

RECOMMENDATION: That City Council pass this proposed ordinance (Attachment 2) on first reading on April 5, 2022, schedule it for public hearing on Saturday, April 23, 2022, and schedule for second reading and adoption of the ordinance on Wednesday, May 4, 2022.

BACKGROUND: In response to recent flash flooding events as a result of climate change-induced severe rain events, the City is using the Stormwater Utility Fee to fund accelerated operating and capital projects to address flooding issues. The proposed FY 2023 to FY 2032 Stormwater Management Utility 10-Year Plan includes a 5% increase in the fee for the billing due November 15, 2022 and June 15, 2023 to continue funding of accelerated operating and capital projects to address flooding issues.

DISCUSSION: The recommended revisions to the City's stormwater utility ordinance will reflect the increase in the fee for the FY 2023 billing.

The Stormwater Utility Fee was implemented the second half of FY 2018 largely to address unfunded state and federal mandates to reduce pollution in urban stormwater runoff to address the Chesapeake Bay Total Maximum Daily Load (TMDL). Consistent with the City's strategy to achieve milestones in advance of regulatory deadlines, the City has made appreciable progress towards the mandates by implementing identified strategies in the City's Chesapeake Bay TMDL Action Plan, such as retrofitting Lake Cook and Ben Brenman Pond, and completing other identified projects; with additional identified Action Plan projects remaining to be completed to ensure regulatory compliance.

City Council approved a substantial phased increase to the Stormwater Utility Fee in FY 2022 consistent with the City's new commitment to an aggressive approach to addressing flood mitigation on an accelerated basis through increased system maintenance and a substantial additional capital investment in stormwater capacity infrastructure. The 5% increase to the Stormwater Utility Fee proposed for FY 2023 will continue the City's commitment that includes a focus on funding stormwater capacity and spot improvement capital projects that address flooding, while maintaining regulatory compliance.

The recommended revision to Sec. 5-6-233 updates the billing unit rate for the Stormwater Utility Fee to reflect a 5% increase for the FY 2023 billing due November 15, 2022 and June 15, 2023.

FISCAL IMPACT: The fiscal impact associated with this code revision will generate an additional \$1 million in revenue for FY 2023.

ATTACHMENTS:

1. Ordinance Cover
2. Ordinance

STAFF:

Joanna Anderson, City Attorney
Emily A. Baker, P.E., Deputy City Manager
Kendel Taylor, Director, Finance Administration
Yon Lambert, Director, Transportation & Environmental Services
Shawn B. Lassiter, Assistant City Attorney