



Mayor & Council Meeting Date: May 1, 2017
 Agenda Item Type: Adoption
 Department: Finance
 Responsible Staff: Stacey Webster

Subject

Adoption of a Resolution to Establish the Equivalent Residential Unit Rate to be Used in Calculating the Stormwater Management Utility Fee Pursuant to Chapter 19 Entitled "Sediment Control and Stormwater Management" of the Rockville City Code; and to Establish a Fee for Application for a Credit Against the Stormwater Management Utility Fee for Private Stormwater Management Facilities

Recommendation

Staff recommends that the Mayor and Council introduce the Resolution to Establish the Equivalent Residential Unit Rate to be Used in Calculating the Stormwater Management Utility Fee Pursuant to Chapter 19 Entitled "Sediment Control and Stormwater Management" of the Rockville City Code; and to Establish a Fee for Application for a Credit Against the Stormwater Management Utility Fee for Private Stormwater Management Facilities.

Change in Law or Policy

Setting the stormwater management utility fee for FY 2018 requires the passage of the attached resolution. This resolution was introduced on February 27, 2017.

Discussion

The City's stormwater management utility fee, which was established by ordinance in FY 2008, funds Rockville's stormwater, storm drainage, and water quality programs. This ordinance enables the City to charge an annual fee per Equivalent Residential Unit ("ERU").

For FY 2018, the fixed fee is proposed to remain flat at \$127.70 per ERU. Future fees (FY 2019 and beyond) are not being proposed at this time because of the unknowns associated with the updated National Pollutant Discharge Elimination System (NPDES) permit. MDE has drafted a general permit designed to comply with EPA regulations and to control stormwater pollutant discharges from small municipal systems. Once the permit is final, staff will fully evaluate the City's operating program and CIP to determine future program costs and the associated fees needed to support these programs for FY 2019 and beyond.

In addition to the fixed fee per ERU, the attached Resolution continues with the \$150.00 for credit applications to reduce the annual Stormwater Management Utility Fee for private stormwater management facility owners. The credit is available to owners who structurally

maintain and operate an approved stormwater management facility, such as a pond, sand filter, bioretention, or other designated facility. The application fee is based on the estimated amount of staff time necessary to review the credit application and verify all supporting documentation.

Mayor and Council History

Past Mayor and Council actions related to the FY 2018 budget include:

Date	Action Item
September 12, 2016	Discussion of Operating Budget Process
September 19, 2016	Discussion of Capital Improvements Program (CIP) Budget Process
October 11, 2016	Distribution of Mayor and Council Budget Surveys
November 1, 2016	Budget Public Hearing
November 10, 2016	Mayor and Council Budget Surveys Due
December 12, 2016	FY 2018 Budget Survey Results and Discussion of Budget Priorities
January 9, 2017	FY 2018 Cost Allocation Plan (CAP) Presentation
February 13, 2017	Distribution of FY 2018 Proposed Budget
February 27, 2017	City Manager's Presentation of FY 2018 Proposed Budget; Introduction of FY 2018 Budget Ordinance; Introduction of FY 2018 Refuse Fee Resolution; Introduction of FY 2018 Stormwater Management Fee Resolution
March 2, 2017	Mayor and Council Worksession
March 6, 2017	Public Hearing
April 3, 2017	Public Hearing; Constant Yield Tax Rate Public Hearing; Mayor and Council Worksession
April 7, 2017	Close of Budget Public Record
April 17, 2017	Mayor and Council Worksession

Public Notification and Engagement

The City held public hearings related to the FY 2018 budget on November 1, 2016, March 6, and April 3, 2017.

In addition to the budget public hearings, the public could submit written comments about the budget through April 7, 2017, to the Mayor and Council through the Clerk's Office or via an online form located on the City's website at www.rockvillemd.gov/budget.

Fiscal Impact

The adopted FY 2018 operating budget for the Stormwater Management Fund equals \$5,464,700 and the FY 2018 CIP budget equals \$8,307,555. The adopted budgets are based on the stormwater management utility fee of \$127.70 per ERU.

Attachments

Attachment 15.a: SWMUtilityFee_May2017 (PDF)


Rob DiSpirito, City Manager 4/25/2017

Resolution No. _____ RESOLUTION: To establish the Equivalent Residential Unit Rate to be used in calculating the Stormwater Management Utility Fee pursuant to Chapter 19 entitled “Sediment Control and Stormwater Management” of the Rockville City Code; and to establish a fee for Application for a credit against the Stormwater Management Utility fee for private stormwater management facilities

WHEREAS, on April 21, 2008, the Mayor and Council of Rockville adopted Ordinance No. 5-08, which amended Chapter 19 of the Rockville City Code entitled “Sediment Control and Stormwater Management” to provide, among other things, for the establishment of an annual Stormwater Management Utility Fee to support the City’s stormwater management, storm drainage, and related water quality programs; and

WHEREAS, Ordinance No. 5-08 provides, in Section 19-12 for the establishment, by resolution of the Mayor and Council, of the Equivalent Residential Unit Rate to be used for calculating the Stormwater Management Utility fee; and

WHEREAS, Ordinance No. 5-08 provides, in Section 19-88, for the adoption of Regulations establishing a system of credits against the Stormwater Management Utility Fee for private stormwater management facilities owned and maintained by the property owner; and

WHEREAS, pursuant to Ordinance No. 5-08, the Mayor and Council adopted Resolution No. 5-08 which approved regulations establishing such a system of credits and which provided for the establishment of a fee for applications for credits against the Stormwater Management Utility Fee; and,

Resolution No. _____

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WHEREAS, pursuant to Ordinance No. 5-08, the Mayor and Council adopted Resolution 6-09 which established the Equivalent Residential Unit Rate to be used in calculating the Stormwater Management Utility Fee pursuant to Chapter 19 entitled “Sediment Control and Stormwater Management” of the Rockville City Code; and established a fee for Application for a credit against the Stormwater Management Utility fee for private stormwater management facilities; and,

WHEREAS, the Mayor and Council desires to amend the rate per Equivalent Residential Unit,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE , MARYLAND, that pursuant to Chapter 19 entitled “Sediment Control and Stormwater Management,” the regulations adopted pursuant thereto, the following rate and fee are hereby established:

1. The Equivalent Residential Unit Rate to be used for calculating the Stormwater Management Utility Fee is hereby established as follows:

FY 2018
\$127.70

2. The fee for an application for a credit against the Stormwater Management Utility Fee for private stormwater management facilities owned and maintained by the property owner is hereby established at \$150.00 for each application.

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Mayor and Council of Rockville at its meeting of

Kathleen A. Conway, City Clerk/Director of Council Operations

Attachment 15.a: SWMUtilityFee_May2017 (1471 : Adoption of FY 2018 SWM Fee Resolution)