ago

A property tax cut and new stormwater management fee are on the horizon in Gettysburg.

With little discussion Tuesday, borough council members agreed to advance a 2019 budget draft including a tax rate of 3.832 mills, down from 3.932 mills this year.

**Gettysburg
Times
11/15/2018**

Lots of Variability Across Maryland

Locality	Residential Tiers			Non-Residential
Baltimore City	<820 SF Impervious = \$40 per Year	820 to <1,500 SF Impervious = \$60 per Year	>1,500 SF Impervious = \$120 per Year	\$5.00 per 1,050 SF
Howard County	Townhomes and Condos = \$15 per Year	Homes <Quarter Acre = \$45 per Year	Homes >Quarter Acre = \$90	\$15 per 500 SF
Gaithersburg	\$22.44 per 500SF			\$22.44 per 500 SF
Rockville	\$127.70 Flat Fee per Single Family Dwelling Unit			\$127.70 per 2,330 SF
Tacoma Park	\$92 Flat Fee per Single Family Dwelling Unit			\$92 per 1,228 SF
Anne Arundel	Low Density = \$34 per Year	Medium Density = \$85 per Year	High Density = \$170 per Year	\$85 per 2,940 SF
Charles County	\$55 Per Improved Property			

SAC Findings – Funding Policy

- Plan for a revenue source that is sufficient to meet long-term program needs, including the 20% impervious area treatment mandate.
- Equity and fairness in the approach are very important.
- All properties with impervious cover should be part of the solution regardless of their tax status.
- A user fee based on SF of impervious cover (e.g., based on 1,000 SF of billing units) is perceived as the more equitable approach.
- The City should pay for City-owned public properties. This authorizes the City to charge other governmental units.

SAC Findings – Funding Policy

- The impact on properties with large amounts of impervious cover should be a policy focus by:
 - Helping property owners reduce their bills through incentives and partnerships.
 - Using these sites as partnership opportunities to meet the 20% reduction requirement.
 - Ensuring outreach and education includes a focus on this group of property owners.
- Coordination with Washington County is important.
 - The City should not be penalized based on how the County decides to pay for its program.

SAC Findings – Credit Policy

- The City should adopt a robust, yet simple, credit policy.
- While all stormwater facilities must be eligible for credit, the policy should encourage:
 - Voluntary private investment
 - Redevelopment
- Industrial permittees – further evaluate the pros and cons of this approach.
- Pollution prevention activities – All property owners should have an opportunity to reduce their fees through small investments.

Next Steps

- Should the City move forward to Phase 2?
- What additional information do you need to make an informed decision?
- Are there additional items you would like the SAC to consider?
- Final report to City Council after SAC's December 10th meeting.

Phase 1

- Public Involvement
- Program Assessment and Development
- Funding Option Evaluation and Recommendations

Phase 2

- Refine User Fee Rate Structure
- Develop User Fee Policies
- Assess Billing Mechanisms
- Develop Ordinance

Phase 3

- Implementation

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

Topic:

Request from Funkstown for Water and Wastewater Services - *Mayor Paul Crampton*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

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

Topic:

Preliminary Agenda Review

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

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Description

Agenda



**58TH REGULAR SESSION
MAYOR & CITY COUNCIL
NOVEMBER 27, 2018
AGENDA**

Preliminary Agenda

7:00 p.m. REGULAR SESSION – *Council Chamber, 2nd floor, City Hall*

- I. CALL TO ORDER** - Mayor Robert E. Bruchey, II
- II. INVOCATION** - Councilmember Shelley McIntire
- III. PLEDGE TO THE FLAG**
- IV. ANNOUNCEMENTS**
 - A. Rules of Procedure – *Adopted December 20, 2016*
 - B. Use of cell phones during meetings is restricted.
 - C. All correspondence for distribution to Elected Officials should be provided to the City Clerk and should include a copy for the City Clerk for inclusion in the official record.
 - D. Meeting Schedule
 - 1. Tuesday, December 4, 2018 – Work Session at 4:00 p.m.
 - 2. Tuesday, December 11, 2018 – Work Session at 4:00 p.m.
 - 3. Tuesday, December 18, 2018 – Regular Session at 7:00 p.m.
 - 4. Tuesday, December 25, 2018 – *No Meeting*
- V. APPOINTMENTS**
 - Planning Commission:
 - Christina Davis – Term to Expire October 31, 2019
 - Colin Plosacru – Term to Expire May 30, 2019
- VI. PROCLAMATION**
 - World AIDS Day – *Michael Jones, Rise Up Hagerstown*
- VII. CITIZEN COMMENTS**
- VIII. PUBLIC HEARINGS**
 - ✓ 2018 LMC Amendments
- IX. CITY ADMINISTRATOR COMMENTS**
- X. MAYOR & COUNCIL COMMENTS**
- XI. MINUTES**
 - (October 2, 2018; October 9, 2018; October 16, 2018; October 23, 2018)

XII. CONSENT AGENDA

A. Fire:

1. Heating Replacement for Station 3 – Harrell’s Services (Sharpsburg, MD) \$20,610.00
2. Vehicle Replacements – Keystone Ford (Chambersburg, PA) \$61,606.83

B. Parks and Engineering:

1. LED Retrofit Luminaire for City Parks – Traffic Systems and Technology (Manassas, VA) \$41,400.00
2. Potterfield Pool Improvements – DRD Pool Management (Hunt Valley, MD) \$100,457.00
3. Traffic Engineering Services – Sabra Wang & Associates (Columbia, MD) and KCI Technologies (Sparks, MD)

C. Public Works:

1. Bulk Diesel Fuel and Gasoline – AC&T Co., Inc. (Hagerstown, MD) \$433,336.00 (1.6768/gal. for Diesel and 1.5815/gal. for Gasoline)

D. Utilities:

1. Water: B84B Hydrants - Core & Main (Montrose, VA) \$35,176.00
2. Water & Wastewater: Bulk Chemical Purchase - Wastewater Division \$373,910.00 (multiple vendors) and Water Division \$793,728.48 (multiple vendors)
3. Wastewater: Collection System Rehabilitation Phase 1A - Mr. Rehab, Inc. (Mechanicsburg, PA) \$207,235.21

XIII. UNFINISHED BUSINESS

No Unfinished Business

XIV. NEW BUSINESS

- A. Approval of Owner’s Consent for Annexation of Foggy Bottom Farm and Other Lands
- B. Introduction of Resolution: Annexation of Foggy Bottom Farm and Other Lands
- C. Approval of Annexation Plan for Foggy Bottom Farm and Other Lands
- D. Introduction of a Resolution: Annexation of Antietam Creek Creek Bed
- E. Approval of Annexation Plan for Antietam Creek Creek Bed
- F. Introduction of an Ordinance: Entering into an Agreement for the Provision of Sanitary Sewer Between the City of Hagerstown and the Town of Funkstown, MD
- G. Introduction of an Ordinance: Quit Claim for Portion of Alley 5-35
- H. Introduction of an Ordinance: Authorizing Acceptance of a Deed in Lieu of Foreclosure for 117 S. Locust Street
- I. Introduction of an Ordinance: Authorizing the Sale of Property Located at 441 N. Jonathan Street
- J. Introduction of an Ordinance: Authorizing the Sale of Property Located at 443 N. Jonathan Street
- K. Introduction of an Ordinance: Authorizing the Sale of Property Located at 212-214 N. Jonathan Street
- L. Approval of a Resolution: Memorandum of Understanding with the Hagerstown Housing Authority for Environmental Review Management
- M. Approval of a Resolution: Memorandum of Understanding for Police Academy
- N. Approval of a Resolution: Authorizing a Financial Incentive Agreement between the City of Hagerstown and 339 Antietam, LLC
- ✓ O. Approval of Noise Ordinance Exemption – Krumpke’s Donut Drop
- P. Approval of Disparate Funding Agreement for JAG Grant FY-2017
- Q. Approval of an Amendment to the City’s Water and Wastewater Policy
- R. Approval of Mayor and City Council Goals and Priorities for 2018 through 2020
- S. Approval of a Motion to Renew City-Wide Mowing Contract: 3/15/19 - 12/15/19

XIV. ADJOURN

✓ *Items that have been discussed and reviewed previously or are of a routine nature and, therefore, additional information may not be attached to this agenda.*