

# RWGTF Recommendation

## January 30, 2024

The Baltimore Regional Water Governance Task Force makes the following recommendations:

In the short-term, we recommend that the City of Baltimore assess the feasibility of and actions required to implement a solution based on a variation of Option C, where the City assesses removing the Bureau of Water & Wastewater from the Department of Public Works so that water & wastewater operations can be run as a separate department, and would continue making operational improvements with the input and assistance of a “City-County Water Advisory Committee,” and that the County similarly assess programs under the County’s Department of Public Works and Transportation. The assessments should consider any impacts to other services and operations of the jurisdictions.

We also recommend, in the short term, that the City of Baltimore’s Department of Public Works takes measures necessary and feasible to continue improvements in service delivery to all customers of the regional utility (retail and wholesale), as well as operations and maintenance of critical infrastructure inclusive of the water and wastewater treatment facilities.

We further recommend that the City of Baltimore’s Department of Public Works, together with the Baltimore County Department of Public Works & Transportation, immediately initiate cooperative improvements in the joint planning function, as well as improve coordination to address common environmental compliance requirements and services to mitigate impacts to all communities.

For the long term, we acknowledge that while Option E shows promise in addressing regional concerns about the existing governance structure which the other options do not, the Task Force does not have time to perform the requisite due diligence which simply recommending Option E requires. Further analysis and assessment of the eight criteria in the House Bill and other threshold issues (an equity study, workforce analysis, operation and maintenance decision making, capital improvement planning, compliance coordination, debt service research, pension & benefits research, stormwater research, etc.) cannot be completed before the report deadline at the end of January. As such, we recommend that this due diligence be done by a subsequent working group over the course of the next three years from the date of issuance of this report, with the results informing the best regional governance structure for the regional utility.

### **Phase I - Short Term (implementation begins immediately)**

***First, we recommend, that the City and the County study the prospect of returning<sup>1</sup>/establishing the existing Water & Wastewater bureau/functions to respective, standalone Water (W/WW/SW) Departments.*** This would allow for a singular focus, and necessary resources, to effectively manage operations, maintenance, capital investment and service delivery for the existing regional water and wastewater utility responsible for both retail and wholesale services. Advantages include reducing the chain of command for decision making, and elevating the ranks of W&WW managers, to justify salaries consistent more easily with attracting and retaining the best personnel. There is precedent for this, in that the existing City departments of Transportation and General Services were both previously bureaus inside Public Works.

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<sup>1</sup> From the time the City of Baltimore purchased the private Baltimore Water Company in 1854, for the purpose of having a public water utility, until 1925, the water system for the City of Baltimore was governed by a standalone Water Department with a Board appointed by the Mayor and City Council of Baltimore. In 1925, the Water Department transitioned to a Department of Public Works as the Bureau of Water Supply and in 1979 that Bureau transitioned to the Bureau of Water and Wastewater as it is known today. (From various history sources including the Maryland Archives)

Additionally, there is also precedent set by other municipal regional water utilities having the same scope and scale of the City of Baltimore's regional water utility, such as NYCDEP, Atlanta DWM, Philadelphia Water, San Francisco PUC, Miami-Dade Water & Sewer, and New Orleans SWB, which has a Mayor-appointed/led board and an executive director.

***Next, we recommend establishing a professional "City-County Water Advisory Committee" to ensure that the current operation is strengthened and accountable to all ratepayers of the system.*** Members would be selected by the Mayor of Baltimore City and the Baltimore County Executive, with the committee's scope of work including, but not limited to: reviewing the intermunicipal agreements, engagement in long-term planning, staffing challenges, drought response, capacity planning, CIP prioritization, customer service & support and water & sewer billing issues. The selected members to the Committee shall have specific expertise and experience in one or more of the following disciplines: water resources management and protection; management and operations of water and wastewater systems; environmental finance; human resources management; environmental justice and equity; or other disciplines relevant to management and operation of a water and wastewater system. The selected Committee shall hold public meetings on a recurring basis to review, discuss and make recommendations to strengthen current operation of the system to better address current and future challenges.

Specific operational issues which would also be addressed in the short term include, but are not limited to:

Transparency: Perform a cost-of-service study to provide ratepayers with a clear understanding of how their water bills translate to the requirements of operating the system

Equity: Perform a joint equity assessment to evaluate the impact that the existing governance structure has on employees, customers, stakeholders, and the environment, and recommend policy and project modifications to promote community well-being

## **Phase II - Long Term (2024 through 2027)**

***Before considering any regional governance structure, we recommend that further evaluation of the threshold issues be conducted by a dedicated, professional work group. This group should be charged with evaluating the threshold issues and recommending how regional governance should be structured to best address each threshold issue and any other issues the working group identifies.***

The issues to be studied by this working group should include, but are not limited to, the following:

Equity: Creation of an equity analysis to understand the impact of transition to a newly established authority on vulnerable residents in each jurisdiction, including recommended programming to support residents through actions associated with transition

Financial: Development of a financial transition plan, including an analysis of the fiscal consequences of moving to an authority model for each jurisdiction, especially in terms of pension, benefit commitments and debt service.

Human Capital: Evaluation of the potential workforce for a regional water authority, including the hiring of new employees and transition of existing City and County employees to a newly established authority model

Legal: Assessment of any legal and legislative adjustments needed to transition to a regional water authority, including an analysis of changes needed to the City and County codes and charters

Operational: Assessment of any administrative and operational adjustments needed to transition to a regional water authority, including a comprehensive examination and analysis of whether stormwater management should be included in the Authority's responsibilities

Rate Board: Assess the necessity and feasibility of a City-County Rate Board, with the express purpose of bringing equity to consumers and addressing the current disparity between the current city and county rates.

***The Task Force recognizes that the ideal solution may not be exactly the same type of regional structure as described by the Task Force's consultant under Option E. Therefore, we recommend that other types of regional governance models, like a compact commission<sup>2</sup>, should also be considered by the professional working group.***

***Additionally, we recommend that in the upcoming legislative session, the General Assembly should pass legislation to establish the working group and provide sufficient resources for this working group that will research and evaluate the threshold issues listed above involved in establishing a regional governance model.*** The appointees to the working group shall have specific expertise and experience in one or more of the following disciplines: water resources management and protection; management and operations of water and wastewater systems; environmental finance; human resources management; environmental justice and equity; or other disciplines relevant to management and operation of a water and wastewater system. Funding should include the allocation of resources for legal counsel, since neither the City nor County's law departments can advise such an independent entity.

These recommendations represent the culmination of this Task Force's best efforts, in line with House Bill 843, to "recommend the governance model best suited for water and wastewater systems in the Baltimore region and the necessary legislation and funding to establish the recommended model". The process leading up to this recommendation included seven (7) public meetings and the analysis and support of the Taskforce's Consultant. This included a Consultant Report to the Taskforce earlier in the process which included the Consultant's Recommendations to the Taskforce. To represent the totality of the process, the following items are provided as Exhibits:

Exhibit A, Task Force Meeting #1, September 13, 2023: Existing Organization & Agreements Meeting Notes, accessible at <https://mayor.baltimorecity.gov/sites/default/files/Meeting%201%20Notes.pdf>

Exhibit B, Task Force Meeting #2, October 4, 2023: Governance Models Meeting Notes, accessible at <https://publicworks.baltimorecity.gov/files/meeting-2-notesdraft-10-05-23pdf>

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<sup>2</sup> There is a precedent for this type of legally mandated cooperation and regulation of independent jurisdictions in the federal and state laws that created the Susquehanna River Basin Commission (SRBC - <https://www.srbc.gov/>). SRBC is a river basin "Compact Commission", established under federal law with companion laws in New York, Pennsylvania, and Maryland (Env Art §5-301). The Commission is charged with coordinating the development and use of the water resources of the Susquehanna River. SRBC also has been granted regulatory authority over water appropriation and use of water by businesses, government agencies and municipalities in all three states that govern the land area that makes up the Susquehanna River Basin. There are similar compact commissions for the Potomac (MD, VA, WV, PA and DC) <https://www.potomacriver.org/> and the Delaware (DE, PA, NJ, NY) <https://www.nj.gov/drbc/>

Exhibit C, Task Force Meeting #3, October 18, 2023: Governance Models & Preliminary Fiscal Analysis Meeting Notes, accessible at <https://publicworks.baltimorecity.gov/files/meeting-3-notesdraft-10-18-23pdf>

Exhibit D, Task Force Meeting #4, November 1, 2023: Final Fiscal Analysis Meeting Notes, accessible at <https://mayor.baltimorecity.gov/files/meeting-4-notes11-06-23pdf>

Exhibit E, Task Force Meeting #5, November 16, 2023: Summary & Recommendation Meeting Notes, accessible at <https://publicworks.baltimorecity.gov/files/meeting-5-notesdraft-11-28-23pdf>

Exhibit F, Consultant Report, shared with the Task Force and the public on December 15, 2023 and accessible at <https://mayor.baltimorecity.gov/files/baltimore-regional-water-governance-task-force-draft-consultant-report-appendicespdf>

Exhibit G, Task Force Meeting #6, January 8, 2024: Draft Report Review Meeting Notes, accessible at <https://mayor.baltimorecity.gov/files/meeting-6-public-comment-summarydraft-01-08-24pdf>

Exhibit H, Task Force Meeting #7, January 25, 2024: Final Recommendation Report Meeting Notes, accessible at <https://mayor.baltimorecity.gov/files/meeting-7-public-comment-summary01-25-24pdf>

Exhibit I, Public Comments Received to City and County Mailboxes

Exhibit J, Task Force Member Comments on Draft Consultant Report

Collectively, these Recommendations and the Exhibits listed above constitute the Baltimore Regional Water Governance Taskforce's "findings and recommendations" in accordance with HB 843.

**Exhibit A**

Task Force Meeting #1, September 13, 2023: Existing Organization & Agreements Meeting Notes

**BALTIMORE REGIONAL WATER GOVERNANCE TASK FORCE  
MEETING #1 – EXISTING ORGANIZATION AND AGREEMENTS  
WEDNESDAY, SEPTEMBER 13, 2023  
6:00 – 9:00 P.M.**

**PUBLIC COMMENTS**

No.	Public Comment	Action Requested	Taskforce Response
1	<p><b>Name:</b> BG  <b>Comment:</b> I used to pay \$70 per quarter for water, now I am paying \$122 a month which is five times more. Please explain why my bills are rising? The costs of infrastructure are being passed on to citizens but we are unable to pay our bills making for difficult decisions – paying for medicine or paying for water, for instance. We should be getting some assistance with paying our bills.</p>	<p>Taskforce should look into why and alternatives to the burden of rising costs for customers.</p>	<p>Thank you for your comment. For a long time, the City did not raise water rates though the costs were rising and the maintenance was reactive and suboptimal while the assets continued to age. We are now incurring costs for improvements and repairs that should have been addressed by previous generations. While this item is not within the specific charge of the Taskforce to select a new governance model via House Bill 843, this comment will be recorded and kept in mind for any future implementation and policy work around the new model.</p>
2	<p><b>Name:</b> Antoinette Ryan-Johnson, City Union of Baltimore  <b>Comment:</b> Staffing issues need to be addressed along with organization structures and model considerations. The business process review report already flags many of these. For example, vacancy issues, low salaries, and high turnover rates. Please keep these concerns in mind and address them. Employees are concerned and uncertain about their future.</p>	<p>Taskforce should look into remedies to staffing and retention challenges not linked to organizational model selection</p>	<p>Thank you for your comment. While some of these items are not within the specific charge of the Taskforce to select a new governance model via House Bill 843, this comment will be recorded and kept in mind for any future implementation and policy work after selection of the new model.</p>
3	<p><b>Name:</b> WG  <b>Comment:</b> Billing residents in apartment complexes and similar properties is complex. People, particularly in Baltimore County, do not see the full cost of using water and wastewater services in their bills since sewer charges are a component of property taxes. There needs to be a better way to do this and I think monthly billing of water and sewer charges for County customers, like is done in the City, would be a good solution.</p>	<p>Taskforce should look into modeling County billing for water and sewer charges after City practices.</p>	<p>Thank you for your comment. While this item is not within the specific charge of the Taskforce to select a new governance model via House Bill 843, this comment will be recorded and kept in mind for any future implementation and policy work around the new model.</p>
4	<p><b>Name:</b> WG</p>	<p>The Taskforce look into basis of minimum charges for water bills.</p>	<p>Thank you for your comment. While this item is not within the specific charge of the Taskforce to select a new</p>

No.	Public Comment	Action Requested	Taskforce Response
	<p><b>Comment:</b> What is the basis for calculating the minimum charge on the water bill. Is it a fixed charge? Should it be there?</p>		<p>governance model via House Bill 843, this comment will be recorded and kept in mind for any future implementation and policy work around the new model.</p>
5	<p><b>Name:</b> Lawrence  <b>Comment:</b> Approximately US\$7 million in billed consumption has not been collected by the City of Baltimore from some customers including corporations [such as Ritz Carlton and Bethel Steel]. Seniors are losing houses because of the bills.</p>	<p>Taskforce should look into rising water bill cost impacts to Seniors.</p>	<p>Thank you for your comment. While this item is not within the specific charge of the Taskforce to select a new governance model via House Bill 843, this comment will be recorded and kept in mind for any future implementation and policy work around the new model. At the Baltimore City level there are programs to help Seniors that are on fixed income such as the Water4All program.</p>
6	<p><b>Name:</b> Lawrence  <b>Comment:</b> There are several billing and metering issues that need to be addressed. New meters that were supposed to be read remotely and not functioning properly.</p>	<p>Taskforce should look into how meter reading issues affect rising water bill cost impacts to Seniors.</p>	<p>Thank you for your comment. While this item is not within the specific charge of the Taskforce to select a new governance model via House Bill 843, this comment will be recorded and kept in mind for any future implementation and policy work around the new model. At the Baltimore City level there are programs to help Seniors that are on fixed income such as the Water4All program.</p>
7	<p><b>Name:</b> Mr. Wheaton  <b>Comment:</b>  If you do look at different cities, please look at Detroit and Birmingham. These are both majority black cities that experienced mass shut-offs when they moved to their regionalization model.   Also, Detroit receives lease payments and that can be a revenue generator to help fund affordability programs.</p>	<p>Taskforce recommendations should take into account racial and economic (affordability) equity so that a governance model does not exacerbate existing burdens.</p>	<p>Thank you for your comment. One of the criteria for fiscal analysis (section g(4)(ii) of the Bill) is analysis surrounding “asset leases and capital planning”.   A racial equity study is not within the specific charge of the Taskforce to select a new governance model via</p>

No.	Public Comment	Action Requested	Taskforce Response
	<p>In Baltimore there are 108 census tracts that are majority black and brown have high levels of water unaffordability. Whatever governance model is chosen should not exacerbate that unaffordability.</p> <p>Is the Taskforce doing any racial equity study for the different governance models reviewed?</p> <p>Is the Taskforce going to make sure that Water4All, shut-off protections, and folks making less than 120%AMI are preserved with whatever governance model is chosen?</p>	<p>Taskforce should look at Detroit and Birmingham to see what not to do if the Taskforce recommends a regionalization governance model.</p>	<p>House Bill 843, but one of the criteria for alternative governance structures (section g(3)(iii) of the Bill) is “ongoing operations and maintenance of safe, efficient, <u>equitable</u>, and affordable water and wastewater systems serving the Baltimore region” (<i>emphasis added</i>).</p> <p>Although affordability program implementation is not within the specific charge of the Taskforce to select a new governance model via House Bill 843, this comment will be recorded and kept in mind for any future implementation and policy work around the new model.</p>
8	<p><b>Name:</b> Jamal (representative of Human Water Watch Today)</p> <p><b>Comment:</b> Protection against water shut offs, programs such as Water4All etc. should be able to continue under the new governance models.</p>	<p>Taskforce should look to preserve existing protections programs that offset cost burden for water customers and avoid water shut offs.</p>	<p>Thank you for your comment. Although affordability program implementation is not within the specific charge of the Taskforce to select a new governance model via House Bill 843, this comment will be recorded and kept in mind for any future implementation and policy work around the new model.</p>
9	<p><b>Name:</b> (representative of Human Water Watch Today)</p> <p><b>Comment:</b> Is there any potential for P3s?</p>	<p>Taskforce should not recommend the sell Baltimore’s water infrastructure.</p>	<p>Thank you for your comment. While this item is not within the specific charge of the Taskforce to select a new governance model via House Bill 843, this comment will be recorded and kept in mind for any future implementation and policy work around the new model. The Taskforce will recommend that any new governing structure for the utilities <u>not</u> utilize privatization.</p>

No.	Public Comment	Action Requested	Taskforce Response
10	<p><b>Name:</b> CM, Staff Attorney at Maryland Volunteer Lawyers Service</p> <p><b>Comment:</b> Water affordability disproportionately effects Black Baltimore residents. Taskforce is responsible for rate payers in Baltimore City and County. Will the Taskforce do any racial/economic equality analysis of the governance models before one is chosen?</p>	Taskforce should conduct racial/equity analysis before selecting a governance model.	Thank you for your comment. A racial equity study is not within the specific charge of the Taskforce to select a new governance model via House Bill 843, but one of the criteria for alternative governance structures (section g(3)(iii) of the Bill) is “ongoing operations and maintenance of safe, efficient, <u>equitable</u> , and affordable water and wastewater systems serving the Baltimore region” ( <i>emphasis added</i> ).
11	<p><b>Name:</b> Robert</p> <p><b>Comment:</b> How will property tax that Baltimore County uses to pay for water work – how will that be rolled out?</p>	Taskforce to provide information about how property tax bills will be paid	Thank you for your comment. While this item is not within the specific charge of the Taskforce to select a new governance model via House Bill 843, this comment will be recorded and kept in mind for any future implementation and policy work around the new model.
12	<p><b>Name:</b> Robert</p> <p><b>Comment:</b> Meters should be set up in a way so that it's known what kind of organization is using the water. An example is non-profits.</p>	Taskforce should look into how metering and billing disadvantages or advantages certain businesses, such as non-profits.	Thank you for your comment. While this item is not within the specific charge of the Taskforce to select a new governance model via House Bill 843, this comment will be recorded and kept in mind for any future implementation and policy work around the new model.
13	<p><b>Name:</b> Robert</p> <p><b>Comment:</b> Is the sewer system combined or not?</p>	(No action requested)	Thank you for your comment. The Baltimore City-County system is not a combined sewer system.
14	<p><b>Name:</b> Martin</p> <p><b>Comment:</b> Any plans any plans to install meters so residents can sign up for service [in condominiums]?</p>	(No action requested)	Thank you for your comment. This is not something that the Taskforce will be addressing.
15	<p><b>Name:</b> David</p> <p><b>Comment:</b> Are you going to continue capital improvement projects in the interim period of recommending a</p>	Taskforce should continue carrying out capital improvement	Thank you for your comment. While this item is not within the specific charge of the Taskforce to select a new

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	governance model? The way that work is changed for could change as a result of the governance model recommendation.	projects in the interim period of recommending a governance model.	governance model via House Bill 843, this comment will be recorded and kept in mind for any future implementation and policy work around the new model. One of the criteria for fiscal analysis (section g(4)(ii) of the Bill) is analysis surrounding “asset leases and capital planning” and existing capital plans will be carried out while the governance planning is underway.

## **Exhibit B**

Task Force Meeting #2, October 4, 2023: Governance Models Meeting Notes

**BALTIMORE REGIONAL WATER GOVERNANCE TASK FORCE**  
**MEETING #2 – GOVERNANCE MODELS**  
**WEDNESDAY, OCTOBER 4, 2023**  
**6:00 – 9:00 P.M.**

**PUBLIC COMMENTS**

**List of Follow-ups from Meeting 2 for Future Meetings**

1. Clarity on whether the existing cost sharing model/formula for O&M costs is adequate,
2. Details on how bulk rates for the County are set and revised periodically under the existing 1972 water and 1974 sewer agreements specifically,
3. Cost sharing arrangements with the City’s wholesale customers for capital improvements,
4. Explain rate setting from the wholesale and retail perspective,
5. Graphically explain the \$/ccf rate that a County resident pays and the \$/ccf rate that a City resident pays,
6. For the utilities studied, provide a chart or table showing what model each utility follows,
7. Note down historical experiences of individual or separate jurisdictions moving to a special district/authority model, and
8. Provide additional information on stormwater management practices for the utilities that the Consultant is already studying.

No.	Public Comment	Action Requested	Taskforce Response
1.	<p><b>Name: Andrew Hinz</b></p> <p><b>Comment:</b> Thank you for letting me comment. I would like to bring up the issue of sewage back-ups. With the current consent decree back in about 2018, EPA and MDE directed the City to address sewage back-ups happening due to City infrastructure. The City attempted to do that with a reimbursement program that was inequitable and did not work and has decided to make a pilot program to reimburse people on the spot, permanent. However, the City has (for reasons unfathomable to me as a resident and tax payer) decided to limit the on-the-spot remediation to instances that occur only due to wet weather. This affects thousands of people and 80 percent of those affected have their sewage back-ups in dry weather which the City refuses to accept even though the MDE and EPA are telling the City that they are required to do this. As a resident and taxpayer, this makes no sense. My fundamental comment is that whatever governance model is selected please don't allow this type of abusive behavior. I don't understand if it is someone at the Department level trying to avoid costs or is it because of the spreadsheet that you were talking about or why anyone would come to the conclusion that this is the way to treat customers. A model that addresses these issues would be the right one. If we want people to move into the City and not leave, we need to address these issues and select a human/citizen centered governance model.</p>	<p>Taskforce should select a governance model that solves this issue.</p>	<p>Thank you for your comment.</p> <p>Baltimore City DPW representatives are available to address questions or immediate concerns about current operations.</p> <p>This comment will be recorded and kept in mind for any future implementation and policy work around the new model.</p>

No.	Public Comment	Action Requested	Taskforce Response
2.	<p><b>Name: Jomar Lloyd - Organizer with Food and Water Watch</b></p> <p><b>Comment:</b>  While we have been assured that the water system will not be privatized, there is the matter of what will happen after the recommendations are made.  We are urging the taskforce and consultant to conduct necessary racial and economic and equity analysis to ensure the recommended model will not harm the City's vulnerable and underserved communities. A legal analysis is also needed to ensure that water affordability programs can continue under the new governance model. No model should supersede the City's autonomy over its water. Protections under existing laws should be able to continue under the new model. The recommendation should not lead to circumstances and laws where homes were sealed for not paying their water bills.</p>	<p>Task force should conduct the necessary legal, economic, racial, and equity analysis before making its recommendation.</p>	<p>Thank you for your comment.</p> <p>This comment will be recorded and kept in mind for any future implementation and policy work around the new model.</p>
3.	<p><b>Name: Councilwoman Ramos</b></p> <p><b>Comment:</b>  Good evening everyone, thank you Mr. Chair for giving me a couple of minutes. I really do appreciate it. As Mr. Chair said, my name is Odette Ramos, I represent the 14th district in Baltimore City. I know that the chair read our resolution that we passed on Monday so I'm not going to reread it. I'm just going to emphasize the points that the council has been very clear that this panel should consider.  Obviously, stormwater is extremely important. The equity piece is the highest priority because we represent a majority black and increasingly diverse city that has increasingly borne the brunt and the burden of the system in terms of paying for the system and higher water rates for a long time. So that's actually an opportunity that I have always thought would be important as we think about looking at a regional system in terms of the relationship between the County and the City. And also whatever format you all are thinking about--I don't know what C, D, and E is but I will find out--and making sure that Baltimore City has majority votes on the board. And last, we as county and city governments, particularly the elected officials, I'm grateful my colleagues, our senator and our delegate are here, but we really need to be involved. Because we would have to approve anything that you all come up with, so we will continue to have our oversight hearings and invite you to come to our oversight hearings, but we definitely need to be part of this process. I actually see this as</p>	<p>Taskforce should consider the points made in the resolution specifically, addressing stormwater management, equity considerations, and the City's representation on the Board of the chosen governance model.</p>	<p>Thank you for your comment.</p> <p>The Taskforce subsequently took a vote to address stormwater management practices as part of the information gathering specific to the governance models that the task force voted on for further study.</p>

No.	Public Comment	Action Requested	Taskforce Response
	an opportunity for Baltimore, so we want to make sure that we're getting the best opportunity for our city. So thank you for the opportunity to speak. I'll be trying to come to the other meetings. I apologize I wasn't here earlier, but I'm grateful you are spending so much time on this as well. Thank you so much, thank you Mr. Chair.		

## **Exhibit C**

Task Force Meeting #3, October 18, 2023: Governance Models & Preliminary Fiscal Analysis Meeting Notes

**BALTIMORE REGIONAL WATER GOVERNANCE TASK FORCE  
MEETING #3 –GOVERNANCE MODELS & PRELIMINARY FISCAL  
ANALYSIS, PART 1: AS-IS SCENARIO**

**WEDNESDAY, OCTOBER 18, 2023**

**6:00 – 9:00 P.M.**

**PUBLIC COMMENTS**

### List of Follow-ups from Meeting 3 for Future Meetings

1. Examples of how other utilities that transitioned into Special Districts/Authorities handled the issue of employee pensions.
2. Shortlist of comparable utilities that are being interviewed further and details of those interviews.
3. Breakdown of costs that are recovered through the annual true up process.
4. Annotated version of slide 38 on historical wholesale revenues providing some basic explanation of the figures
5. For a hypothetical customer bill at the City and County level, show what percentage of the bill is fixed charge vs. volumetric charge.
6. Clarify how the fire suppression fee is applied in the City and the County.
7. Clarify current pension plan arrangements in place for existing employees of the utilities at the City and County
8. On capital costs:
  - a. City to provide figures for Federal/State Funds on Slide 50 showing City's FY25-29 Capital Plan Funding,
  - b. Clarify whether the figures showing capital spending by the County include contributions to the City,
  - c. Confirm whether the figure showing State Aid of US\$5 million for the County is correct (Slide 55).
9. On Debt:
  - a. Debt projections showing a schedule of new debt expected to be incurred by both the City and the County, and debt to be repaid.
  - b. Cost of capital for refinancing existing debt at current interest rates and how that would impact rate payers.
  - c. Options/examples where a new entity/utility has contractual arrangements with the City and County to provide debt service payments annually, such that each jurisdiction meets its own debt service requirements, avoiding the need for expensive refinancing.
  - d. Impact of asset ownership on debt financing
  - e. Consult with MDE and EPA on financing mechanisms that they administer.
  - f. Provide a chart showing what debt service would look like at different interest rates.
  - g. Provide financial models for each jurisdiction (City and County)
  - h. Provide bond ratings for the utilities (City and County) and any associated financial metrics of each of the utilities.
10. Provide information on:
  - a. How accounts that are currently not paying property taxes are billed for water and sewer; and
  - b. Uncollected/unbilled/unmetered revenues from commercial businesses.
11. Consider governance model options that would involve a financing arm or conduit (e.g. MEDCO) that would raise debt on behalf of the newly formed water and wastewater authority.
12. City to provide details on when the last cost of service study was done and its results.

No.	Public Comment	Action Requested	Taskforce Response
1.	<p><b>Name: Delegate Bob Long of District 6</b></p> <p><b>Comment:</b> Please review the MDE and MES survey and study on the issues surrounding the management of the Back River WWTP and Patapsco WWTP that caused untreated sewage to be released into the waterways. The plant is now in compliance but that needs to continue under a new model. To avoid repeating history during or after transition to the new model, it is important to examine this issue closely.</p> <p>Rising costs of services is also an issue that needs close examination considering many residents that I represent are living paycheck to paycheck. An audit was done on the cost and performance of these wastewater plants so please look into that closely.</p>	<p>Review the MDE and MES survey and report as well as audit reports relating to the Back River and Patapsco WWTP to inform the recommendations on the new model.</p>	<p>Thank you for your comment.</p> <p>This comment will be recorded and the issues raised will be kept in mind as we work to select a new governance model.</p>
2.	<p><b>Name: Delegate Robin Grammer Jr. of District 6</b></p> <p><b>Comment:</b> Please examine the issues surrounding Back River WWTP carefully as this is one of the reasons, we are considering a new governance model. Employees at the Back River WWTP advised us that they notified the DPW of issues that were later found to be catastrophic by the MDE; however their concerns were not taken seriously and the MDE corroborates that. How will the new authority provide oversight in such cases? Have you reviewed the MDE report to inform your analysis?</p> <p>On equity, environment, and property rights issues: I have not seen a single representative of impacted communities as part of the Task Force. How will you ensure that community engagement takes place to ensure the model endures?</p> <p>Two more questions:</p> <ul style="list-style-type: none"> <li>• How will rates be impacted by each model? Rates paid by customers of a special authority such as WSSC Water seem to be higher than what we are paying. Can you give an estimate of what rates will look like under each model?</li> </ul>	<p>Examine the issues surrounding Back River WWTP closely to inform the recommendations on a new model. Consider how community engagement will be incorporated into this process. Consider how rate stability and affordability will be impacted if the utilities are reorganized into a special authority model.</p>	<p>Thank you for your comment.</p> <p>This comment will be recorded and the issues raised will be kept in mind as we work to select a new governance model.</p>

No.	Public Comment	Action Requested	Taskforce Response
	<ul style="list-style-type: none"> <li>Special authorities can take debt and adjust rates which will significantly impact residents. How are you going to ensure affordability and rate stability under a new model?</li> </ul>		
3.	<p><b>Name: David Wheaton, NAACP Legal Defense Fund</b></p> <p><b>Comment:</b> In case of Model E (regional authority), I want to talk about a lease payment would look like. In case of Detroit, the lease payment was fixed at US\$50 million. Are the consultants looking at what the lease payment would look like and who will negotiate this? This payment needs to be equitable. Will this payment be passed down to rate payers leading to an increase in rates? Is this going to be done by the State giving a lease payment to the City? Can you talk more about the lease payment?</p>	Consider what the lease payment would look like in case of a special authority that leases assets from the City and County.	Thank you for your comment. This question is premature considering we have not yet selected the new governance model. Your questions will be recorded and kept in mind for any future implementation and policy work around the new model.
4.	<p><b>Name: Sharonda Huffman, Essex resident and former City employee</b></p> <p><b>Comment:</b> I am frustrated that those that live next to the mess have no say. At Back River WWTP, an employee died because of the neglect of the infrastructure and the State had to take it over. This greatly impacts me as I live nearby. Integrated rates are fine, but my concern is that infrastructure is different between the City and the County and the City DPW is not equipped to handle more. In doing the rate analysis, consider that this part of the County has the lowest median incomes. As we build more infrastructure and when we privatize things, I am concerned that we are not taking into account the impact on the individuals. I hope you will invest in a Commission. The City should maintain its own infrastructure for liability purposes while trying to get a new authority.</p>	Consider how the new model will address the issues surrounding the management of Back River WWTP and how the new model will impact rates.	Thank you for your comment.  This comment will be recorded and the issues raised will be kept in mind as we work to select a new governance model.
5.	<p><b>Name: Jomar Lloyd, Food and Water Watch</b></p> <p><b>Comment:</b> Possible projected transition costs associated with the models and how these may be passed on to the residents. Considering the discrepancies between how much City residents pay vs. how much County residents pay, how will the costs transition and</p>	Consider transition costs associated with each model and the impact of these costs on rates. Consider how the discrepancies between what City and County residents currently pay will change under a new model.	Thank you for your comment.  This comment will be recorded and the issues raised will be kept in mind as we work to select a new governance model.

No.	Public Comment	Action Requested	Taskforce Response
	the costs of developments in the County be passed on to the City?		
6.	<p><b>Name: Mike Myers, Back River Neck Peninsula Community Association</b></p> <p><b>Comment:</b> Concerned about environmental impacts of the sewage plants. In recent community meetings, I am hearing complaints about sewage polluting the river and property depreciation due to these environmental impacts. These complaints are repeated over and over for decades and have not been solved in over a 100 years. Back River is one of the most neglected parts of the State. The wastewater treatment plant is a failure and our community is upset about that. Our community wants to see some epic changes in how these plants are governed.</p>	Consider a model that will change how the Back River WWTP it is operated.	<p>Thank you for your comment.</p> <p>This comment will be recorded and the issues raised will be kept in mind for any future implementation and policy work around the new model.</p>
7.	<p><b>Name: Senator Benjamin L. Cardin (letter read by Chair Henry)</b></p> <p><b>Comment:</b> I was encouraged when Mayor Brandon Scott and County Executive Johnny Olszewski announced their appointments to the Regional Water Governance Task Force established by the Maryland General Assembly, including your selection as Task Force Chair. I write to respectfully encourage the Task Force to consider federal funding opportunities as you evaluate the potential savings, service improvements, enhanced capacity to attract, develop, and train personnel, and other benefits of alternative governance models for the Baltimore region's water and wastewater utility.</p> <p>The significant funding made available through recent federal infrastructure legislation creates new opportunities for water systems to address backlogs of needed capital improvement and improve water quality. Modernizing the governance of the water delivery system that serves residents in Baltimore City, Baltimore County, and other surrounding jurisdictions through regional solutions will position the entire service area to take maximum advantage of these once in-a-generation federal funding opportunities.</p> <p>The Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law (BIL), delivers more than \$50 billion through the U.S. Environmental Protection Agency's drinking water,</p>	Consider federal funding opportunities as you evaluate governance model options.	<p>Thank you for your comment and for raising the important consideration of availability of federal funding.</p> <p>The Task Force appreciates the support of you and your office. We look forward to continued collaboration as we prepare the final recommendations.</p> <p>This comment will be recorded and the suggestions made will be kept in mind as we work to select a new governance model.</p>

No.	Public Comment	Action Requested	Taskforce Response
	<p>wastewater, and stormwater infrastructure programs. The BIL makes these substantial investments primarily through the Drinking Water State Revolving Fund (DWSRF) and the Clean Water State Revolving Fund (CWSRF), recognizing that the nation has underinvested in water infrastructure for too long, particularly in disadvantaged communities.</p> <p>In addition to the traditional DWSRF, the Bipartisan Infrastructure Law creates two new funding streams specific to lead service line replacements and emerging contaminants such as per-and polyfluoroalkyl substances (PF AS), which are both the subject of regulatory initiatives to protect public health by reducing exposure in drinking water. The set-asides dedicate \$15 billion and \$4 billion, respectively, through the DWSRF for these purposes.</p> <p>Across multiple programs, the Bipartisan Infrastructure Law also targets funding for resilient infrastructure that is protected from threats, from climate change to cyberattacks. The Clean Water Infrastructure Resiliency and Sustainability Program, which I was proud to author as Ranking Member of the Senate Environment and Public Works Committee Transportation and Infrastructure Subcommittee, will provide grants to increase the resilience of publicly owned treatment works. This new program is authorized at \$25 million per year with a 25% local match.</p> <p>I concur with the finding by independent experts in the Water/Sewer Services Comprehensive Business Process Review for Baltimore City and Baltimore County that "there are many benefits that Baltimore City and Baltimore County could realize by consolidating management of the water and sewer system into a single entity." These benefits include "[s]ustained access to low-cost financing." I will continue working to ensure the federal government is a reliable source of financial and technical assistance through programs administered by the EPA and other federal agency partners.</p> <p>Thank you for your willingness to lead the Baltimore Regional Water Governance Task Force and your consideration of this request. I look forward to our continued collaboration as the Task Force prepares its final recommendations.</p>		

## **Exhibit D**

Task Force Meeting #4, November 1, 2023: Final Fiscal Analysis Meeting Notes

**BALTIMORE REGIONAL WATER GOVERNANCE TASK FORCE**

**MEETING #4 –FINAL FISCAL ANALYSIS**

**WEDNESDAY, NOVEMBER 1, 2023**

**6:00 – 9:00 P.M.**

**PUBLIC COMMENTS**

## List of Follow-ups from Meeting 4 for Future Meetings

1. In the Detroit example and establishment of Great Lakes Water Authority (GLWA), provide details on:
  - a. Transition costs
  - b. Impact of transition on rates in the region
  - c. Pension payments to City employees
  - d. Model contract and the rate structure within it
  - e. Breakdown of the US\$4 billion debt payment
  - f. How is the US\$50 million annual payment applied between pension payments and equity/affordability programs
  - g. Variance (if any) between employee compensation at Detroit Water and Sewerage Department and GLWA for staff at equivalent positions
  - h. Pension transition for existing and new employees.
2. For the Detroit and Tampa Bay Water examples, provide details on the Board's composition, term/duration(years), whether the terms are consecutive or staggered, how the Boards are chaired, and whether there are any de facto positions.
3. City to provide details on:
  - a. State support for operating costs
  - b. Determine what the collection procedures have been over the last few years and are now for commercial properties: are they put in tax sale for long delinquent unpaid water bills?
  - c. Whether there has been a third-party independent audit of the integrity of the billing data base and invoicing accuracy of the fire suppression fee data since 2016
4. Clarify the proportion of the total water supplied to Anne Arundel County by Baltimore City.
5. Clarify in the information indicated in Slide 25 regarding how much Baltimore County receives from its wholesale partners for water and wastewater services it provides.
6. Provide actual City and County financial metrics for Days Cash on Hand, Debt Service Coverage Ratio and Debt to Operating Revenue supporting the City and the County's bond ratings.
7. Comment, to the extent possible, on factors that would have financial impact or that should be considered in case of transitioning to a regional authority model.
8. Describe the concept of having an independent Rate Setting Board within Model E (special district/water and wastewater authority).
9. Clarify the assumptions underlying the Net Present Value calculations of debt refinancing costs.
10. Describe options within Model E (special district/water and wastewater authority) that do not require debt refinancing.
11. Follow up with Maryland Department of the Environment on whether it would be permissible for existing loans to be assumed by a new entity under the same terms without the need for refinancing.
12. Confirm the following: In case the City were to decide to lease all or any portion of the water and sewer system assets currently on the City's books to another entity, what would be the disposition of these leased assets at the end of the Lease's term? Can the assets remain on the City's books during the term of the lease and thereafter?
13. Within Models C and D, explore the option involving the creation of a separate water and wastewater department within the City as opposed to at the Bureau level within the Department of Public Works. Check governance structure in the City of Atlanta (water and sewer).
14. Clarify the scope for governance improvements within Model C (intermunicipal agreements) and Model D (wholesale agreements).

No.	Public Comment	Action Requested	Taskforce Response
1.	<p><b>Name: David Wheaton, NAACP Legal Defense Fund</b></p> <p><b>Comment:</b> In Detroit's case, there were 140,000 shutoffs after transition to a regional authority between 2014 and 2020 that disproportionately affected Black residents.</p> <p>In Tampa, after moving to a regional authority, multiple treatment plants were privatized. How are we going to make sure that privatization, an idea that Baltimore residents have already rejected, does not happen after transitioning to a new governance model?</p> <p>On lease payments, please consider what an equitable payment would be to the City of Baltimore considering these are the City's largest assets and that City residents have been paying into the system for several years.</p>	<p>In transitioning to a new governance model, consider: 1) how to ensure that there are no shutoffs after transition, 2) how to ensure privatization does not occur after transitioning, and 3) what an equitable lease payment to the City would be for leasing its assets to a new entity.</p>	<p>Thank you for your comment.</p> <p>The Taskforce has agreed not to recommend an option that would involve privatization of the water and wastewater system in the Baltimore region or the transfer of any asset ownership from the City.</p> <p>This comment will be recorded and the issues raised will be kept in mind as we work to select a new governance model and for any future implementation and policy work around the new model.</p>
2.	<p><b>Name: Jorge Aguilar, Food and Water Watch</b></p> <p><b>Comment:</b></p> <p>We are extremely concerned regarding the figures presented today that lead our organization to estimate the true cost of transitioning to a new system to be US\$1.7 to US\$2 billion. All of these costs will ultimately be passed on to Baltimore families.</p> <p>A new authority may need to refinance existing debt, leading to additional costs amounting between US\$370 to US\$725 million. However, there still are other unquantified costs, lease benefits, and unanswered questions. Our analysis of the transition in Detroit shows the new authority paid US\$344 million in pension contributions and US\$976 million in lease payments over the term of the transition, which could be passed on to customers. A similar situation in Baltimore would deepen the water affordability crisis that disproportionately affects Black residents. The Taskforce should seek to understand the equity implications of each governance model and determine how any additional costs might get passed down to customers.</p> <p>We are really disappointed that any Baltimore City official would be comfortable with transitioning away a system with assets worth over US\$5 billion. We do not have much faith that privatization is off the table as it cannot be legally structured to avoid privatization in the future after the system is turned over to a new entity.</p>	<p>Refrain from making a recommendation to State officials without fully understanding the implications of each governance model, especially with respect to affordability, equity, and potential additional costs to Baltimore residents.</p>	<p>Thank you for your comment.</p> <p>The Taskforce has agreed not to recommend an option that would involve privatization of the water and wastewater system in the Baltimore region or the transfer of any asset ownership from the City.</p> <p>The concerns expressed are noted; and these will be addressed during the implementation phase. This comment will be recorded and the issues raised will be kept in mind for any future implementation and policy work around the new recommended model. There will be opportunities in the future to engage on implementation.</p>

No.	Public Comment	Action Requested	Taskforce Response
3.	<p><b>Name: Antoinette Ryan Johnson, President of CUB</b></p> <p><b>Comment:</b></p> <p>Even though the legislation that created this Task Force asked for an assessment on how different governance models would address the issues of employee recruitment, retention, and training, the details on these assessments are missing. We are concerned about how issues relating to employee recruitment, retention, and training are being addressed. We are also concerned about employees being displaced from bargaining units and losing unionization rights.</p>	<p>Call for a salary study to examine why utilities are losing employees to competitors. Further, understand how the utilities can be more competitive in the market and retain employees. All water and sewer employees should remain in bargaining units and retain their unionization rights.</p>	<p>Thank you for your comment.</p> <p>This comment will be recorded and the issues raised will be kept in mind as we work to select a new governance model.</p>

## **Exhibit E**

Task Force Meeting #5, November 16, 2023: Summary & Recommendation Meeting Notes

**BALTIMORE REGIONAL WATER GOVERNANCE TASK FORCE**

**MEETING #5 –SUMMARY AND RECOMMENDATIONS**

**THURSDAY, NOVEMBER 16, 2023**

**6:00 – 9:00 P.M.**

**PUBLIC COMMENTS**

### **List of Follow-ups from Meeting 5 to be Addressed in the Draft Report:**

- Include equity study as one of the items to be considered as a threshold issue.
- For Model C:
  - Reach out to the City's Law Department to understand which of the recommended changes to Model C/modified intermunicipal agreements can be done without a Charter Amendment or legislation? Determine what changes would need legislative action and what changes can be done through executive decree by the Mayor, Board of Estimates or County Executive.
  - Recommend that periodic cost of service studies be undertaken to support any rate increase. Annually track cost of service expenses (reconcilable to last Cost of Service Study) or use other method(s) consistent with industry standards to inform rate setting in the future.
- For Model E:
  - Provide information on feasibility of avoiding debt refinancing based on an example that would help structure a similar course of action for the Baltimore region. Check for more information about the Los Vaqueros Reservoir Joint Powers Authority deal structure.
  - Include details and description of the sub-options/variations available under Model E

No.	Public Comment	Action Requested	Taskforce Response
1.	<p><b>Name: Jorge Aguilar, Food and Water Watch</b></p> <p><b>Comment:</b> Our organization has argued that a predetermined outcome was decided for the Taskforce before this process began. The consultants seem to be directing the Taskforce to Model E though several questions remain unanswered. There has been clarity on the legal implications of Model E, but no economic or equity impact assessment. We do not believe that a sufficiently comprehensive analysis has been done. No compelling case for Model E has been made, and there is no compelling evidence that Model E will address issues of employee recruitment and retention. Our cost estimates were dismissed as a big "if" even though they are based on the example models chosen—the costs we estimated not only consider debt costs but other transition costs. It is unclear how the significant transaction costs would be addressed. Another issue is that of the loss of assets. A regional authority would require overturning the privatization ban through a Charter amendment. Chair's questions on the how the leasing of assets off the City's books would work remain unanswered.</p>	<ul style="list-style-type: none"> <li>• Please recommend substantive reforms to the intermunicipal agreements (Model C)</li> <li>• Please demand a detailed report from the consultants that demonstrates the analysis done.</li> <li>• Reject the recommendation of Model E.</li> </ul>	<p>Thank you for your comment.</p> <p>The Taskforce passed a vote to exclude Model D, Wholesale Service Purchase Agreement from further consideration. The vote to select a governance option will occur on January 25 after the Task Force has reviewed the draft Governance Model Assessment Report and received the public's comments.</p> <p>The Taskforce has agreed not to recommend an option that would involve privatization of the water and wastewater system in the Baltimore region or the transfer of any asset ownership from the City.</p> <p>This comment will be recorded, and the issues raised will be kept in mind as we work to select a new governance model and for any future implementation and policy work around the new model.</p>
2.	<p><b>Name: David Wheaton, NAACP Legal Defense Fund</b></p> <p><b>Comment:</b> Three questions remain unanswered:</p> <ul style="list-style-type: none"> <li>• Impact on low-income rate payers—we know from academic research as well as the historical experience of Detroit and Birmingham, cities with large Black populations like Baltimore, that rates increase after regionalization.</li> <li>• Loss of assets from the City's books—we need to delve into this question. Detroit leased its assets. In the case of Baltimore, we need to know what this would mean for bond ratings and the City's ability raise financing in other sectors such as education.</li> </ul>	<p>I urge the Taskforce to do a racial equity and economic equity assessment.</p>	<p>Thank you for your comment.</p> <p>This comment will be recorded, and the issues raised will be kept in mind as we work to select a new governance model and for any future implementation and policy work around the new model.</p>

No.	Public Comment	Action Requested	Taskforce Response
	<ul style="list-style-type: none"> <li>No certainty on lease payments—no talk of what this payment would be.</li> </ul> <p>Workforce retention is another issue—interesting to see that Model E was rated ++ though we know from Detroit’s example that 15 percent of union jobs were lost.</p>		
3.	<p><b>Name: Todd Reynolds, Political Coordinator for AFT MD</b></p> <p><b>Comment:</b> I do not believe there is data to support the assessment that Model E would fare better than other models in terms of addressing issues of employee recruitment such as high turnover and vacancy rates (Slide 17 and 18). If there is to be a new authority, would current employees of the City and County no longer be City and County employees? What happens to their bargaining rights? Do they have to be re-certified as a union? Would they need to re-apply for their jobs? These are some genuine concerns and fears around these issues.</p>	Please consider concerns of current City and County employees before deciding on the new governance model.	Thank you for your comment. This comment will be recorded, and the issues raised will be kept in mind as we work to select a new governance model.
4.	<p><b>Name: Anne Wilson, Baltimore City Resident</b></p> <p><b>Comment:</b> I am concerned about 1) whether the public would have opportunity to provide input in the future rate setting process, 2) whether low-income neighbors will be protected under the new model, 3) the potential for privatization in case any Charter amendments are made, and 4) whether existing programs on equity and affordability will be able to continue under the new model. These were developed after lengthy deliberation based on the UNGA Agreement in 2010 that recognized water as a basic human right and set the standard for affordability.</p>	Please ensure that current protections for low-income neighbors are continued under the new governance model.	Thank you for your comment.  Existing equity-based programs such as the Water4All program would continue under a new governance model, including Model E. The consultant recommends that these existing programs focused on promoting equitable and affordable access to water continue under the new governance model. If Model E is chosen, there will be an opportunity to expand these programs across the region/service area of the new authority, which may be a positive development from an equity perspective.

**Exhibit F**

Consultant Report



Draft for Public Comment

**Alternative Governance Model Assessment and  
Recommendations for the Baltimore Region's Water and  
Wastewater Utilities**

**A DRAFT REPORT TO THE  
BALTIMORE REGIONAL WATER GOVERNANCE TASK FORCE**

**December 15, 2023**



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## EXECUTIVE SUMMARY

House Bill 843 (HB843) established the Baltimore Regional Water Governance Task Force (the Task Force) to study approaches to governance of drinking water and wastewater supply and treatment in the Baltimore region and recommend a governance model best suited for the region. The impetus for this came from the findings of a joint analysis undertaken by the City and County on existing business processes governing the region's water and wastewater system. These NewGen findings recommended exploring new governance model options for the region's water and wastewater system. The Task Force is deliberating on alternative governance models for the Baltimore region's water and wastewater system through a series of public meetings between September 2023 and January 2024.

The objective and purpose of this report is to consolidate the analyses conducted and discussions had so far as part of Task Force meetings and present it in a digestible manner to facilitate the Task Force in making a final recommendation. The approach to this assignment can be broken down into three steps:

- Step 1: Develop a shortlist of governance models for further study
- Step 2a: Develop a framework for the shortlist of governance models
- Step 2b: Assess shortlisted models against criteria set out in HB843
- Step 3: Recommend a new governance model to the Task Force

The models studied included:

- Model A: Memorandum of Understanding
- Model B: Cooperatives
- Model C: Intermunicipal agreements
- Model D: Wholesale service purchase agreements
- Model E: Special District/Water and Wastewater Authority or Special District/Authority

The Task Force voted to eliminate Models A, B, and D in different meetings during the process.

WSP was tasked to make a recommendation to the Task Force for its consideration. After assessing all the information and factors required by HB843 and our scope to consider, the Consultant recommended that the Task Force select as its preference Model E on its merits. However, in light of the findings about the complexity of unresolved threshold issues and the actual depth of planning required to transition to Model E, we also recommended that the City and County commit sufficient resources to collaboratively define the specifics of that governance model and transactions and actions involved to transition to that governance structure in order to resolve the threshold issues.

Detailed short- and long-term recommendations that would need to be implemented in order to transition to a new governance model include the creation of a dedicated, professional Work Group and a City-County Water Advisory Committee. These are detailed in Section 9, which also includes discussion about the overall transition approach and indicative cost estimates and schedule. For other utilities that have transitioned to a new authority structure, the timeline has taken from 12 to 24 months. A transition to Model E – Special District or Authority will require a timeframe closer to, or even longer than 24 months given the nature and complexity of the threshold issues that must be addressed before an authority could be stood-up.



## GLOSSARY OF TERMS

### GLOSSARY

<i>Term</i>	<i>Meaning</i>
AWWA	American Water Works Association
Baltimore	Baltimore City and Baltimore County, inclusive
City	Baltimore City
Cooperative	A water or wastewater utility owned and run jointly by its members
County	Baltimore County
DPW	Baltimore City Department of Public Works
HB843	Maryland House Bill 843, which established the Task Force
Intermunicipal Agreement	An arrangement between or more municipal parties to purchase or supply water or wastewater, conduct joint operations, or plan capital investments.
KPI	Key Performance Indicator
MEDCO	Maryland Economic Development Corporation
Memorandum of Understanding	A type of (generally) non-binding agreement between two or more parties for the purposes of providing water or wastewater services.
NewGen Report	Previous report completed in 2021 by NewGen, a consulting firm
Rates	The price associated with the purchase of water or wastewater services from a public entity
Special District	An independent governmental entity established for the purpose of providing water, wastewater services, or both to retail customers.
Task Force	Baltimore Regional Water Governance Task Force established by HB843
Wholesale Service Purchase Agreement	A contract to procure water or wastewater services between two or more parties. In the case of water utilities, one party purchases bulk water from another to fulfil retail demand. For wastewater, one party pays the other to handle the treatment process.



## 1. INTRODUCTION

House Bill 843 (HB843) established the Baltimore Regional Water Governance Task Force (the Task Force) to study approaches for the governance of drinking water and wastewater supply and treatment in the Baltimore region and recommend a governance model best suited for the region. The impetus for this came from the findings of a joint analysis undertaken by the City and County on existing business processes governing the region's water and wastewater system (the NewGen findings). The NewGen findings recommended exploring new governance model options for the region's water and wastewater system.

The Task Force is deliberating on alternative governance models for the Baltimore region's water and wastewater system through a series of public meetings between September 2023 and January 2024. The Task Force plans to adopt a final recommendation in its last meeting scheduled for 25 January 2024. WSP has been supporting the Task Force in this important and historic effort by providing the analyses required and facilitating Task Force meetings.

The objective and purpose of this report is to consolidate the analyses conducted and discussions had so far as part of Task Force meetings and present it in a digestible manner to facilitate the Task Force in making a final recommendation. The report is organized as follows:

- Sections 2 and Section 3 provide a background on the genesis of the Task Force, its charge, and the objective and purpose of this report
- Section 4 explains WSP's approach to the analysis presented in the report, which is largely guided by HB843
- Section 5 presents a comprehensive overview of the as-is state of the Baltimore region's water and wastewater system is presented in to set the stage for the assessment and recommendations on alternative governance models. It covers the assets, organizational structure at the City Department of Public Works (DPW) and the County Department of Public Works and Transportation (DPWT), existing agreements and division of roles and responsibilities between the City and the County, the financial state of the utilities, and a summary of the NewGen findings.
- Sections 6 through 8 present the systematic analysis undertaken to select, shortlist, and assess alternative governance models for the Baltimore region. For each model considered, a detailed structure and framework explaining who will undertake key roles and responsibilities is presented to help the Task Force come to a final decision on the new governance model.
- Section 9 presents the final recommendations.
- Section 10 lists the next steps anticipated after the publication of this report.

This report and the Task Force's recommendation will be discussed at the penultimate meeting of the Task Force scheduled for January 8, 2024. It is anticipated that the final recommendation and report from the Task Force will be adopted during the last Task Force meeting on January 25, 2024. On or before January 30, 2024, the Task Force is required under HB843 to report its findings and recommendations to the Mayor of Baltimore City, the County Executive of Baltimore County, the Governor, and, in accordance with § 2-1257 of the State Government Article, the General Assembly.



## 2. BACKGROUND

This section presents a background of the developments that led to the formation of the Task Force and the publication of this report.

### **NewGen business process review study of 2021 revealed gaps in service and identified areas for improvement.**

Baltimore City and Baltimore County jointly engaged consultants—NewGen—to study the business processes of the region’s water and sewer service delivery system, which culminated in a report delivered in July 2021 (NewGen report). This study was meant to inform the City and County’s efforts to execute their shared vision for a “Utility of the Future”; characterized by improved service quality through enhanced intergovernmental coordination and improved business processes and policies. The purpose of the study was to:

- Understand the current state of the structures and processes for the delivery of water and wastewater services, including operations, planning, and billing;
- Identify strengths and weaknesses of the current governance, planning, data management, and operations of the water and wastewater utilities; and
- Identify opportunities to improve interjurisdictional collaboration.

The NewGen report identified the strengths and weaknesses of the governance structure as of July 2021 and potential areas for improvement in service delivery. It presented several models of governance and operations that may provide optimal customer service, system reliability, or interjurisdictional collaboration, and specifically recommended the exploration of alternative governance structures.

### **House Bill 843 was passed and approved in April 2023 to further explore NewGen’s recommendations.**

The findings in the NewGen report provided, in part, the impetus for House Bill 843 which was passed by the Maryland General Assembly and approved by the Governor in April 2023. House Bill 843 established the Baltimore Regional Water Governance Task Force (the Task Force) to study approaches to governance of water and wastewater supply and treatment in the Baltimore region and recommend a governance model best suited for the region.

### **HB843 specifies the task force’s charge and the criteria for assessing governance model options.**

The Task Force is charged with:

- Reviewing the findings of the NewGen Report relating to organizational structure of the water and wastewater utilities in Baltimore City and Baltimore County.<sup>1</sup>
- Reviewing the examples and case reviews of governance models including, regional governance models provided in the NewGen report and assess how these models may improve management, operations, employee recruitment, retention and training, billing and collections, planning for capital improvements, emergency management, and rate stability for customers.<sup>2</sup>
- Assessing alternative governance structures for the Baltimore region’s water and wastewater utilities, including frameworks for governance, financing, capital planning, future system expansion, decision-making processes, and ongoing operations and maintenance of safe, efficient, equitable, and affordable water and wastewater systems serving the Baltimore region.<sup>3</sup>
- Analyzing the fiscal implications and efficiencies of each alternative governance model including estimated short- and long-term costs, 10-year historical costs that both jurisdictions have paid to the utility, and cost-savings associated with: system transitions, asset leases and capital planning, rate restructuring for Baltimore City, Baltimore County, and other wholesale stakeholders, debt

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<sup>1</sup> §1(g)(1), HB843.

<sup>2</sup> §1(g)(2), HB843.

<sup>3</sup> §1(g)(3), HB843.



consolidation and extension, staffing and pension liabilities, and other relevant costs to jurisdictions or customers served by the shared systems.<sup>4</sup>

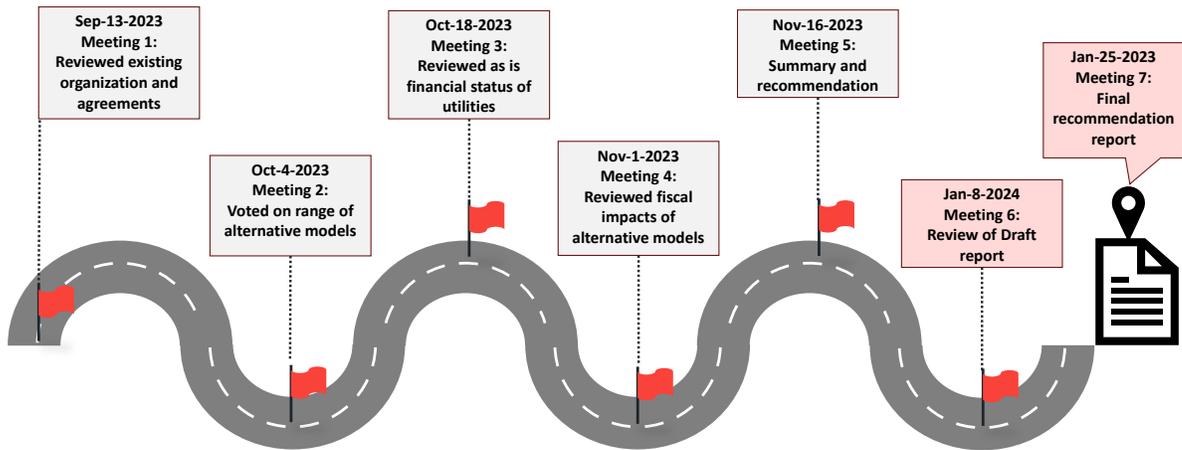
- Recommending the governance model best suited for the Baltimore region’s water and wastewater systems along with the legislation and funding to establish the recommended model.<sup>5</sup>

The scope of the Task Force’s charge and the criteria specified for assessing the governance models specified in HB843 forms the basis for the analysis presented in this report. **Section 4** describes how we have adopted and interpreted these criteria to guide our analysis.

**The Task Force has been fulfilling its charge through a series of public meetings starting in September 2023.**

The purpose of the public meetings is to encourage deliberation and discussion among the Task Force members aimed at reaching a recommendation on an appropriate governance model for the Baltimore region. The format of these public meetings is designed to present the information and analysis that the Task Force needs to fulfill its charge, facilitate discussions and votes among Task Force members on key issues and topics of interest, and solicit input from the public.

**Figure 1** shows where the Task Force is in the process of reaching a final recommendation. Five of the seven public meetings, shown in the Figure, have concluded. In the first four meetings, the Task Force reviewed the existing organization and agreements governing the utilities (Meeting 1), voted on a range of alternative models for further consideration (Meeting 2), reviewed the as-is financial status of the utilities (Meeting 3) and the fiscal impacts of the alternative governance models (Meeting 4). During Meeting 5, the Task Force further narrowed the range of alternative models to two from three and gained a deeper understanding of the issues and choices involved in transitioning to a new governance model. Meetings 6 and 7 will include a review and adoption of the draft and final reports, respectively.



**Figure 1: Overview and schedule of Task Force Meetings**

<sup>4</sup> §1(g)(4), HB843.

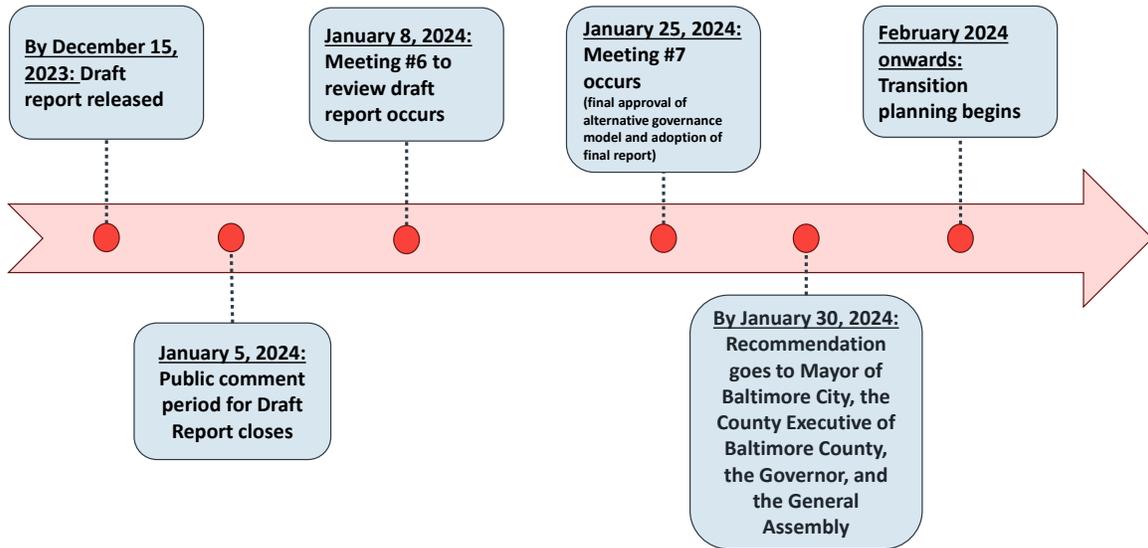
<sup>5</sup> §1(g)(5), HB843.



### 3. OBJECTIVE AND PURPOSE OF THIS REPORT

WSP is charged with supporting the Task Force to reach a recommendation on a governance model best suited for the Baltimore region’s water and wastewater system. To do this, WSP conducted analysis and produced materials to facilitate discussions at the public meetings and responded to specific inquiries from members of the Task Force and reviewed and responded to comments made by the public. These materials were published on the Task Force websites maintained by the City of Baltimore and Baltimore County.

The purpose of this report is to consolidate the evaluation in a digestible manner and present a recommendation for further consideration to the Task Force and the public. This report will be open for public comment until 5:00 P.M. on January 5, 2024, and discussed at the next meeting of the Task Force scheduled on January 8, 2024. It is anticipated that a final Task Force report will be adopted at the last meeting of the Task Force scheduled on January 25, 2024. On or before January 30, 2024, the Task Force is required, under HB843, to report its findings and recommendations to the Mayor of Baltimore City, the County Executive of Baltimore County, the Governor, and, in accordance with § 2–1257 of the State Government Article, the General Assembly. **Figure 2** presents the next steps expected in the path to reaching a final recommendation on the governance model for the Baltimore region’s water and wastewater utilities.

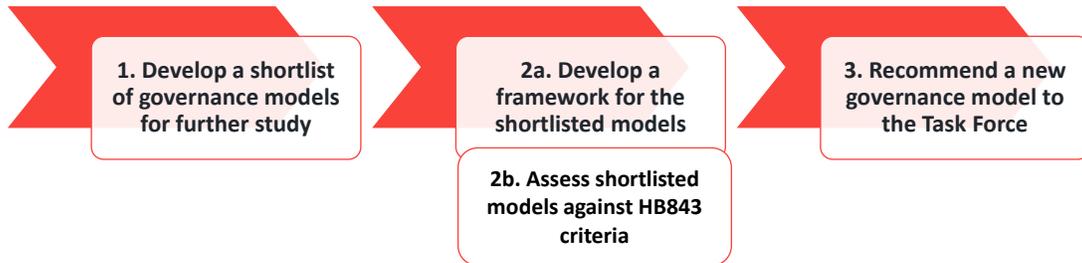


**Figure 2: Next steps for reaching a final recommendation.**



## 4. APPROACH

The analysis and recommendations presented in this report are founded on work already done as part of the NewGen business process review study and the guidance set out in HB843, as shown in **Figure 3**. The governance model examples, and case studies presented in the NewGen report serve as a starting point for the review, assessment, and selection of a new governance model (this assignment). The scope of charge and the criteria for assessing governance model options set out in HB843 guides the approach for this assignment. Our approach was further shaped by input from the Task Force and the public.



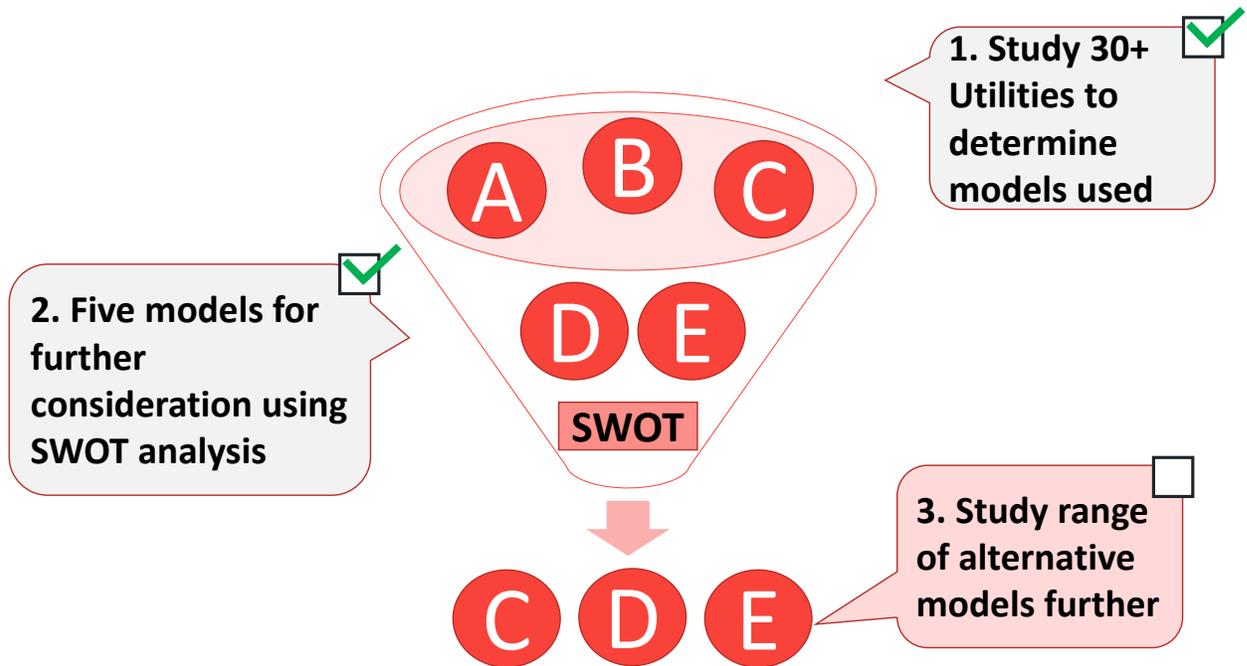
**Figure 3: Overview of our approach to the assignment**

The approach to this assignment can be broken down into three steps as shown in **Figure 3**:

- Step 1: Develop a shortlist of governance models for further study.
- Step 2a: Develop a framework for the shortlist of governance models.
- Step 2b: Assess shortlisted models against criteria set out in HB843.
- Step 3: Recommend a new governance model to the Task Force.

### Step 1: Develop a shortlist of governance models for further study

The purpose of this step was to narrow the focus of the Task Force’s discussions early in the process, to allow the Task Force to have in-depth discussions on a shortlist of models and reach a final recommendation. Recognizing that time is of the essence, and that HB843 specifically dictates that the Task Force use the models from the NewGen report as a basis, WSP started with the models identified in the NewGen report and supplemented them with further research to carry out a preliminary assessment to filter out models that do not merit further study. Developing a shortlist early in the process allowed the Task Force to have more in-depth discussions and allowed WSP to provide more detailed and focused supporting information. Our approach is summarized in **Figure 4**.



**Figure 4: Approach to developing a shortlist of governance models**

Step 1 involved the following tasks:

- Review the governance model examples and case studies presented in the NewGen report:** The NewGen report presented four “legal structures” for utilities that collaborate with each other— memorandums of understanding, cooperatives, wholesale service purchase agreement, and special district or water/wastewater authority. These models, referred to as Models A, B, D, and E, respectively, served as the starting point for study of the alternative governance models. The NewGen report characterized the existing status quo City-County utility relationship as having “agreed to forms of wholesale service purchase arrangements, collaborative resource development and contract services arrangements. WSP termed the City DPW to County DPWT arrangement as an intermunicipal agreement, or Model C, based on the team’s best professional knowledge about similar additional models that commonly exist beyond the research in the NewGen report.
- Study other utilities in comparable cities and regions to demonstrate the prevalence of each model:** To provide examples of each model, WSP went through several examples based on pre-established criteria and sought to identify their model type along with other key criteria. This also served as a means to test the assumption that these five models would encompass the overwhelming majority of utilities in comparable cities. We provided the research on utilities attached as Appendix A to this report.
- Prepare a list of five governance models for consideration based on a review of the NewGen report and the study of 30+ utilities:** Based on a review of the NewGen report and the 30+ utilities, we arrived at a list of five governance models or legal structures commonly used by utilities. These are a) memorandums of understanding (Model A), b) cooperatives (Model B), c) intermunicipal agreements (Model C), d) wholesale service purchase agreements (Model D), and e) special districts or water/wastewater authorities (Model E). As suggested by HB843, the names of these models were prescribed by the NewGen report options.



### BOX 1 :GOVERNANCE MODEL TERMINOLOGY

To ensure consistent use of terminology and ease of reference, we named each of the models as follows:

- Model A: Memorandum of Understanding
- Model B: Cooperatives
- Model C: Intermunicipal agreements
- Model D: Wholesale service purchase agreements
- Model E: Special District/Water and Wastewater Authority or Special District/Authority

- ***Filter out models that are less suited for the Baltimore region based on a SWOT analysis:***  
To arrive at a short list of models for further study by the Task Force, we performed a SWOT analysis (See **Box 2** for an explanation). The purpose of the SWOT analysis was to provide a framework to present comparative advantages and disadvantages of each of the five models under consideration and to facilitate Task Force discussion on which models merit further study for the Baltimore region. Findings from the SWOT analysis are presented in Section 6 in the context of the selection of alternative governance models for further study.

### BOX 2: WHAT IS A SWOT ANALYSIS

A SWOT analysis is a qualitative analytical tool for strategic options analysis. It involves identifying the strengths (S), weaknesses (W), opportunities (O), and threats (T) of each option to enable comparisons between options and to shape decision-making. The approach is limited in that it does not yield quantitative scores to enable direct comparison and is not amenable to in-depth analysis of each option. However, it provides a useful framework to think about comparative advantages or disadvantages of each model, especially at a preliminary stage of analysis.

We performed the SWOT analysis of each of the five models against each of the eight criteria set out in HB843. HB843 requires the Task Force to “assess how different regional approaches may improve” management; operations; employee recruitment; retention and training; billing and collections; planning for capital improvements; emergency management; and rate stability for customers. **Box 3** explains how we interpreted these criteria in carrying out the assessment. The results of the SWOT analysis are summarized in Section 6 of this report and the detailed SWOT analysis is presented in **Appendix B**.



### BOX 3: INTERPRETATION OF ASSESSMENT CRITERIA IN HB843

HB843 lists the following 8 criteria for assessing each governance model but does not define these terms. In carrying out the assessment, we examined how the inherent characteristics of each governance model would influence outcomes relating to each criteria. In the context of assessing the governance models, we understood these terms as follows:

- **Management** is understood as the tasks and processes through which executive decisions and policy decisions are made. Specifically, for the Baltimore region, the ability to collaborate or integrate policy decision making at the regional level was an important consideration in the assessment of governance models.
- **Operations** means the tasks and processes associated with operations and maintenance of a water and wastewater utility with the ultimate goal of ensuring good quality service to customers in an affordable and equitable manner. Here too, the ability to consolidate and seamlessly integrate some O&M functions or at least boost interjurisdictional collaboration was a key factor in the assessment.
- **Employee recruitment and retention and training** is an important issue that was highlighted in the NewGen report as well as through public comment during the Task Force meetings. In the context of our assessment, we examined how organizational systems and processes inherent to each model would influence outcomes relating to employee morale, retention, capacity building, and skill development.
- **Billing and collections:** Given the unique split of functions between the City and County in regards to billing and collections, this term is understood as the commercial policies and process that influence billing efficiency, accuracy, and collection rates.
- **Planning for capital improvements** is understood as the consolidated set of tasks and processes involved in planning and expanding capacity to meet demand. In our assessment, the ability of a model to deliver economies of scale in capital planning and execution was an important consideration.
- **Emergency management** refers to the approaches to manage droughts and other natural calamities in the Baltimore region.
- **Rate stability for customers:** In assessing the impact of governance model change on rate stability, we considered how each governance model would affect rate predictability, rate stability, and rate structures. Rate Affordability means the ability to minimize rate increases (based on cost savings from efficiencies and economy of scale). Rate predictability means 5-year schedule of rate projections are published annually and revised periodically. Rate structure for retail customers means that large changes in utility bills do not occur resulting from the transition to a difference governance alternative and consolidation of City and County retail rate structures into a single rate structure. Rate structure for wholesale customers means that there is an established wholesale rate structure that does not require wide year to year fluctuations in capital cost contributions.

#### Step 2a: Develop a framework for the shortlist of governance models

The purpose of this step is to develop a deeper understanding of each of the three shortlisted models by defining the structure and framework for each model. To do this, we followed an iterative process. First, we



developed an indicative structure along with an overview of roles and responsibilities for major functions such as policy decision making, rate setting, capital planning, financing, and retirement and pensions. Then we introduced the framework set out in HB843 to further define these 3 models. HB843 requires the Task Force to “assess alternative governance structures for the Baltimore region’s water and wastewater utility, including frameworks for” governance, financing, capital planning, future system capacity expansion, decision-making processes, and ongoing operations and maintenance of safe, efficient, equitable, and affordable water and wastewater systems serving the Baltimore region (Ongoing O&M).<sup>6</sup> **Box 4** captures how we interpreted these terms in developing the frameworks.

Simultaneously, we also started defining transition-related issues and decisions that would need to be addressed in case of transitioning to any of the 3 models. This analysis included discussing the fiscal impacts of transition. Finally, we developed a consolidated set of frameworks for the 3 shortlisted models as required under HB843 and defined in greater detail the choice points, issues, and policy decisions that would need to be addressed under each model.

#### **BOX 4: INTERPRETATION OF FRAMEWORKS IN HB843**

HB843 lists 6 topics based on which the Task Force must assess alternative governance structures. These topics are not defined any further in the legislation. In developing the frameworks set out in HB843, we defined the topics as follows:

**Governance** refers to the policy-making body that makes policy decisions, such as a Board, and its composition.

**Financing** is understood as the sources of funding and financing available to a utility to meet capital and operating expenses as well as the process for raising financing needed.

- **Capital planning and future system capacity expansion** (two separate criteria in the legislation) are understood together to mean the processes involved in planning for and expanding capacity needed to meet demand.
- **Decision-making processes** are understood to represent the consolidated set of business and operational processes that cuts across all utility functions, which are different from policy decisions.
- **Ongoing operations and maintenance of safe, efficient, equitable, and affordable water and wastewater systems serving the Baltimore region** (hereafter, “Ongoing O&M”) is understood to mean the traditional operations and maintenance processes with a goal of providing good quality service to customers at an affordable and equitable price.

The extent to which interjurisdictional collaboration and cooperation would be feasible is an important, cross-cutting consideration in developing the framework for each model along the six topics listed above.

### **Step 2b: Assess the shortlisted governance models against criteria set out in HB843**

Steps 2a and 2b occurred somewhat concurrently. The iterative process of defining the framework of each governance model in Step 2a fed into the assessment of the shortlisted models in Step 2b. Keeping with our approach of building on work already done by NewGen and the guidance provided in HB843, we structured the assessment as shown in **Figure 5**. We first categorized the performance gaps or areas for improvement from the NewGen report by the eight criteria i.e., management, operations, employee recruitment; retention and training; billing and collections; planning for capital improvements; emergency management; and rate stability for customers. To do this, we selected the areas listed for improvement from the NewGen Report that most closely appeared to relate to that areas of potential improvement identified in

<sup>6</sup> §1(g)(3), HB843.



HB843. The Consultant then prepared a side-by-side comparative matrix to illustrate qualitatively the differences between the governance models under consideration for each area of improvement.

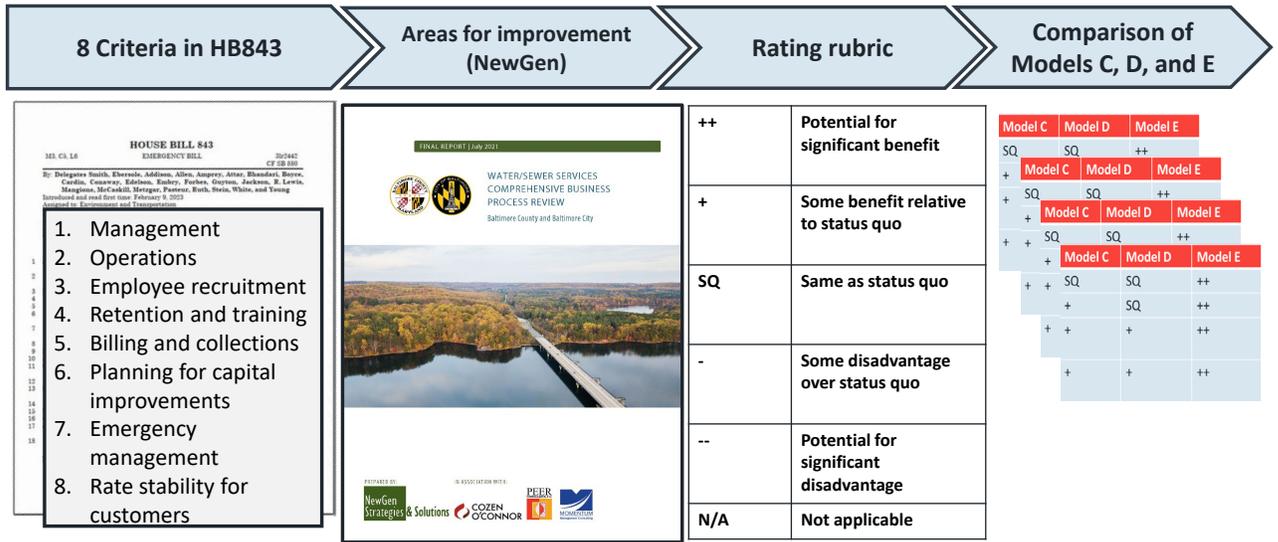


Figure 5: Approach to assessing governance models against HB843 criteria

We then assessed how each governance model would impact each area for improvement, using a rating rubric. The rating rubric is a 6-point qualitative scale developed based on the status quo as the reference point. Status quo means the current state of affairs as represented in Section 5: As-Is State of Baltimore Utilities. The ratings in the rubric are as follows:

- ++ represents significant improvement over the status quo.
- + represents some improvement over the status quo
- SQ means no improvement over status quo
- - means some disadvantage over status quo
- -- means there is potential for significant disadvantage over status quo
- N/A means not applicable

The qualitative ratings criteria were selected simply to put the potential for improvement on a simple, ordinate scale. WSP used the status quo as a mid-point of reference for establishing the range of potential improvement and indicated that there would be opportunities for either “some” or “significant” benefit, or disadvantage, relative to the status quo.

### Step 3: Recommend a new governance model to the Task Force

The goal in this step was to develop a fit-for-purpose recommendation for the consideration of the Task Force that considers the practicalities and feasibility of implementation. We defined a set of transition-related issues and considerations to keep in mind for each governance model. We adopted a consultative process— input from Task Force members, representatives at the Baltimore City and the Baltimore County, as well as the public was critical in developing the final recommendation. As required by HB843, we consulted with the Maryland Department of the Environment and the Maryland Environment Service.

An important task that fed into this step was assessing the impacts of transition using the guidance in HB843. HB843 requires the Task Force to analyze the fiscal implications and efficiencies of each alternative governance structure, including estimated short- and long-term costs, 10-year historical costs that both jurisdictions have paid to the utility, and cost-savings associated with: systems transitions; asset leases and capital planning; rate restructuring for Baltimore City, Baltimore County, and other wholesale



stakeholders; debt consolidation and extension; staffing and pension liabilities; and other relevant costs to jurisdictions or customers served by the shared systems.

It is to be noted that much of the impact assessment was qualitative in nature. It was difficult to quantify the impacts of transitioning to each model without visibility on some of key policy decisions needed to implement/execute each model. However, most key policy decisions would be made only at the implementation stage after a final recommendation is made.

## Other considerations that shaped the approach

Apart from the guidance in HB843, several topics or issues of concern raised by Task Force members as well as the public were considered in our analysis. These can be categorized as follows:

**Follow ups:** At each meeting, Task Force members requested us to follow up on several items relating to the as-is state of the utilities, nuances of the governance models being evaluated, rate setting, inter-jurisdictional collaboration, cost allocation, and implementation considerations. These were recorded at the end of each meeting and responses were provided either in the following meeting or separately, in a written format. Where relevant or appropriate, these follow up items have been weaved into the discussion in later sections. A list of all the follow up items raised so far are listed in **Appendix C** along with an explanation of how these have been addressed. These were also published on the Baltimore City and Baltimore County websites, as appropriate.

**Public comments:** Comments from members of the public have been recorded and responded to in the form of a public comment summary. These are published on the Baltimore City and Baltimore County websites.

**Stormwater management:** Considering Councilwoman Ramos's representation to the Task Force and following discussions among Task Force members, we were asked to gather additional information on whether utilities that we researched as part of Step 1 provide stormwater services. We provided this information as part of the research on utilities attached as **Appendix A** to this report.

**Affordability and equity:** Members of the public and the Task Force expressed concern regarding the impact that transitioning to a new governance model would have on affordability of and equitable access to water and wastewater services in the Baltimore region, particularly for economically and socially disadvantaged residents. We acknowledge the importance of this issue and suggest that these impacts be studied during the implementation stage. A recommendation to this effect is included in **Section 9**.

**Consultations with other utilities and Maryland Government agencies:** To satisfactorily address some of the follow ups relating to transition-related steps and impacts, we consulted with MEDCO, legal counsel to the City of Baltimore and the Baltimore City DPW, as well as other utilities that had undergone similar governance changes. These consultations are referred to as appropriate throughout the report.



## 5. AS-IS STATE OF BALTIMORE UTILITIES

This section provides an overview of the current state of the water and wastewater utilities in the Baltimore region and is organized along the following topics:

- Existing agreements
- Asset overview
- Organizational structure
- Current division of roles and responsibilities in service delivery; and
- As-is financial state of the utilities.

### Existing Agreements

Both the City and County enterprises are governed by four (4) key instruments: The Metropolitan District Act of 1924, the Acts of 1945, the 1972 Water Agreement, and the 1974 Sewer Agreement. For water and wastewater in the areas of distribution, treatment, planning, design, and construction, these agreements remain central to the division of responsibility between the City and County.

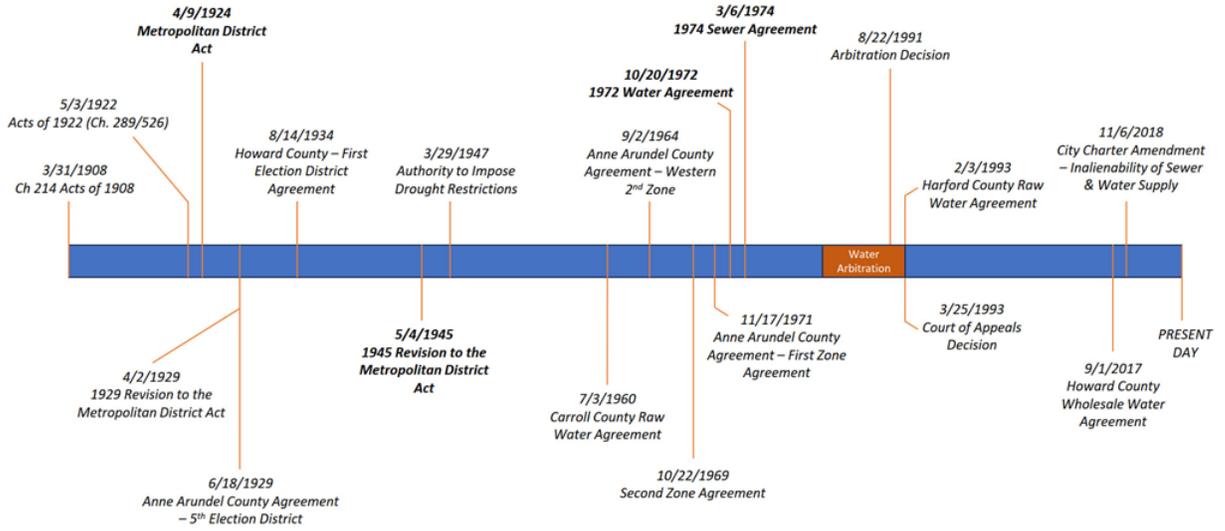
Passage of the Acts of 1924 created a Metropolitan District in Baltimore County that was contiguous with Baltimore City. This Act addressed water supply, sewerage and stormwater drainage systems, it chartered responsibility for the raising of funds, setting water and sewer rates, as well as vested Baltimore City with certain powers and obligations for the operation & maintenance of district systems. Essentially, this legislation formalized the City's obligation to furnish water to Baltimore County at cost vis-à-vis water supply lines into the Metropolitan District.

The Maryland General Assembly's passage of the Acts of 1945 set the rules and procedures by which water service rates would be charged by the City to County customers, and informally the method for determining said charges to the City for furnishing water to the County residents.

The 1972 Agreement was intended in part to address the calculation of rates and costs between the City and County. This agreement established a methodology for apportioning the City's cost of supplying water to customers in the Metropolitan District of Baltimore County.

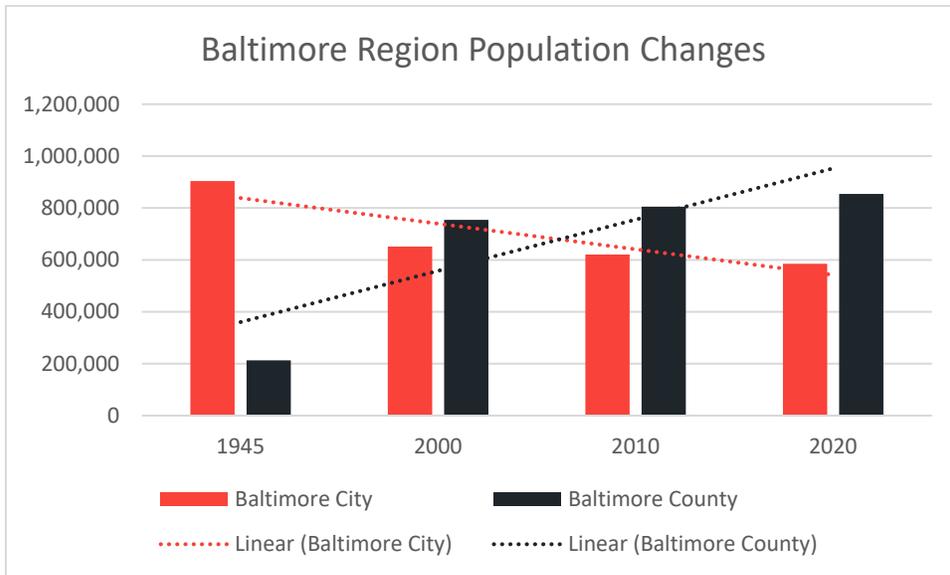
However, the terms of the 1972 Agreement would be amended as a result of the City and County's disagreement over the terms for how costs to the City for the supply of water were to be calculated. This issue was resolved through an Arbitration Board Decision in 1991. The result of this decision led directly to the City's adoption of the utility basis for determining cost to the City.

Baltimore City's responsibility for the treatment of both the City and County's wastewater is governed by the 1974 Sewer Agreement. Because the City and the County owns and operates their respective wastewater collection systems, the agreement mostly regulates system interconnections and cost share. There are other agreements and policy documents that have shaped the requirements, rates, and costs for delivery and treatment of water and wastewater, respectively, for the City and the County, and these are visually outlined in the timeline graphic below which is partially borrowed from the NewGen report. A timeline of the legislation and agreements that have shaped the current arrangement between the City and the County is shown in **Figure 6**.



**Figure 6: History of legislations and agreements governing the Baltimore water and wastewater system**

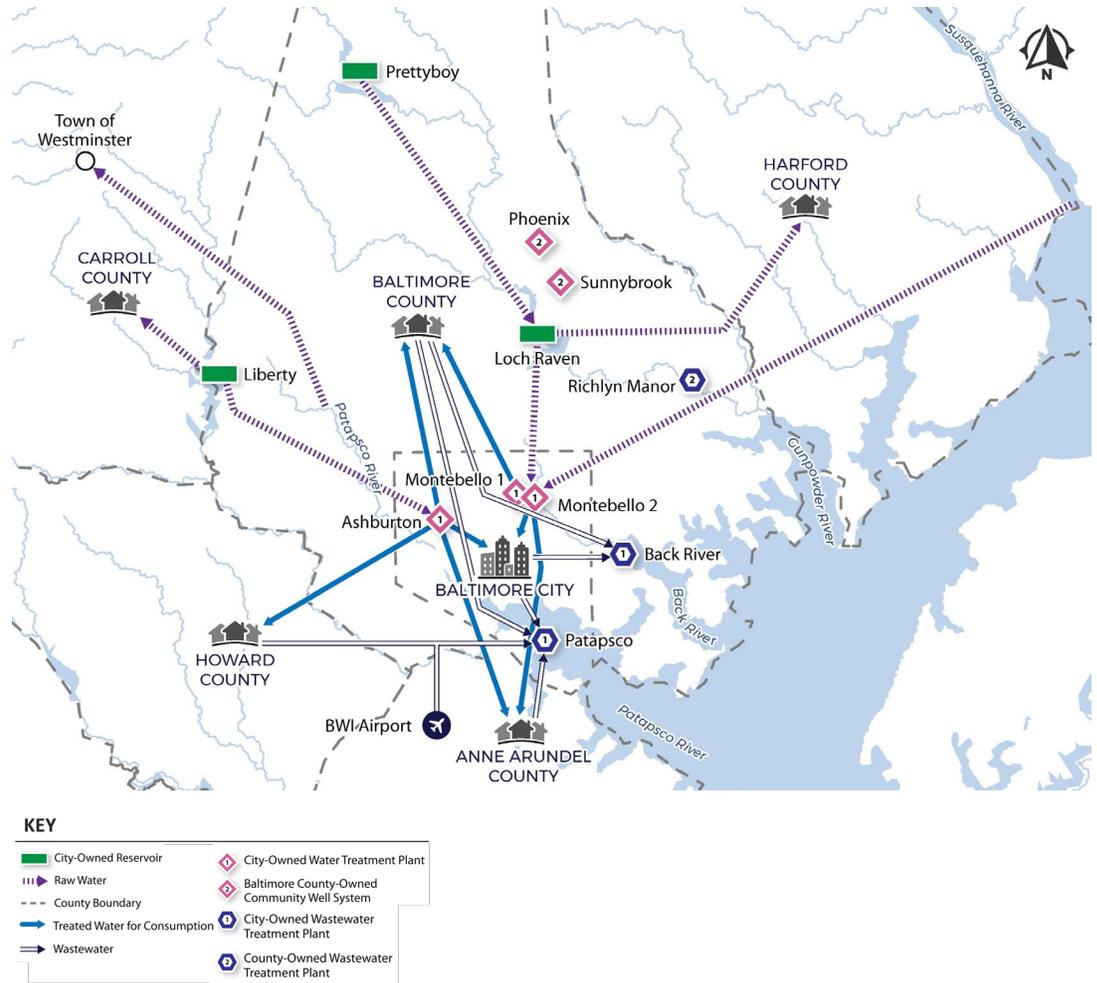
This agreement history is the basis for how the City and County partner with one another for the provision of drinking water and wastewater services. Further, as shown in **Figure 7**, the ratio of the City’s population to the County’s has markedly shifted since these agreements were put in place and that has implications for how the City and the County share costs to maintain critical water and wastewater services for customers.



**Figure 7: Baltimore Region Population Changes (Source: Census Data)**

**Asset overview**

**Figure 8** below presents an overview of the drinking water and wastewater assets in the Baltimore region.



**Figure 8: Drinking water and wastewater asset overview**

**Drinking water**

Baltimore City’s Bureau of Water and Wastewater within the Department of Public Works, provides water to 1.8 million customers, approximately 72.1 billion gallons annually, via approximately 3,700 miles of pipeline. The water system serves Baltimore City and parts of Baltimore, Anne Arundel, Carroll, Howard, and Harford Counties. The water system provides water to Baltimore County at retail rates, to Howard and Anne Arundel Counties at potable wholesale rates, and to Harford and Carroll Counties at wholesale raw water rates.

Baltimore City-owned water system major assets include 3 raw water reservoirs: Liberty, located in western Baltimore County and eastern Carroll County; Loch Raven, located in central Baltimore County; and Pretty Boy, located in northwest Baltimore County. Three water treatment plants— Ashburton, Montebello I, and Montebello II, provide treated water to the region. All three treatment facilities are located in Baltimore City. The system also includes 19 pumping stations and 20 storage tanks/reservoirs. Baltimore County-owned (and located) water system major assets include community well systems at Phoenix and Sunnybrook.

**Wastewater**

Baltimore City’s Bureau of Water and Wastewater within the Department of Public Works manages the collection and treatment of wastewater from the Baltimore metropolitan region. The wastewater system includes 1,400 miles of sewer main in Baltimore City and 2,100 miles of sewer mains in Baltimore County.

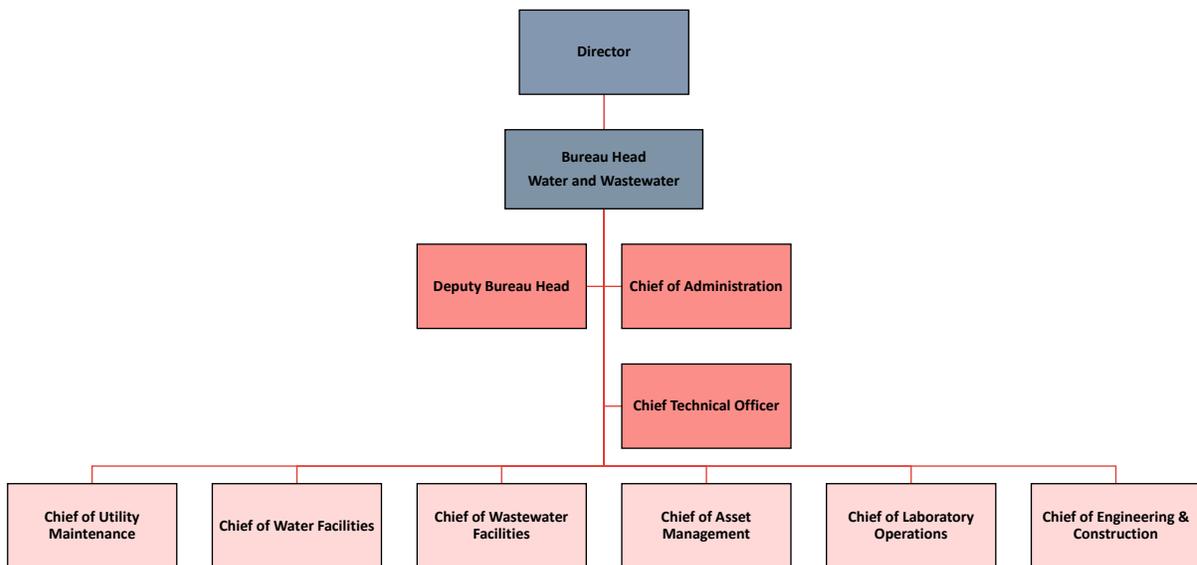


Baltimore City-owned wastewater system major assets include two wastewater treatment facilities (250 MGD capacity) at Back River and Patapsco. The wastewater system includes 9 pumping stations owned by Baltimore City and 120 pumping stations in Baltimore County.

## Organizational structure

### *Baltimore City Department of Public Works: Bureau of Water and Wastewater*

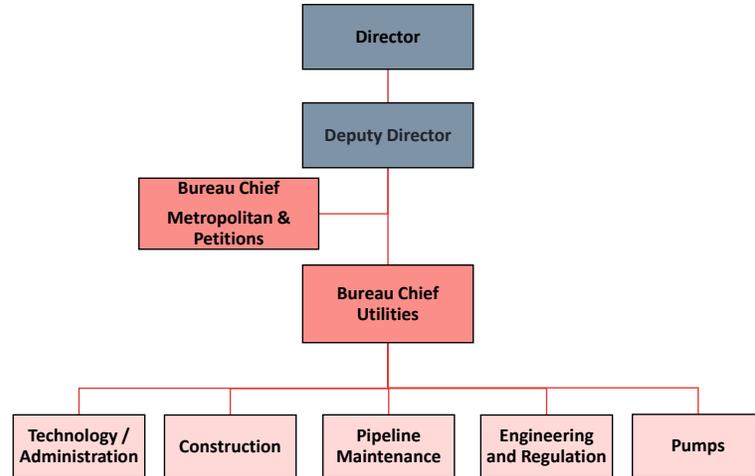
The Baltimore City Department of Public Works is responsible for providing safe drinking water and wastewater processing for the region, in addition to maintaining the public water infrastructure. The Director leads the organization and is responsible for the agency’s overall management and operations. The Bureau of Water and Wastewater, led by the Bureau Head, manages the operations of the water system, including the production and transportation of drinking water, the collection and treatment of wastewater, and the metering and billing of accounts for its retail and wholesale customers. The Bureau also manages the water system assets for the City. As shown in the organizational chart in **Figure 9**, the Bureau Head manages a Deputy Bureau Head and the leaders of the following divisions/functions: Water Facilities, Wastewater Facilities, Engineering & Construction, Asset Management, Utility Maintenance, Technical, Laboratory Operations, and Administration. **Figure 9** presents the organizational structure of the Bureau of Water and Wastewater within the Baltimore City Department of Public Works.



**Figure 9: Baltimore City Bureau of Water and Wastewater Organizational Chart**

### *Baltimore County Department of Public Works and Transportation: Bureau of Utilities*

In addition to transportation, highways and solid waste activities, the Baltimore County Department of Public Works and Transportation is responsible for maintaining the County’s water and sewer infrastructure and related work. The Director is responsible for the agency’s overall operations. The Bureau of Utilities within the Department of Public Works and Transportation manages the operations of water and sewer services in the County. The Bureau is led by the Bureau Chief of Utilities. The divisions reporting directly to the Chief are: Technology, Administration, Construction, Pipe Maintenance, and Engineering and Regulation. The organizational chart of the Bureau of Utilities within the Baltimore County Department of Public Works and Transportation is shown in Figure 10 .



**Figure 10: Baltimore County Department of Public Works: Bureau of Utilities organizational chart**

The Metropolitan Finance & Petition office is responsible for customer billing for the County and its duties include responding to and processing inquiries for water and sewer availability and requests for petitions to extend water and sewer lines, determining the water and sewer charges appearing on annual tax bills, and calculating and administering wastewater credit allowances. The Bureau Chiefs of Utilities and Metropolitan Finance & Petition report to the Deputy Director.

### Current division/understanding of roles and responsibilities

Pursuant to the agreements, certain major functions are either shared or handled independently by the City or the County. The relationship between the City and the County’s respective utility enterprises is primarily based on the handling of these functions. The WSP team has explored each of these areas in order to make its recommendations for a governance model. It is useful to clarify the current state of responsibilities before turning to the ways in which a new governance model would alter & improve certain functions.

**Figure 11** presents a summary of the division of roles and responsibilities between the City and County in water and wastewater service delivery.

	MAJOR FUNCTION	RESPONSIBILITY
 WATER	1. Rate Setting	• Mostly set independently by each jurisdiction
	2. Customer Billing	• County for its Water Distribution Charge, City for other rates
	3. Raw Water Supply & Treatment	• City
	4. System Maintenance & Operation	• City
	5. Development Approval	• Handled independently by each jurisdiction
	6. Water Facility Master Planning	• Handled jointly through Water Analyzer Office
	7. CIP – Planning & Implementation	• County for projects serving County customers, City for others
 WASTEWATER	1. Rate Setting	• Set independently by each jurisdiction
	2. Customer Billing	• Handled independently by each jurisdiction
	3. Wastewater Treatment	• City
	4. System Maintenance & Operations	• Handled independently by each jurisdiction
	5. Development Approval	• Handled independently by each jurisdiction
	6. Wastewater Facility Master Planning	• Handled independently by each jurisdiction
	7. CIP – Planning & Implementation	• Handled independently by each jurisdiction

**Figure 11: Roles and responsibilities in service delivery**

#### Water

- Rate setting: The majority of rate setting is handled independently for each jurisdiction. For services that the City provides for the County, the County establishes rates and the City implements the rates.



- Customer billing: Billing and Customer Service for all water customers is the responsibility of the City. This responsibility is currently the purview of the City's Director of Public Works. The City and County both are moving forward with a plan to manage both sets of customer accounts using the same application/customer information system.
- Raw water supply and treatment: Baltimore City delivers drinking water to the City and County, as well as parts of Anne Arundel and Howard Counties at cost. Some raw water is sold to Carroll and Harford Counties.
- System maintenance & operation: Within the City's Department of Public Works (DPW) Bureau of Water and Wastewater (BWW), Baltimore City's Utility Maintenance Division is responsible for preventative and planned maintenance to the City's drinking water assets, and the Water Facilities Division is in charge of treating and distributing drinking water to the City, Baltimore County, and other areas served
- Development approval: Each of the Baltimore region's utilities process development requests, reviews, and approvals independently. Baltimore County's Department of Permits, Approval and Inspections enforces development approval requirements for the County and the City enforces its own standards for development tied to water service.
- Water facility master planning: This function is managed by the City's utility, notwithstanding the ostensible role of the Water Analyzer Office to facilitate collaboration on this function with Baltimore County. However, plans and costs for water capital facilities are shared with the County for concurrence.
- Capital improvement planning (CIP) & implementation: Separate CIP programs are maintained by both the City and the County concerning drinking water assets.

### *Wastewater*

In the case of wastewater, each jurisdiction exclusively owns and operates the wastewater collection system within their borders. Therefore, the functions of rate setting, customer billing, system maintenance and operations, development approval, wastewater facility master planning, and CIP planning and implementation are handled independently by each jurisdiction. The City is responsible for the wastewater treatment plants.



## As-is Financial Status

### **BOX 5: SUMMARY OF AS-IS FINANCIAL STATUS OF BALTIMORE WATER AND WASTEWATER UTILITIES**

- Baltimore City and Baltimore County use a combination of Fixed Charges and Volumetric Charges to recover the costs of water and wastewater service. There are significant differences in the water and wastewater rate structures between the City and the County. In general, the County relies more on revenues from Fixed Charges than the City does.
- Both the City and the County have raised water and wastewater rates on an annual basis in recent years. These rate increases have been to accommodate inflation, and the need for capital investment to address consent decrees and make needed replacements and upgrades to water and sewer infrastructure.
- Both the City and the County are able to meet the financial performance requirements of their respective debt covenants.
- Looking ahead, there will be continued pressure for further rate increases, regardless of the governance alternative selected. There are several items affecting the need for future rate increases:
  - Continued inflation on consumables, parts and supplies, capital project costs, and personnel costs.
  - One-time Baltimore City salary increases adopted in September 2023, which were based on the Compensation Study commissioned by the City. City staff report that the estimated budgetary impact of these salary increases is approximately \$15 million per year.
  - Continued capital improvements to address Consent Decrees, including the 2023 Consent Decree related to operations at the Back River and Patapsco Wastewater Treatment Plants.
    - The City projects \$2.4 billion in capital spending through FY 29, and the County projects \$1.7 billion in capital spending through FY 29.
    - Both the City and the County will rely on future debt as the main source of capital project financing. The amount of debt that the City and the County project to carry in FY 2029 is higher than current debt levels. Both the City and the County are expected to have to increase water and wastewater rates to pay the additional debt service.
- In January 2023, DPW partnered with Promise Pay to offer flexible payment plans to its residential customers. To date, the program has enrolled nearly 2,500 customers with \$3.2M in expected payments. To further address delinquencies, DPW is creating a dedicated team to proactively communicate with delinquent commercial accounts. The team will be formed by early 2024 and delinquent notices to commercial accounts restarted in late-2023.



**Existing rate structures**

The City and County’s rate structures are considerably different. The units of water use, billing frequency, and names of the rate structure components are different. For these reasons, comparing the rate structures is difficult. In general, Baltimore County relies on revenues from fixed charges more than Baltimore City does. Rate and monthly water and wastewater bill comparison considerations were addressed in Task Force Meetings 3 and 4.

**Baltimore City**

Baltimore City bills its customers monthly. Components of the City’s water and wastewater rates are shown in **Table 1**.<sup>7</sup> The City charges an Account Management Fee, which covers the water and wastewater operational costs of supporting meter reading, billing, and customer service, as well as postage and mailing. In FY 2024, the Account Management Fee is \$4.59 per account, which is a fixed charge. Another water Fixed Charge is the Water Infrastructure Charge, which depends on the water meter size. For most residential customers with a 5/8” meter, the monthly charge is \$13.89. For wastewater, there is one Fixed Charge—the City’s Sewer Infrastructure Charge—which is \$11.68 per account for most residential customers (FY 2024).

The City also has Volumetric Charges that depend on metered water consumption. The FY 2024 Water Variable Charge is \$3.85 per hundred cubic feet of water use. The FY 2024 Sewer Volumetric Rate is \$10.15 per hundred cubic feet of water use.

<b>Water and Wastewater Bill Component</b>	<b>Amount (FY 24)</b>	<b>Billing Frequency</b>
<b>Account Management Fee</b>	\$4.59 per account	Monthly
<b>Water Infrastructure Charge</b>	For most residential customers: \$13.89 per account	Monthly
<b>Water Variable Charge</b>	\$3.85 per hundred cubic feet of water use	Monthly
<b>Fire Suppression Fee</b>	\$13	Monthly
<b>Sewer Infrastructure Charge</b>	For most residential customers: \$11.68 per account	Monthly
<b>Sewer Volumetric Rate</b>	\$10.15 per hundred cubic feet of water use	Monthly

**Table 1: Baltimore City water and wastewater rate structure summary**

Some residential customers with fire sprinklers also pay a Fire Suppression Fee of \$13 per month. Residential customers without fire sprinklers do not pay this fee. This fee is charged in lieu of requiring the affected customers to pay a Water Infrastructure Charge associated with the upsized water meter required to accommodate the fire sprinkler system. Commercial customers with private fire service connections pay \$14 per month Fire Protection Fee.

Baltimore City typically raises rates each year. The City’s Board of Estimates has already approved rate increases for FY 2025, consisting of a 3% increase in water rates and a 3.5% increase in wastewater rates. To promote affordable access to service, the City offers water and wastewater rate discounts to qualifying customers through its Water4All Water Discount program.

<sup>7</sup> Current Baltimore City water and wastewater rates can be found on-line at: [https://publicworks.baltimorecity.gov/waterbilling\\_information](https://publicworks.baltimorecity.gov/waterbilling_information)



**Baltimore County**

The City bills County customers for water. The County bills County customers for wastewater and water distribution on property tax bills. Baltimore County’s water and wastewater rates are shown in **Table 2**.<sup>8</sup>

<b>Water and Wastewater Bill Component</b>	<b>Amount (FY 24)</b>	<b>Billing Frequency</b>
<b>Water Distribution Charge</b>	For most residential customers: \$256.54 per account	Annual
<b>Sewer Service Rate</b>	\$74.75 per thousand cubic feet of water use	Annual
<b>Minimum Quarterly Charges</b>	For most residential customers: \$24.54 per account	Quarterly
<b>Quarterly Consumption Charges</b>	\$24.54 per thousand cubic feet of water use exceeding 1,000 cubic feet.	Quarterly
<b>Water Benefit Assessment</b>	\$1.20 per frontage foot	Annual
<b>Sewer Benefit Assessment</b>	\$2 per frontage foot	Annual

**Table 2: Baltimore County water and wastewater rate structure summary**

The County charges a Water Distribution Charge that covers the County’s water system costs that are not associated with the water facilities operated by the City. In FY 2024, most residential customers pay an annual Water Distribution Charge of \$256.54. The County’s Sewer Service Rate is \$74.75 per thousand cubic feet of water use, billed annually as part of the County’s property tax statement.

Construction costs of installing water and sewer mains are recovered through water and sewer benefit assessments (authorized by Baltimore County Code 2015, Section 20-3-201), which are levied on all properties within the Metropolitan District, improved and unimproved, to recover the construction costs of installing water and sewer mains. The charges are on the annual July 1 Property Tax bill and are paid for a 40-year period.

Baltimore County customers are billed for water service by the City, for the costs associated with City-operated facilities. The City bills County customers on a quarterly basis. The City bills contain a fixed Minimum Quarterly Charge (which includes the first 1,000 cubic feet of water use) and a Quarterly Consumption Charge of \$24.54 per thousand cubic feet of water use, which is measured on a quarterly basis.

**Cost Allocation Model**

The Cost Allocation Model (CAM) is a spreadsheet-based set of cost allocation calculations one each for water (water CAM) and wastewater (wastewater CAM). The purpose of the water CAM is to allocate costs incurred by the City for raw water supply, water treatment, and distribution of water in water mains exceeding 12” in diameter. Costs are allocated between Baltimore City, Baltimore County, Howard County, Anne Arundel County, Carroll County, and Harford County. The water CAM contains industry-standard cost allocation methodology, specifically the Base Extra-Capacity methodology described in American Water Works Association publications. The specific calculations are outlined in a 1972 Agreement between the City and the County. The sewer CAM contains apportionments costs for the Joint Use Wastewater Facilities between the City and the County cost allocation methodology that is based on the

<sup>8</sup> Note: Current Baltimore County water and wastewater rates can be found on-line at <https://www.baltimorecountymd.gov/departments/public-works/metro-finance/rates>



terms of the 1974 Agreement between the City and the County. The County’s allocated cost combines the cost responsibility of the County and of the three wastewater wholesale partners: Anne Arundel County, Howard County, and BWI Airport. The County performs subsequent calculations to assign costs to these wastewater wholesale partners.

After the end of each year, audited financial data and water usage reports prepared by the Water Analyzer Office are used to prepare a “true-up statement” which produces cost allocations to each party based on actual data from the previous fiscal year. City and County staff report that the CAM calculations are complicated by the use of different billing systems and billing frequencies for City and County customers. Additionally, since billing, meter reading, and accounting systems have changed over the 30 years since the CAM was first developed, there are some calculations that are no longer functional and input assumptions that are not fully documented.

Although there have been past disagreements between City and County staff also report that in recent years, City and County staff come to an agreement on CAM results and produce the required True-Up Settlement Statements. The County is planning to convert to the same billing system as the City currently uses, which should alleviate some customer data issues.

**Current revenues, expenses, and bond ratings**

**Table 3** summarizes the FY 2022 revenues and expenses for the City’s water and wastewater utilities. Combined water and wastewater revenues were approximately \$556.2 million, which includes approximately \$160.1 million in revenues from Baltimore County and the water and wastewater wholesale partners. In addition to the summary shown in **Table 3**, the City reported FY 22 water and wastewater debt service coverage ratios of 2.61 and 1.29, respectively.

	FY 22, \$M
<b>Baltimore City Water</b>	
<b>Operating Revenues</b>	\$278.3
<b>Expenses</b>	
<b>O&amp;M</b>	\$143.2
<b>Debt Service Interest</b>	\$43.4
<b>Debt Service Principal</b>	\$26.5
<b>Baltimore City Wastewater</b>	
<b>Operating Revenues</b>	\$277.9
<b>Expenses</b>	
<b>O&amp;M</b>	\$162.4
<b>Debt Service Interest</b>	\$39.6
<b>Debt Service Principal</b>	\$51.7

**Table 3: FY2022 Baltimore City water and wastewater revenue and expense summary**

**Table 4** shows a similar financial summary for Baltimore County’s Metropolitan District, which combines its water and wastewater utilities. Total revenues in FY 2022 were \$374.5 million. County staff also reported a FY 2022 senior lien debt service coverage ratio of 1.65 (compared with a target of at least 1.25x) and an “all debt” debt service coverage ratio of 1.28x (compared with a target of at least 1.10x). County staff also report that the Metropolitan District’s FY 2022 ending cash balance (including cash and cash equivalents as reported in its financial audit) equaled 104 days of average daily total expenditures (compared with a target of at least 75 days).



County Metropolitan District	FY 22, \$M
<b>Revenues</b>	\$374.5
<b>Expenses</b>	
<b>O&amp;M</b>	\$201.6
<b>Debt Service Interest</b>	\$64.0
<b>Debt Service Principal</b>	\$65.2

**Table 4: FY2022 Baltimore County Metropolitan District revenue and expense summary**

**Existing pension programs**

Water and wastewater employees of the City are covered under the Employees’ Retirement System (ERS) of the City of Baltimore and that of the County are covered by the Employees’ Retirement System (ERS) of Baltimore County. Both are defined benefit contributory plans that contribute a percentage of compensation that is based on the hiring date and number of years of service. The specific percentages of contribution are different between the City and the County ERS. The City ERS plan was established in 1926 and all benefit provisions are established by City ordinance and are amended only by the Mayor and City Council. The County ERS plan was established in 1945 and the authority to establish and maintain it is established by Baltimore County Code.

Actuarial data for both the City and County ERSs was reviewed, and from that data, the Net/Unfunded Pension Obligation was estimated. The City’s Net/Unfunded Pension Obligation for water and wastewater members is estimated to be \$59 million, or approximately \$35,000 per member. The County’s Net/Unfunded Pension Obligation for water and wastewater members is estimated to be approximately \$70 million, or approximately \$70,000 per member. It is common for municipal utilities to carry a Net/Unfunded Pension Obligation.

**Existing debt service**

Baltimore City and Baltimore County’s debt is comprised of revenue bonds, revenue refunding bonds, taxable bonds, and special program borrowings from programs such as the Water Infrastructure Finance and Innovation Act (WIFIA). The City’s debt carries an AA rating and the County’s debt carries an AAA rating. The reserve requirements and other security covenants are typical for municipal water and wastewater agency borrowings.

**Table 5** shows existing debt service and the projected change in debt between FY 2024 and FY 2029. In their respective FY 2022 Comprehensive Annual Financial Reports, the City and the County report existing outstanding debt for their water and wastewater system. The City reports the water and wastewater outstanding debt separately shown in **Table 5**. The County has a combined water and wastewater utility and reports the combined total of water and wastewater outstanding debt. The Consultant obtained the projected debt service payments through FY 2029 and calculated the amount of debt principal that will be repaid through FY 2029. From the projected capital funding through FY 2029 (see below), both the City and the County anticipate issuing additional debt.



	Baltimore City, Water (\$M)	Baltimore City, Wastewater (\$M)	Baltimore County Water + Wastewater (\$M)
<b>Existing Outstanding Debt</b>	\$1,454 M	\$1,696 M	\$2,014 M
<b>Projected Change in Debt, FY 24-FY 29</b>			
<b>Projected FY 24 - FY 29 New Debt</b>	\$523 M	\$802 M	\$955 M
<b>Projected FY 24 - FY 29 Principal Repaid</b>	(\$253 M)	(\$373 M)	(\$535 M)
<b>Total projected change in Debt FY 24 - FY 29</b>	\$270 M	\$429 M	\$420 M

**Table 5: Existing and projected City and County water and wastewater debt**

**Historical capital expenses**

**Table 6** shows historical water and wastewater capital expenses for Baltimore City. In the ten-year period from FY 2013 through FY 2022, the City has spent over \$3.5 billion on water and wastewater capital improvements. Approximately 65 percent of this capital spending was for sewer improvements, and the remaining was for water improvements.

<b>Baltimore City Historical Water and Sewer Capital Expenditures, \$M</b>			
	Sewer	Water	Total
<b>FY</b>	<b>Expenditures</b>	<b>Expenditures</b>	<b>Expenditures</b>
<b>2013</b>	\$143.6	\$74.0	\$217.6
<b>2014</b>	\$197.7	\$56.8	\$254.5
<b>2015</b>	\$313.3	\$72.1	\$385.4
<b>2016</b>	\$344.9	\$158.7	\$503.6
<b>2017</b>	\$255.0	\$151.4	\$406.4
<b>2018</b>	\$207.5	\$181.5	\$389.0
<b>2019</b>	\$240.7	\$172.7	\$413.4
<b>2020</b>	\$251.9	\$143.4	\$395.3
<b>2021</b>	\$143.2	\$139.6	\$282.8
<b>2022</b>	\$160.9	\$93.4	\$254.3

**Table 6: Baltimore City Historical water and wastewater capital expenses**

**Table 7** shows historical Baltimore County water and wastewater capital expenses. In the ten-year period from FY 2013 through FY 2022, the County has spent approximately \$1.86 billion on water and wastewater capital improvements. Approximately 60 percent of this capital spending was for sewer improvements, and the remaining was for water improvements.

Baltimore County Historical Water and Sewer Capital Expenditures			
FY	Fund 201	Fund 203	Fund 231 Total (Combined)
	Expenditures (Sewer)	Expenditures (Water)	
2013	\$83.8	\$42.0	\$125.8
2014	\$90.8	\$22.6	\$113.4
2015	\$80.4	\$32.1	\$112.5
2016	\$138.0	\$67.0	\$205.0
2017	\$108.5	\$100.1	\$208.6
2018	\$76.3	\$125.0	\$201.3
2019	\$133.2	\$92.6	\$225.8
2020	\$174.2	\$65.8	\$240.0
2021	\$106.6	\$106.3	\$212.9
2022	\$137.6	\$76.3	\$213.9

**Table 7: Baltimore County historical water and wastewater capital expenses**

**Projected FY 24-29 Capital Funding**

Table 8 shows Baltimore County’s projected water and wastewater capital funding, obtained from the County’s FY 24-29 Capital Budget. Projected wastewater capital spending in the six-year period is over \$1.4 billion. Over \$430 million of this total is capital contributions from the County. Projected water capital spending is approximately \$1.7 billion, and projected water capital spending is approximately \$570 million. The County’s projected totals included capital contributions to the City for capital improvements funded by Baltimore City. The County intends to issue debt to cover the majority of projected capital expenses. County staff indicate that the proposed CIP includes anticipated Consent Decree projects.

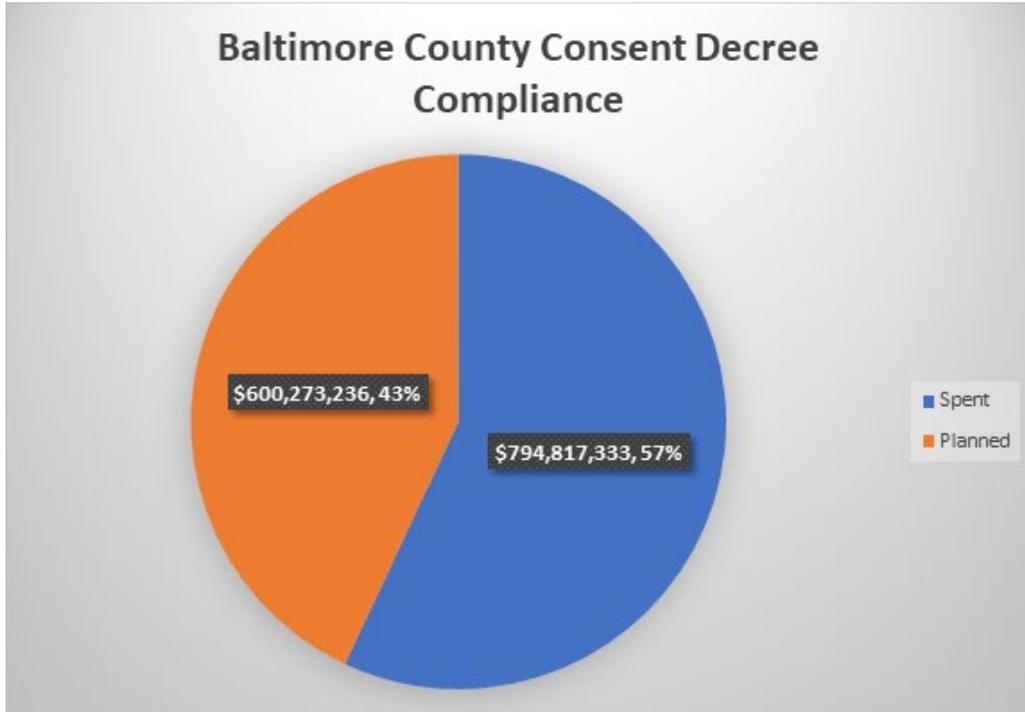
Baltimore County Projected Water and Sewer Capital Funding					
	Wastewater System		Water System		
	FY 24 - FY 29		FY 24 - FY 29		
	Total, \$M	%	Total, \$M	%	
State Aid	\$5.0	0.4%			
Metro Construction Fund	\$113.0	9.7%			
Metro Bonds	\$996.3	85.3%	\$543.9	95.3%	
Reallocated Metro Bonds			\$9.1	1.6%	
Metro Debt Premium	\$26.1	2.2%			
Howard County	\$12.0	1.0%			
Anne Arundel County	\$6.0	0.5%			
MD Water Quality Rev Loan	\$9.0	0.8%	\$18.0	3.2%	
BWI Airport	\$0.9	0.1%			
<b>Total</b>	<b>\$1,168.3</b>	<b>100.0%</b>	<b>\$571.0</b>	<b>100.0%</b>	

**Table 8: Baltimore County projected water and wastewater capital funding**

**MCD Phase II Consent decree costs**

The City reports that the total estimated capital cost to comply with the MCD Phase II Consent Decree is approximately \$1.6 billion, which includes past and future costs. The majority of this cost has already been spent, with the City estimating future costs of \$241 million. The \$1.6 billion estimated cost does not include City’s costs associated with the new Consent Decree regarding the Back River and Patapsco Wastewater Treatment Plants.

**Figure 12** shows Baltimore County’s estimated Consent Decree capital costs, including both past and future costs. The total estimated compliance cost is approximately \$1.4 billion, of which approximately \$800 million has been spent and \$600 million remains to be spent.



**Figure 12: Baltimore County estimated consent decree capital costs**

### Key findings from NewGen on areas for improvement and performance / service gaps

To conclude this section on the as-is state of the Baltimore region’s water and wastewater utilities, the relevant findings from the NewGen report on the areas for improvement and service gaps are presented. These findings are presented in three categories—governance (**Table 9**), organizational (**Table 10**), and operational (**Table 11**). The purpose of presenting these here is to set the stage for the upcoming discussion and evaluation on how a new governance model can help address these areas for improvement.

#### GOVERNANCE: AREAS FOR IMPROVEMENT

Under the current governance framework, the City and the Director of Public Works are not accountable for County customer service delivery, system reliability or operational efficiency, even though Baltimore County has more than half of the system's customer accounts and is responsible for all demand growth.

The current governance framework has been ineffective in resolving long-standing disputes over customer billing issues and annual water reconciliation.

The current governance framework does not support a culture of continuous improvement and accountability regarding customer service delivery, system reliability and maintenance responsiveness.

Under the current governance framework, the City and the Director of Public Works are not accountable for County customer service delivery, system reliability or operational efficiency, even though Baltimore County has more than half of the system's customer accounts and is responsible for all demand growth.



The current structure does not support effective inter-jurisdictional communications across all levels of the two organizations. As a result, there is no evidence that true collaboration and cooperation occur between the City and County on essential matters such as strategic planning, long-range planning, capacity management, emergency response, regulatory compliance, service interruptions, service changes, safety issues or other emerging areas of concern.

The current governance structure has no requirement or mechanism to conduct strategic planning across jurisdictional boundaries. This means that planning functions within the utility are not aligned with the City or County's strategic goals and priorities.

**Table 9: New Gen findings on areas for improvement—Governance**

**ORGANIZATIONAL: AREAS FOR IMPROVEMENT**

Lack of an effective succession planning effort – There is a lack of succession planning, with several employees eligible to retire within the next five years. The knowledge capture process is lacking, with little documentation of standard operating procedures. An over-reliance on contractors and consultants for essential water and wastewater functions has diminished the knowledge maintained in-house.

There is no oversight process defined in statute or agreement to ensure that the Director of Public Works' policies, procedures or decisions are in the best interest of both City and County customers. Many decisions made by the City's Director of Public Works have far-reaching implications for Baltimore County customers. These decisions often receive approval through the City Board of Estimates or oversight by the Baltimore City Council, but there is no mechanism for review by County elected officials.

Baltimore DPW's performance management program does not regularly review performance to establish goals and targets and is not linked to an up-to-date strategic plan.

**Table 10: New Gen findings on areas for improvement—Organizational**

**OPERATIONAL: AREAS FOR IMPROVEMENT**

There is no documentation of Baltimore County's allocation of capacity at the Back River WWTP.

County Bureau of Utilities staff does not have access to the City's Cityworks work order system.

The City and County's GIS systems are not integrated, so City maintenance staff do not have access to County utility GIS data.

No clear delineation of city and county roles and responsibilities related to water loss management efforts.

**Table 11: NewGen findings on areas for improvement—Operational**



## 6. ALTERNATIVE GOVERNANCE MODELS: SELECTION OF SHORTLIST

The NewGen Report utilized the Water Research Foundation’s 2019 report, Water Utility Partnerships: Resource Guide and Toolbox (Project 4750), to identify a handful of generic partnering options used by water (and wastewater) utilities. They continued to identify several common legal structures that utilities used to cooperatively implement when deciding to jointly deliver a service. The following four legal structures were identified:

- Memorandum of Understanding
- Collaborative
- Wholesale Purchase Agreement
- Special District or Authority

The NewGen Report described the City and County ongoing joint operations under the 1972 and 1974 intermunicipal agreements as: “a hybrid form of partnering, with some components of a wholesale service purchase arrangement and some more resembling operation in a collaborative resource development relationship.” For the sake of brevity and clarity, we named the City-County’s partnership based upon its legal structure, the Intermunicipal Agreement.

Based on the governance structure examples presented in the NewGen report a long list of the following 5 models emerged for further consideration:

- Memorandum of Understanding
- Cooperatives
- Intermunicipal agreements
- Wholesale service agreements
- Special District/Water and Wastewater Authority

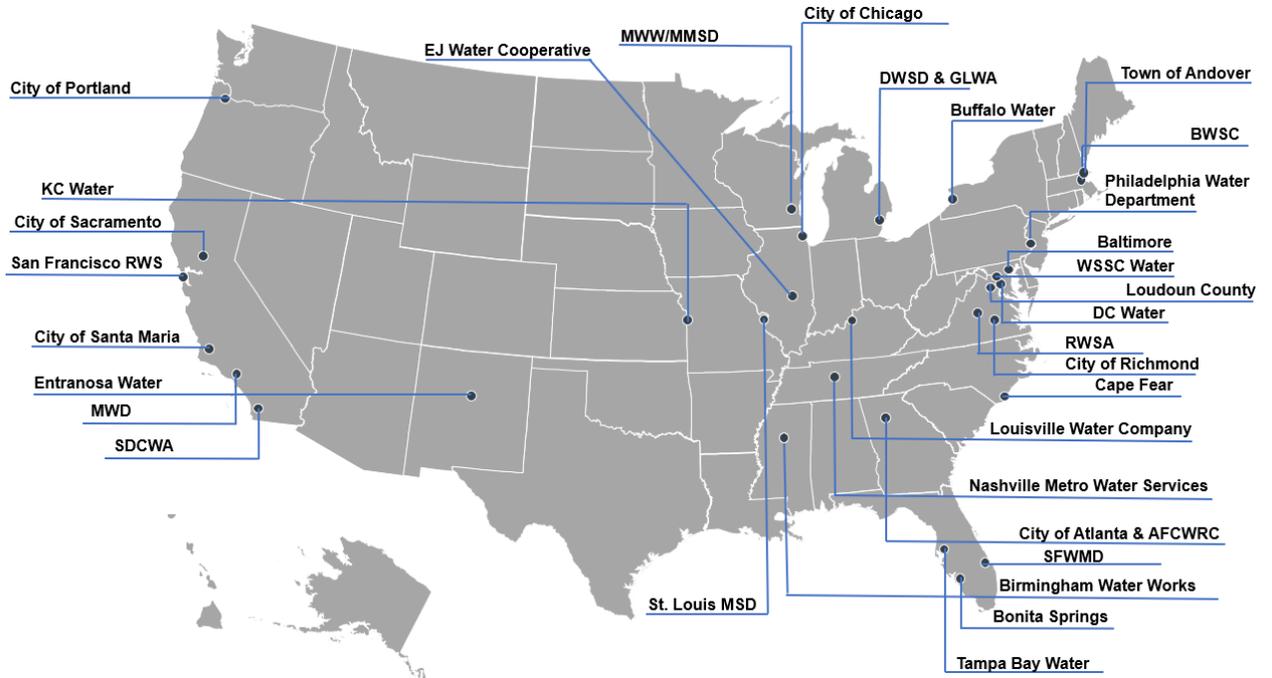
This long list was confirmed based on the utilities research described below to ensure no commonly used governance model was excluded from our evaluation.

### Key takeaways from utilities research

The list of utilities in **Figure 13** and **Appendix A** was developed from scratch based on a combination of internet research, direct consultation, and professional insight. It was built with the purpose of serving as a comprehensive resource for the task force to quickly learn from experiences with water utilities around the country.

The scope grew over the course of the process in order to meet the needs of the task force and to better encapsulate both the relevant information for each utility and to capture their uniqueness. The initial criteria established was to identify cities based on age, size, geography, and “similarity” to Baltimore. Using this criteria and expanding as needed to capture additional types of utilities, the task force had a collection of comparable utilities across the country from which to learn from.

In practice, we found that utilities adapted a combination of models to suit their needs. As such, the governance structures of utilities are not amenable to direct comparisons. We overcame this problem by investigating the utility structure and governance of more than three dozen localities and categorizing into one or more of five models listed above. The locations and regions we studied are shown below in **Figure 13**.



**Figure 13: Map showing 30 + utilities studied by the Consultant**

## Memorandum of Understanding

In the context of water and wastewater service delivery, memorandums of understanding or MOUs are generally limited in scope. They serve a specific purpose or mark the beginning of negotiations for another transaction. These are used to agree on intentions and next steps that would culminate into another legal instrument such as a wholesale service purchase agreement or an inter municipal agreement. An example of such an agreement is the **MOU between the City of Santa Maria and the Nipomo Community Services District**. The Nipomo Community Services District needed additional water supply to meet demand and wanted to buy water from the City of Santa Maria. The MOU here served as a precursor to the wholesale agreement—it summarized the need for an agreement, the intent to negotiate that agreement, and the basic terms and conditions. It was followed by a wholesale purchase agreement.

Alternatively, a MOU could even remain as just a high-level document noting methods of cooperation between the parties on specific issues. The **MOU between the Loudoun County and the Loudoun County Sanitation Authority (Loudoun Water)** is an example of such an arrangement. The two entities wanted to cooperate on certain wastewater capital projects in unincorporated parts of the county. This serves a high-level document meant to clarify the roles and responsibilities between the two parties when undertaking such projects.

### **Key takeaways from SWOT analysis based on HB843 criteria**

As discussed above, Memorandums of Understanding serve specific functions, but do not themselves change the nature of a relationship between two or more entities. Their **strength** is that they serve to clarify responsibility, improve coordination, and provide flexibility to the parties. In terms of **opportunities**, they open up avenues for coordinated planning, and serve as a starting point for future negotiations. An MOU could serve as the basic framework for greater ties, but more is needed than an MOU to restructure a relationship and protect each parties' interests. As is their nature, MOUs **weakness** is that they are not legally binding, and as such much be limited in scope. As a result, there will always be a **threat** that the MOU will fail to address all potential problems, and may even be disregarded in the event of changing policy priorities.



## Cooperatives

Cooperatives in the water and wastewater sector are member-owned, non-profit organizations generally formed to create a centralized water and wastewater service delivery system in areas that are unconnected to the urban utility's networks. These arrangements are more common in rural and remote areas. There are over 3,000 water and wastewater cooperatives in the US. Most of these were established in remote areas unserved by existing utilities' networks and are generally characterized by a smaller scale of operations relative to that of a traditional urban water utility. Some examples of such cooperatives are:

- **EJ Water Cooperative:** established in 1989 to provide clean water to more than 36,000 residents and business across 12 counties in the state of Illinois. Started with 300 members, the cooperative has expanded to more than 14,000 members. In 2017, this cooperative expanded to provided wastewater treatment services.
- **Bonita Springs Utility:** established in 1970 to provide clean, treated water to residents in Lee county in the state of Florida. The utility later expanded to serve surrounding areas. In the 1990s, the utility started providing wastewater treatment services. The utility serves over 30,000 members across the City of Bonita Springs, the Village of Estero, and unincorporated parts of South Lee County.
- **Entranosa Water and Wastewater Association:** Established in 1981, this cooperative serves communities in the East Mountain and Estancia Basin in New Mexico. The service area spans 4,800 members within a 275 square mile radius.

### *Key takeaways from SWOT analysis based on HB843 criteria*

As discussed above, Cooperatives are generally found in smaller or more rural communities. Their most valuable **strength** is that they are member owned, meaning that leadership of the utility are members of the community and that customers have a stronger incentive to be involved in governance. In terms of **opportunities**, the member owned aspect means that it is more likely incentives will be aligned across members and leadership. There is also the likelihood of higher cost recovery as there can be more engagement, flexibility, and more buy-in from the community in general. Theoretically, a community-based approach will lead to fewer issues driven from lack of alignment among customers, however this works due to the size of most cooperatives. Due to the issue of size, a key **weakness** of Cooperatives is that the customer base is smaller, which can be an issue for capital planning. Cooperatives are also very often limited in scope due to local laws, so it's not clear whether this approach would be feasible Baltimore. Additionally, one **threat** could be limited local expertise, pushing the Cooperative to hire from outside the community. Financially, due to the size limits, another **threat** faced by Cooperatives is the limited opportunity for cross-subsidizing across customers. In the event of a drought or rising infrastructure costs, an entire Cooperative could be at risk for a sudden need to raise prices.

## Intermunicipal agreements

The intermunicipal agreement model best describes what the Baltimore utilities currently have through the 1972 and 1974 agreements. These agreements work by maintaining the existing legal structure of two or more separate water or wastewater utilities while updating existing agreements and incorporating organizational structure and operational changes. These agreements can allow for joint operation, maintenance, or management of water infrastructure, or they can even simply outline terms of engagement between two utilities.

While not common compared to other models, there were some strong examples to work from for intermunicipal agreements in the region. The three that most informed the evaluation were the **Blue Plains Agreement in the DC Area**, which includes large swaths of Maryland, the **Philadelphia Department of Water**, and the **agreement between the Towns of Andover and North Reading in Massachusetts**. These agreements offer sufficiently different models of what an intermunicipal agreement can look like. The Blue Plains Agreement is a comprehensive multilateral contract that gets updated every few decades to reflect changes in the region. The Philadelphia Department of Water is a municipal agency that works multilaterally with other municipal agencies to provide services. The Andover-North Reading Agreement simply establishes the relationship between two municipalities and clarifies their rights.



### *Key takeaways from SWOT analysis based on HB843 criteria*

As discussed above, Intermunicipal Agreements outline terms of engagement between two or more utilities without fundamentally altering the constituent parties. Their **strength** is that they create avenues for collaboration and sharing of technology. Depending on the agreement, these arrangements can also tap into economies of scale by increasing the population served by a utility system. Some **opportunities** presented by Intermunicipal Agreements are that they are relatively simple to implement in comparison to other options. The main **weaknesses** of IMAs are that they may involve utilities with operational differences such as financing laws or fiscal years, in addition to requiring a larger bureaucracy to manage, as each of the utilities will maintain their existing personnel with the addition of oversight of the agreement. The main **threat** faced by the IMA is that all constituent parties must buy-in, as it can fail if priorities shift, or certain utilities are unable to live up to their promises.

## Wholesale service purchase agreements

Wholesale service purchase agreements generally deal with the provision of bulk water on a wholesale basis, between two utilities, rather than the delivery of water to individual households. Notably, Baltimore has already implemented such an agreement for Anne Arundel County.

These agreements are common in areas where one utility may have better or more affordable access to water resources, meaning it is more effective for them to sell access to other utilities than for those utilities to establish their own access. These agreements can also establish rules that govern the relationship and the purchases.

This is a relatively common model, so we had multiple options to analyze. **DC Water, Massachusetts Water Resource Authority (MWRA), Chicago Department of Water Management, Louisville Water Company, the Philadelphia Water Department**, and other large regions have wholesale agreements with other communities in the region. In MWRA's example, the City of Boston relies on this regional authority to provide wholesale drinking water services, which is different from a city like Chicago filling that role for its suburbs.

### *Key takeaways from SWOT analysis based on HB843 criteria*

As part of the second task force meeting, the consultant team walked the task force through certain SWOT characteristics of wholesale service purchase agreements.

Similar to some other models, wholesale agreements have the **strength** of taking advantage of the existing operational processes while increasing economies of scale through resource-sharing. In this same vein, the main **opportunity** wholesale agreements provide is that they are a relatively simple way of unifying different systems, as they generally give the responsibility of future-proofing and capital planning to a singular utility. Considering that these arrangements naturally place the responsibility for service delivery with the party best placed to manage it, they also provide the opportunity to de-risk emergencies. One **weakness** this model faces is that it may limit flexibility to whatever is in the contract. Additionally, it may require redundant infrastructure to prepare for an event in which the 'selling' utility is unable to provide necessary service. This ties into the main **threat** faced in this model, which is that wholesale agreements transfer the responsibility for providing services outside the utility that had been previously managing them, as well as putting additional burden on another utility. This can mean that those who are affected by certain issues or obstacles are not in a position to resolve them.

## Special district/Water and wastewater authority

Special districts/water and wastewater authority model involves establishing a semi-autonomous entity for a specific purpose, through an appropriate legal instrument such as legislation. Generally, this also involves defining a service area boundary within which the authority is authorized to operate. Policies and procedures would be developed specifically to govern that new authority, reporting to a board. The authority would be authorized to charge rates and fees for services provided and issue revenue bonds in return for the responsibility and obligations to render services. This was also the most common model among the cities we researched.



Some of the more influential systems we considered in our evaluation, either due to their size or relevance to the Baltimore area, were **WSSC Water, the Boston Water and Sewer Commission (BWSC), and the Great Lakes Water Authority.**

*Key takeaways from SWOT analysis based on HB843 criteria*

Unlike some other models, special districts have the **strength** of overhauling the governance of the utilities at hand, as it requires a new utility structure to replace the previous ones. Special districts also benefit from simplified ownership and operations, as there is a singular entity responsible for the provision of services and making internal changes. This model provides the **opportunity** for a reduced bureaucracy, as only one governance entity is needed. It can also encourage capacity building and peer learning as the new utility will combine expertise from the previous utilities that previously did not work together as closely. One **weakness** of this model is that it requires coordination and collaboration between different jurisdictions that may otherwise have differing policy priorities. For example, a town may wish to establish incentives to grow its tax base, but be unable to influence the local water authority to expand capacity. This is closely tied to the key **threats** faced with special districts, such as the difficulty with long-term planning across multiple jurisdictions and the risk of cost-sharing not equally benefitting all residents.

## FINDINGS

Based on the information presented to the Task Force during Meetings 1 and 2, the Task Force voted to focus on examining further the following three models: Model C: Intermunicipal agreements, Model D: Wholesale Service Purchase Agreements and Model E: Special District/Water and Wastewater Authority

### TASK FORCE DECISION MEETING 2

**During Meeting 2, the Task Force voted to focus on the following three models (shortlisted governance models) in upcoming meetings:**

- **Model C: Intermunicipal Agreements**
- **Model D: Wholesale Service Purchase Agreements**
- **Model E: Special District/Water and Wastewater Authority**

## 7. ALTERNATIVE GOVERNANCE MODELS: FRAMEWORK

HB843 requires the Task Force to “assess alternative governance structures for the Baltimore region’s water and wastewater utility, including frameworks for” governance, financing, capital planning, future system capacity expansion, decision-making processes, and ongoing operations and maintenance of safe, efficient, equitable, and affordable water and wastewater systems serving the Baltimore region (Ongoing O&M).<sup>9</sup> This section presents an indicative structure for each of the three shortlisted models and defines the framework for these models along these six topics specified in HB843. The information presented here is from Meeting No. 5 where we defined the framework for these models in detail, which were introduced to the Task Force in Meeting No. 3 and were further elaborated upon in Meeting No. 4.

In meeting 5, we defined what “governance” means in the context of this assignment and to guide the Task Force in its decision. Governance is a formal framework to:

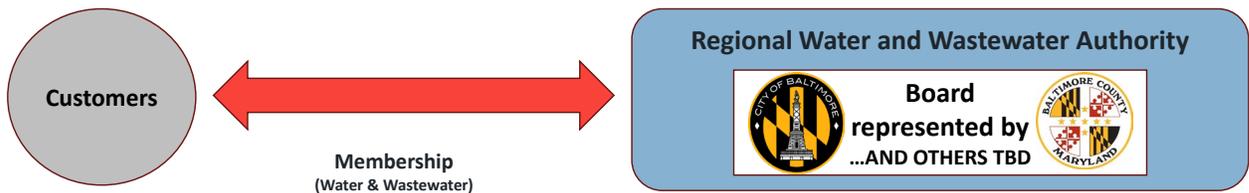
- align the public partner organizations to regional goals;
- make accountable key decisions about policies, procedures and funding;
- define roles and responsibilities;
- actively manage the utility’s risks while serving the regional community

WSP would like to draw the Task Force’s attention to those attributes of a governance framework that may have become confused because of the nomenclature of the models that have been discussed in other Task Force meetings. Several sources emphasize that governance has many components, including accountability, autonomy, role clarity, policy coherence (especially as related to objectives), stakeholder participation/engagement, professionalism (capacity), and transparency. We have considered all these attributes as elements of the governance models being considered in our assessment.

The focus of the frameworks in this section leading up to the recommendations in the later sections on the form of governance that would provide a safe, efficient, equitable and affordable water and wastewater systems serving the Baltimore region would be more on the who and how the party involved would be accountable for making those key decisions about policies, procedures and funding, and to illustrate what the defines roles and responsibilities of each those entities would be.

### Model E: Special district/Water and wastewater authority (Special Authority)

**Figure 14** presents the indicative structure of the special authority model as applied to the Baltimore utilities. A Board shall make all policy decisions and serve as the governing body of the utility. Executive leadership appointed by the Board leads the capital planning, system expansion, operations and maintenance (O&M) processes and decision making.



**Figure 14: Model E, Special District/Water and Wastewater Authority**

This section presents the information presented to the Task Force during Meeting 5 as well as information presented to the Task Force in the form of follow ups or responses to specific questions or discussions points during Task Force meetings. As part of the follow ups, we consulted other utilities that transitioned to a Special Authority model to inform the framework and the recommendations on Model E. A summary of these consultations is presented in Box 6.

<sup>9</sup> §1(g)(3), HB843.



## **BOX 6: EXAMPLES OF UTILITIES THAT TRANSITIONED TO A SPECIAL AUTHORITY**

The transition approach presented in this section is shaped by experiences of other utilities that have transitioned to a Special Authority (Model E). The Consultant consulted representatives at Tampa Bay Water and Great Lakes Water Authority to learn about these organizations' experiences with transitioning to a new governance model. While the impetus for change varies in both organizations and the context for change is not entirely relatable to the Baltimore region, these examples highlighted key factors to consider in developing a transition approach for the Baltimore region. These two examples have informed the transition approach presented in this section to the extent applicable.

### ***Tampa Bay Water***

Tampa Bay Water is an example of a cooperative that was reconstituted as a special district and authority in 1998 through an interlocal agreement between six governments in west-central Florida: Hillsborough County, Pasco County, Pinellas County, New Port Richey, St. Petersburg and Tampa. Tampa Bay Water functions as a regional water authority and exclusive water supplier for its members. The impetus for the transition came from three factors: adverse environmental impact of water production, non-representative governance outcomes, and the need for expanded production capacity. Members had different costs for the water supplies they owned. Environmental Regulators began significantly cutting existing wellfield permits. Eventually, the legislature threatened to impose its solution if the parties did not resolve legal and environmental problems. A group of 18 members was established to lead creation of the resolution.

The transition period from the start of the process to the adoption of the new Authority's Charter lasted 24 months. A new Board was constituted comprising 9 members, 2 each from the three counties, and one each from the 3 cities. The newly constituted Board's votes were binding and arbitration was the dispute resolution method. A uniform rate is applied to all wholesale water sold. No sources of funds outside the utility were used to pay for the transition. The newly constituted Board's votes were binding and arbitration was the dispute resolution method.

To make the transition possible, Tampa Bay Water purchased all of their member's water supply assets at a price of \$2.00 per permitted gallon of production capacity. The State regulator provided significant alternative water supply grant co-funding to incent authority formation. All the predecessor entity's debt was refinanced. It is notable that this transition did not involve significant pension or employee transitions.

### ***Great Lakes Water Authority (GLWA)***

The impetus for GLWA's creation came as part of the Detroit Water and Sewer's Bankruptcy settlement and plan to position Detroit and southeast Michigan for long-term economic, environmental and social success. GLWA began as independent regional water and wastewater (Wholesale) authority, separate from the Detroit Water and Sewer Department (DWSD) in 2016. GLWA manages one of the larger wastewater treatment plants (WWTP) in the United States, serving the City of Detroit and 76 suburban communities. The GLWA wastewater treatment plant treats approx. 650 MGD, which is more than three times the combined wastewater treatment capacity in the Baltimore region. Seventy five percent of GLWA's customers reside in the suburbs, with the remaining customers residing in the City of Detroit.

GLWA is led by a Board of Directors comprising 2 City of Detroit representatives and 1 representative each from Oakland County, Macomb County, Wayne County, and the State of Michigan. Detroit Mayor appoints Detroit's representatives, the county representatives are appointed by their respective counties, and the state representative is appointed by the governor.

GLWA holds a 40-year lease for DWSD treatment plants, major water transmission mains, sewage interceptors and related facilities. It pays Detroit \$50 million/year lease payment for capital improvement for the Detroit's (retail) water system and to repair Detroit's (retail) aging water infrastructure.

The transition costs comprised direct third party costs of US\$12 million (2016). Most of the transition related tasks were performed by approximately 100 volunteers from member agencies from the City of Detroit, DWSD, and the counties. A PMO Steering Committee comprising approximately 20 representatives of the City of Detroit, DWSD, and the counties combined approved the work group's plans. A key deliverable was a "consensus



forecast” which was a 10-year financial statement showing revenues, expenses, lease payments, debt service, PayGo etc.

This example provided useful information for how pensions and employee transitions were handled:

- GLWA agreed to pay US\$40 million over 10 years to fund pension obligations and paid off this amount before it was due.
- City Pension was frozen from bankruptcy. Transfers were subject to the Michigan Intergovernment Transfers Act. Vested employees that left to go to GLWA were “Deferred Retirees.”
- All DWSD employees were offered a par job. No layoffs took place, but a Special Projects labor classification was created. Some employees could take on a new functional role, undergo mandatory training, and retain employment status.
- GLWA instituted a new pension program, which applied to new employees.

### Governance framework

The Special Authority will be led by a Board of Directors that will establish the policies and procedures of the Special Authority necessary to effectively manage the regional water and sewer system for the community it serves. WSP recommends a seven (7) to eleven (11) member Board of Directors with appointees from the City of Baltimore, Baltimore County, and the Governor of Maryland. The Board of Directors will meet annually at the start of each fiscal year to elect a Chairperson, and Vice Chairperson and an alternate that together will comprise the executive committee.

The Board shall be responsible for:

- Setting policies and procedures for the operation of any water and sewer systems plants and systems
- Receiving and collecting all money due on account of such operation or otherwise relating to such water and sewer systems plants, plants or business
- Employing such managers, superintendents, assistant managers, assistant superintendents, engineers, attorneys, auditors, clerks, foremen, and other employees necessary for the proper operation of any utility and the business and to fix the compensation of all such employees.

There was some discussion by the Task Force members at Meeting No. 5 about the Consultant’s recommendation on the number of board members. A board should function in a representative capacity for the members of that authority. The Consultant’s recommendation was based upon the minimum number of board members (seven) that in our opinion could balance the representation of the municipal parties that will make up the new Special Authority, and by requiring a majority vote, would necessitate an endorsement by a majority of the Board’s members. Hence, the board would have to function in a representative manner. The objective when selecting the number of board members is to ensure that the board will provide fair and complete representation for all participants. There is no single best or right answer to what number of board members there should be. The question to consider is: will the resultant board be representative and fairly consider all of the members and customers in its service area?

### Financing framework

Board will have the authority to collect revenue, incur loans, bonds, and fund projects via PAYGO. Sources of financing would include revenue bonds, State Revolving Fund loans, WIFIA loans administered by EPA, MEDCO bonds and any other federally administered loans and grants. The Board would be required to:

- Adopt an Audited Financial Report
- Cause a Cost-of-Service Study to be performed to support rate integrity
- Annually approve Budget to include the following:
  - A published Five-Year Rate Forecast fully reconciled with approved 5-Year CIP plan;



- A long term forecast of Service Demands of Special District or Authority's Service Area. Each governmental jurisdiction is obligated to prepare a long and short term forecast of Service Demands that are to be relied upon by the Special District or Authority;
- Approval of or reconciliation with the Annual CIP Spending Plan.

Staff of the Special Authority would be responsible for planning and implementing debt issuances as needed. In this regard, staff would:

- Procure and manage professional services from a Municipal Advisor, Bond Counsel, Disclosure Counsel, and Debt Underwriter(s);
- Prepare disclosure documents;
- Prepare and negotiate borrowing documents;
- Monitor capital markets for refinancing opportunities;
- Work with Maryland Department of the Environment to maximize use of low-interest rate debt;
- Pursue advantageous WIFIA loans; and
- Pursue grant funds.

In the context of a transition from status quo to a Special Authority model, some key financing issues need to be addressed. These relate to:

- **Strategies and policies for asset leasing:** the Baltimore City Charter prohibits asset leases. As such, an amendment to the Charter will be needed for the City to lease its assets to a Special Authority.
- **Debt management:** options would need to be explored to manage existing debt and structure new debt in a cost-effective manner. A potential for MEDCO to support the transition from status quo to a Special Authority and for Special Authority in establishing its creditworthiness would need to be explored.
- **Reconciliation of pensions:** decisions would need to be made on how pension obligations of utility employees currently mapped to Baltimore City and Baltimore County would be handled after transitioning to a Special Authority

The Transition SME Work Groups recommended in Section 9 could be tasked with finding solutions to address these issues.

### *Capital planning and future system capacity expansion framework*

The Board would be responsible for setting policies and procedures for capital planning and future system capacity expansion. Staff will be responsible for implementing these policies and procedures. These policies and procedures will address how the Special Authority will consult with local jurisdictions on planning & development, capital planning and timing as well as prepare and publish for Board Approved a Five and 10-Year Capital Improvement Plan, the CIP (fully reconciled with five-year rate forecast). The annual CIP Spending Plan (fully reconciled with Approved Annual Budget and Rates) and any capital project contracts will require Board approval.

In the context of capital planning and future system capacity expansion, the following issues would need to be resolved during transition to a Special Authority:

- Reconciliation of current projected City and County capital improvement programs, consent decree cost obligations and other planned capital commitments to establish initial baseline Special District or Authority CIP program;
- Reconciliation of any differences between City and County contracting/ procurement procedures, design standards, standard details, performance standards, materials, and equipment; and
- Definition of jurisdictional boundaries and service area expansion.



Resolving these issues can be made part of the scope of work for the Transition SME Work Groups recommended to be constituted (See Section 9).

***Decision making processes framework***

All Board policy decisions would ultimately be approved by the Board. The Board will retain an Executive Director and the Executive Leadership team will be responsible to execute the policies and make day-to-day operational decisions. The founding documents and by-laws of the Special Authority would need to specify what matters would require a super majority vote.

***Ongoing O&M framework***

The Board would establish processes and procedures the executive leadership team to provide leadership and direction for all O&M functions consistent with Board-approved policies and procedures.

Some considerations to keep in mind while structuring O&M policies and procedures are:

- Developing a publicly accessible performance dashboard that contains key O&M performance indicators (KPIs). These should be tracked and updated at least quarterly. Example KPIs include: drought conditions, turnover rates, regulatory compliance, customer response time, water loss, etc.;
- How differences in City and County position descriptions, salary, and benefits will be reconciled; and
- Developing a program to protect against service disconnections and fund bill pay assistance program.

***Choices to consider in structuring the Special Authority***

There are three key choices in structuring the Special Authority that would need to be considered during the transition phase:

- Turnkey and/or wholesale structure;
- Uniform vs. district rate structure; and
- Rate setting function.

**Turnkey and/or wholesale structure**

As shown in **Figure 15**, in terms of scope of service provision, the Special Authority could be structured as a turnkey utility and/or a wholesale utility. Both these versions were discussed during Task Force meetings and the discussion is summarized here; however, there are several details to be determined in the context of implementing this model.

In a turnkey option, a new service area would be constituted that combines the customer base currently served by Baltimore City and Baltimore County. The Special Authority would be responsible for retail service provision to all customers within this new service area.

In a wholesale option, the Special Authority would function as a wholesaler to Baltimore City and Baltimore County under a wholesale service purchase agreement. Baltimore City and Baltimore County



would maintain retail networks and relationships with customers in their respective service areas.

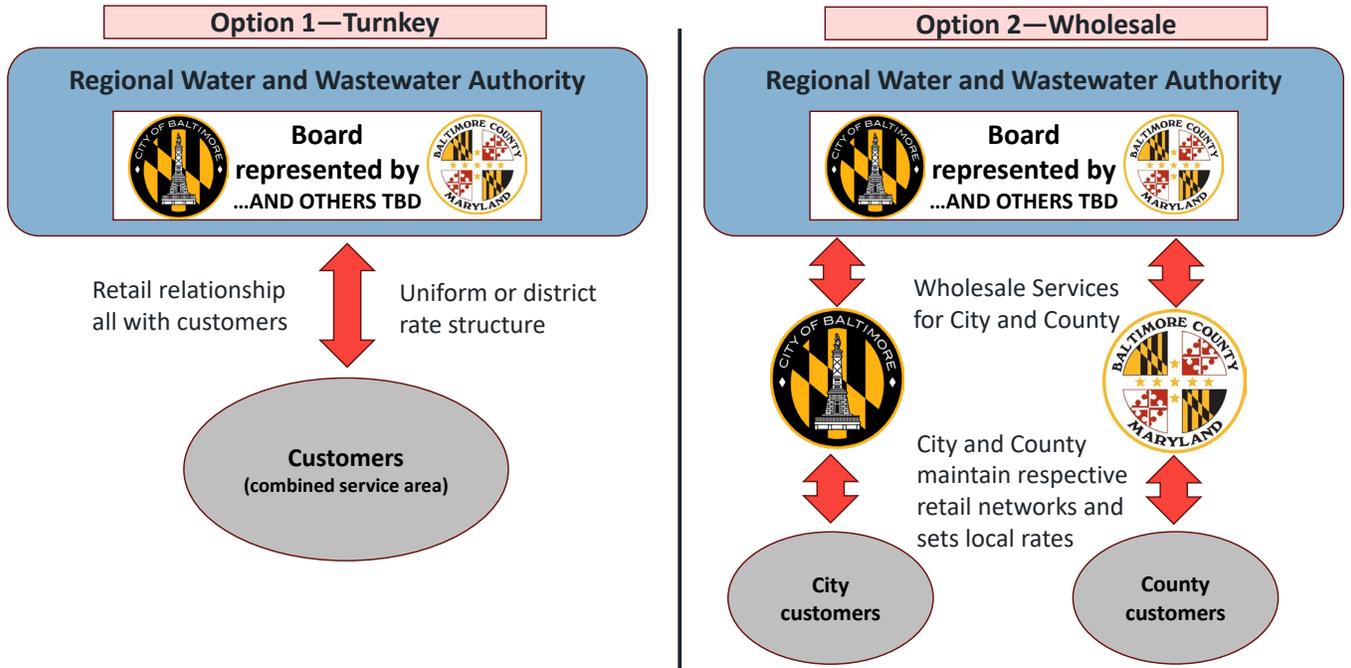


Figure 15: Special Authority model options—turnkey v. wholesale utility

#### Uniform vs. district rate structure

Within the Turnkey option described above, another choice point is to decide whether to implement uniform rates or district rates. In case of uniform rates, customers within a rate class will pay the same rates regardless of their location in the City or County. This rate structure is based on a regional cost of service study and rate design. Implementing this option would involve reconciling or restructuring rate structures and ratepayer assistance programs in the service area, such that the same rate structure is applied to customers in both Baltimore City and Baltimore County.

In case of district rates, the rate structures would be based on a rate design for each district. This results in the same rate schedule applied to all customers in a district within the service area. This means that different rate structures are applicable depending on location within the Special Authority’s service area.

#### Rate setting function

The rate setting function in a Special Authority could be performed by the Board of Directors or by an independent body such as a rate setting board specifically constituted for this purpose. The City of Philadelphia provides an example of this rate setting board model in the water and wastewater sector, which is described in Box 7.



### **BOX 7: CITY OF PHILADELPHIA WATER, SEWER, AND STORM WATER RATE BOARD**

The City of Philadelphia Water, Sewer, and Storm Water Rate Board (the Board) was established through legislation to replace the City Water Department as the entity responsible for setting water, wastewater, and storm water rates in 2012. The Board was formed through a legislation authorizing the City Council to establish an independent rate making body and specify rate setting procedures through ordinances.

The Board comprises five members serving staggered terms, appointed by the Mayor, that continue to serve until a replacement is installed.

The Board shall “evaluate and determine proposed changes to the rates and charges fixed for supplying water, sewer and storm water service for accounts and properties located in the City of Philadelphia” (Section II.1.(a), Regulations of the Philadelphia Water, Sewer and Storm Water Rate Board). The Board carries out its charge through a rate setting process set out in the Regulations of The Philadelphia Water, Sewer and Storm Water Rate Board (Board Regulations). Briefly, the process is initiated by the City Department of Water when it files an Advance Notice of proposed rate changes. This is followed by a Formal Notice of proposed changes. The Board must respond with its Rate Determination within 120 days of the Formal Notice being filed. The last step in the process is for the City to publish the revised rates and charges approved by the Law Department, along with the dates when these revised rates and charges go into effect. The rate determination process is centered around ensuring openness, transparency, and space for public comment.<sup>10</sup>

For the Baltimore region, a similar rate setting board may or may not be considered. This board will be responsible for reviewing the utility’s rate recommendation and performance to determine rate changes for water and sewer services in accordance with an open, transparent, and consultative process, based on an established methodology. The rate setting board would also be responsible for expanding the meaning of safe, reliable, and reasonable service to include equity impacts and consider distributive justice in utility program design and pricing.

There was considerable discussion by the Task Force members at Meeting No. 5 about the function of and need for a separate Rate Setting Board. The Consultant’s recommendation presented at that Task Force meeting was based upon the model used in the City of Philadelphia that is utilized to promote transparency and customer engagement in its rate making decisions. It was presented as it would help to reflect that the public’s interests are considered in the rate making process. A separate rate making board may entail adding additional costs to the utility’s budget. For example, the City of Philadelphia reported that the independent rate board’s last set of proceedings for a rate case cost US\$1 million overall.

The steps involved in Philadelphia during the rate making process are as follows;

- Advance Notice of Filing
- Discovery – Cost of Service
- Formal Notice
- Federal Funding Information Request; City Council Briefing
- Public Input
- Public Hearings

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<sup>10</sup> City of Philadelphia. Water, Sewer, & Storm Water Rate Board. Available at: <https://www.phila.gov/departments/water-sewer-storm-water-rate-board/about/> Last accessed December 4, 2023.



- Motions and Procedural Orders
- Participant Testimony
- Technical Hearing
- Participant Briefs
- Hearing Officer Report
- Rate Determination
- Publish New Rates and Charges

These steps are included to help ensure that rates proposed for consideration and approval are evaluated in a very open, transparent and community focused manner. The new Special Authority will need to set rates that can support sustainable and reliable utility service long-term.

The need for an independent rate board will be dependent upon the extent of, and the requirements for the utility board members to have utility finance and budgeting, legal, banking, insurance, construction, or operational management experience and have a customer and community service focus. The Consultant stated in Meeting No. 5 that it was also feasible, and it is in fact more common, for utility authority Boards to conduct their own rate proceedings and establish rates that provide for both full-cost pricing and address affordability as matters of equal importance. **In deciding on whether to recommend a rate setting board as part of its final governance model selection, the Task Force should consider which governance structure will be best able to operate with the continuity and long-term planning needed to achieve sustainable and reliable utility service in what may be a difficult political environment.**

### Model D: Wholesale service purchase agreement

In Model D, the City owns and operates a wholesale utility providing wholesale service to any other jurisdiction beyond the City’s border as shown in **Figure 16**. Consequently, the City and County would become the local water and sewer service providers. The relationship between Baltimore City and Baltimore County would be governed by a wholesale agreement. City DPW makes decisions about water system and the Joint Use Wastewater facilities in terms this agreement between Baltimore City and other Counties (including Baltimore County). City DPW and County DPWT continue to make policy and strategic decisions for respective jurisdictions. Retail networks and relationships would continue to be managed by the City DPW in the City and the County DPWT in the County. Finally, systemic issues relating to HR and management would need to be handled independently by each jurisdiction coordinating with each other as needed.

Another suggestion for consideration is the establishment of a rate setting board as described in Model E. It is important to note that the choice to establish an independent rate setting board is independent of the governance model chosen. In the context of Model D, the rate setting board would review the utility’s rate recommendation and performance and solicit community input to determine rate changes for water and sewer services and use a defined open, transparent, collaborative rate review process.



**Figure 16: Model D, Wholesale Service Purchase Agreement**

Before any additional discussion on Model D took place, the Task Force in Meeting No. 5 called for a vote to eliminate Model D from any further consideration by the Task Force based upon the information provided leading up to Meeting 5. There had been previous discussion at the Task Force about how a city owned and



managed wholesale utility may be the most unsuitable form of governance as it related to interjurisdictional cooperation than the existing Intermunicipal Agreement model.

This is because the wholesale agreement would mainly provide for the bulk purchases and delivery of water, or for the treatment and conveyance of sewerage, leaving little opportunity for genuine interjurisdictional cooperation. This means there will be limited opportunity or ability to address those issues identified as problematic but that are outside the purview and perhaps the ability of the wholesale agreement to deal with such as employee recruitment, retention, training (succession planning), knowledge capture and documentation of standard operating procedures.

**The vote to exclude Model D from further consideration was taken by the Task Force in Meeting No. 5, based on the Model’s lack of merits. The vote to eliminate Model D passed and there was no additional consideration given to assess Model D at Meeting No. 5 or as part of the Task’s Force’s final deliberations for a selected best governance model for the region.**

## **TASK FORCE DECISION MEETING 5**

**The Task Force voted to exclude Model D: Wholesale Service Purchase Agreements from further consideration.**

The rest of this section presents information provided in the slides for meeting No. 5 for Model D that the Task Force had the opportunity to consider prior to their vote to exclude it from further consideration in addition to the previous information that had been provided in prior Meetings that defined Model D’s attributes.

### **Governance framework**

It was recommended that the Bureau of Water and Wastewater currently housed within the Department of Public Works be elevated to the level of a Department within the City. The City’s Director of Water and Wastewater would make all decisions about the water system and the Joint Use Wastewater facilities including those relating to: budget and resource allocation, personnel hiring and terminations, organization structure, performance accountability, strategic priorities, management of the reservoirs and capital priorities.

A wholesale agreement would govern the relationship between Baltimore City and counties that it supplies services to (including Baltimore County). This agreement must have adequate mechanisms in place to ensure the City Water & Sewer Department implements policy and rate setting processes that are transparent. It should also provide for ample notice regarding proposed changes to long-range planning, capacity management, regulatory compliance, service interruptions, service level changes and uncontrollable events such that purchasers have time to adapt.

### **Financing framework**

The City DPW would be responsible for raising finance to meet planned capital expenses through bonds, loans, and PAYGO. Counties raise finances needed to meet their wholesale purchase and any locally retained utility expenses.

An important factor to consider is that the City DPW would be required to finance all debt needed to meet the City’s delivery commitments under the wholesale agreement. The County would no longer provide financing contributions for any capital expenses to the City as is currently the case (due to the Cost Allocation Model). The City would need to assess its ability to borrow for increased capital needs under this model, which needs could range from US\$200 million to US\$1 billion.

### **Capital planning and future system capacity expansion framework**

The City Water and Wastewater Department would be responsible for capital planning to meet delivery commitments under the wholesale agreement and commitments to its retail customers. Baltimore County and other counties would be responsible for any capital planning to manage its retained retail utility assets. Similarly, in terms of capacity expansion, City DPW would be responsible for planning and implementing expansions needed to meet commitments under wholesale agreement and for those of its retail network. Counties would be responsible for expansion of their respective retail networks only.



In terms of decisions and processes, City and Counties follow respective capital planning processes (as is the case now). The City Water and Wastewater Department must plan to meet all the wholesale customer’s delivery commitments under the wholesale agreement.

Here too, an important factor to consider in capital planning is that the County would no longer contribute capital costs to the City Water and Wastewater Department upfront. The County’s share would be recovered through the contractually agreed upon wholesale rates.

The wholesale agreement would need to include provisions that address managing customer demands and the City’s ability and obligation to provide adequate service. In terms of capacity expansion, the success would be dependent upon mechanisms/processes put in place in the wholesale agreement to ensure that the joint planning function or coordination is carried out effectively during Wholesale Rate Making and under customer annual reporting requirements in wholesale agreement.

**Decision making processes framework**

Frameworks for decision making processes would be mostly the same as the status quo except that the entity responsible for putting in place these processes would be the City Department of Water and Wastewater. An issue to consider during implementation is the County’s retail water billing. When the City becomes a wholesale provider of water, it would not typically maintain the County’s retail accounts and water billing.

**Ongoing O&M framework**

This model may limit interjurisdictional O&M. Baltimore County retains all retail water and sewer Systems O&M, rate setting, and may assume all retail billing and collections in its service area. County may need to develop systems and processes for retail billing and collections in its service area or contract for billing and collection services by City. City retains City retail Water & Sewer Systems O&M, rate setting, billing, and collections in its service area.

**Model C: Intermunicipal agreement**

In Model C, both the City DPW and County DPWT operate jointly under a modified Interlocal Agreement for providing service within both the City and County’s Metropolitan District. However, they only can operate jointly where and as provided for in the Interlocal Agreement and only to the extent that is consistent with the authorities provided respectively to the City and County under the City and County Charters and State law. **Figure 17** presents the indicative structure of this model. City DPW and the County DPWT would continue to make policy and strategic decisions for their respective jurisdictions. Systemic issues relating to HR and management would need to be handled independently by each jurisdiction coordinating with each other as needed.



**Figure 17: Model C, Intermunicipal Agreement**

As stated earlier, this section presents the framework for a modified intermunicipal agreement for improved coordination between the two utilities is discussed (modified IMA). These modifications discussed fall in two categories: changes to the City structure and changes to the intermunicipal agreement. It is important to note that **the model discussed in this section is not the same as the status quo.**

**Recommended changes to the City structure**

It is recommended that the Bureau of Water and Wastewater be elevated to a City Department as the City Department of Water and Wastewater. This would require elevating leadership positions and reallocating administrative support services. An amendment to the City Charter may be needed to achieve this.



Separately, we recommend that processes and procedures be mandated for audited enterprise fund financials; consultations with other jurisdictions for capital planning and timing; and preparation, publication, and approval of the 5-year and 10-year Capital Improvement Plan (CIP).

Another suggestion for consideration is the establishment of a rate setting board as described in Model E. It is important to note that the choice to establish an independent rate setting board is independent of the governance model chosen. In the context of Model C, the rate setting board would review the utility's rate recommendation and performance and solicit community input to determine rate changes for water and sewer services and use a defined open, transparent, collaborative rate review process.

To address some of the systemic issues such as those relating to employee recruitment; and retention and training; the City and County DPWT should individually:

- Periodically conduct salary studies with water & sewer comparators and implement to achieve parity within industry peers to attract and retain talent;
- Develop exit interview information collection approach to assess drivers for departures;
- Develop succession plans for all key positions retiring within the next five years (that includes skill enhancement training);
- Develop workforce development community-based initiatives;
- Track and report on open positions, new hires, departures, net headcount;
- Identify and implement best industry practices for retention of Institutional knowledge;
- Develop/publish Utility Billing Relief Program;
- Annually publish a 5-year forecast of rates; and
- Annually track cost of service expenses (reconcilable to last Cost of Service Study) to inform rate setting in the future.

To tackle some of the issues surrounding cost allocation, the City and the County should jointly:

- Review and update the CAM to remove calculations that are artifacts of previous billing, meter reading, and accounting systems, and to fully document all input assumptions.
- Prepare a Contract Administration Memorandum to document its procedures for use (or for basis of assumptions used)
- Document the standard annual procedures and milestone deadlines for developing the annual cost sharing allocation.

Other modifications to consider for the IMA include:

- Establishing processes for the utilities to collaborate on long range strategic and capital planning effectively and periodically as well as system expansion objectives,
- Instituting a process that obligates parties to systematic and periodic consultation between the two W&S agencies to ensure coordinated decision making.
- Requiring periodic management audits and publish the results.
- Developing requirements and mechanism to publish and track performance against strategic KPIs to foster transparency and accountability (E.g., #/% Invoices Past Due, Percent of Total Revenue Water Deliveries Calculated Using Meters, Reg. Complaints, Service Quality Complaints, First Call Resolution, Appointments Missed, etc.). These metrics should be used as inputs to the rate setting process.
- Establishing and funding a joint office for managing customer service, billings and collections.



### *Governance framework*

The governance framework under Model C would be similar to the status quo except that the Bureau of Water and Wastewater would become a Department within the City government. In terms of decisions and processes, the modified IMA would promote or require collaboration by the City DPW for decisions affecting the County customers. For example, joint management or engagement on long term planning, drought response, capacity expansion, CIP prioritization, as well as customer service and support is expected.

### *Financing framework*

The frameworks for financing would be the same as status quo.

### *Capital planning and future system capacity expansion framework*

No significant changes to the frameworks governing capital planning or future system capacity expansion are expected. Modifications to the IMA to promote or require collaboration between the City and County counterparts may bring changes to how the following are handled: long term planning, drought response, capacity expansion, and CIP prioritization.

### *Decision making processes framework*

No significant changes to decision making processes are expected. Modifications to enhance collaboration between the City and County are recommended such as developing revised processes to:

- Ensure to that the City DPW's policies, procedures or decisions have been made in consultation with County utility representatives.
- Ensure collaboration occurs on essential matters such as strategic and long- range planning, capacity management, emergency response, regulatory compliance, service interruptions, service changes, safety issues.
- Establish periodic management audits, regularly publishing Key Performance Indicator metrics.

### *Ongoing O&M framework*

The roles and responsibilities on O&M will not change significantly. However, there is potential to improve the status quo through modifications for improved interjurisdictional coordination such as:

- Conducting a joint review of CAM model, revising and documenting usage procedures.
- Adopting revenue assurance billing & collection quality control processes and procedures.
- Coordinating better on water and sewer billing and customer service issues. A joint office may be considered to accomplish this.
- Establishing performance requirements for effectively communicating City's water bill adjustments to the County to prevent issues with the County's subsequent use of water consumption data in the County's sewer billing.

## Key issues and decisions for the Task Force's consideration in implementing Model C

In deciding whether to implement Model C as presented in this section, the Task Force was presented the following key issues and decisions to consider:

- The long-term effectiveness/enforceability of changes to the IMA and its ability to instill cooperation and accountability.
- If it is even possible to address systemic issues that are outside the purview of the IMA such as employee recruitment, retention, training (succession planning), knowledge capture and documentation of standard operating procedures. These matters may be limited by state and local law from being matters of joint consideration.
- The effectiveness of implementation of the coordination mechanisms set out in the modified IMA.



## 8. ALTERNATIVE GOVERNANCE MODELS: ASSESSMENT

This section presents the side-by-side comparative matrix of ratings to illustrate, qualitatively, the differences between the governance models under consideration for each area of improvement. The approach to this assessment is presented in Section 4. To recap, the rating rubric used for this assessment is presented in **Figure 18**.

A description of how each governance model under consideration may improve the performance of the City and County’s water and wastewater utilities in each of the areas of improvement identified for consideration in HB843 to the Task Force follows.

What the ratings mean:	
++	Potential for significant benefit
+	Some benefit relative to status quo
SQ	Same as status quo
-	Some disadvantage over status quo
--	Potential for significant disadvantage
N/A	Not applicable

*Figure 18: Rating rubric for alternative governance model assessment*

### Management

Based on a review of the status quo, the NewGen report highlighted the following areas for improvement that relate to Management:

- The City’s Director of Public Works has the exclusive authority to make decisions about almost every aspect of the water system, including billing and metering policies and procedures, budget and resource allocation, personnel hiring and terminations, organization structure, strategic priorities, management of the reservoirs and capital priorities. Under the current governance framework, the City and the Director of Public Works are not accountable to the County’s customer service delivery, system reliability or operational efficiency, customer billing issues and annual water reconciliation.
- The current governance framework does not support a culture of continuous improvement and accountability with respect to customer service delivery, system reliability and maintenance responsiveness.
- The current structure does not support effective inter-jurisdictional communications across all levels of the two organizations. As a result, there is no evidence that true collaboration and cooperation are occurring between the City and County on essential matters such as strategic planning, long-range planning, capacity management, emergency response, regulatory compliance, service interruptions, service changes, safety issues or other emerging areas of concern.
- The current (intermunicipal agreement) governance structure does not support the high level of coordination needed to project, plan, and execute system improvements to meet growing demand in Baltimore County and other jurisdictions. Although the current framework identifies a joint planning office to be staffed by City and County personnel for this purpose, there is no requirement for either jurisdiction to provide resources to ensure that this function is performed effectively and efficiently.
- There is no oversight process defined in statute or agreement to ensure that the Director of Public Works’ policies, procedures or decisions are in the best interest of both City and County customers.
- While decisions made by the City’s Director of Public Works often receive approval through the City Board of Estimates or oversight by the Baltimore City Council, many of these decisions have far-reaching implications for Baltimore County customers, but there is no mechanism for review by County elected officials.
- The current DPW-DPWT Intergovernmental Agreement governance structure has no requirement or mechanism to conduct strategic planning across jurisdictional boundaries. This means that



planning functions within the utility are not aligned with the City or County’s strategic goals and priorities.

**Assessment**

Even given reasonable assumptions about possible improvements to the DPW- DPWT Intergovernmental Agreement governance structure (Model C), Special District or Authority (Model E) emerges as the governance structure with the greatest merit to providing improvements to the Management issues cited earlier in this section. Model D, a City DPW - wholesale agreement with the County was assessed to be the most detrimental of all of the governance models considered as the coordination needed for collaboration on all of the matters involving interjurisdictional coordination and the City not being accountable to County for service delivery, would be significantly institutionally inhibited within a wholesale agreement relationship.

Figure 19 presents the matrix with the ratings for assessment of the governance models against the “Management” criterion.

MANAGEMENT			
Areas for improvement	Model C	Model D	Model E
Loss of institutional knowledge due to high turnover and high vacancy rates	+	+	++
Lack of institutional knowledge capture	+	SQ	++
City not accountable to County for service delivery, operational efficiency, or system reliability	SQ	-	++
No mechanism for systematic interjurisdictional coordination on strategic planning	+	-	++
Customer service performance or customer satisfaction not measured	+	+	++

Figure 19: Assessment rating matrix for Management

**Operations**

Based on a review of the status quo, the NewGen report highlighted the following areas for improvement that relate to Operations.

**High turnover rate (loss of institutional knowledge) & standard operating procedures are not documented.** High turnover rates that result in loss of institutional knowledge and standard operating procedures (SOPs) not being documented are both related components of a knowledge retention system. Standard Operating Procedures (SOPs) are the most basic element of a utility’s knowledge retention system. They document the necessary steps involved in performing an O&M task. Knowledge retention makes information transferrable, takes information out of employees’ heads and puts it into a utility operated central location, such as a O&M knowledge base.

Once SOPs are documented and centralized, utilities can access and utilize the information to standardize training and ensure work performance and as a result increase workforce accountability. In the absence of SOPs, procedural training is ad hoc and undocumented and consequently holding employees accountable for their performance is impaired because there are no definitive written standards of performance in evidence. The importance of knowledge retention generally and SOPs, in particular, cannot be overstated. It ensures that critical knowledge stays within the utility, even as individuals come and go. Without a knowledge retention strategy to document standardized processes, procedures, and related types of information, a utility is at risk of losing valuable resources every time a worker departs.

A knowledge retention strategy is a plan that organizations use to capture and preserve the knowledge of their workforce, including standard operating procedures, O&M practices, equipment information, plans and specifications and more. It involves creating a centralized hub to access knowledge, developing training programs, establishing knowledge management guidelines, and encouraging a culture of knowledge sharing and collaboration.



Given that the Special District or Authority will be essentially starting from a blank slate regarding both a knowledge retention system and SOPs but will have to contend with potentially significant amount of O&M change, it would only be a prudent industry practice to use its greater economy of scale and labor efficiency to marshal its resources and begin developing SOPs by identifying and producing mission critical and health and safety SOPs and then following up with the development of general SOPs. It is for this reason the Model E - Special District or Authority was assessed with the potential for significant benefit, while the Model D and Model C were ranked as having some potential for benefit.

***City Maintenance Staff do not have Access to County's GIS Data and Lack of Systematic Coordination on Water Loss Management.*** Both the City maintenance staff not having access to County's GIS data and the lack of systematic coordination on water loss management are specific instances where the institutional limitations of a DPW to DPWT - Intermunicipal Agreement form of governance limit the free flow of data and inhibit the ability to coordinate systemically on interrelated problems faced by each respective Department's system.

Given that the Special District or Authority will not be limited by the institutional barriers to interjurisdiction cooperation and collaboration inherent in governance models D and C, there is no reason to believe these limitations would continue to exist after implementing Model E - Special District or Authority.

***Lack of systematic coordination on water loss management.*** AWWA indicates that drinking water utilities are challenged by deteriorating infrastructure, growing customer expectations, new regulatory requirements, and a changing climate. Recognizing that "what gets measured, gets managed", water utilities rely on performance indicators that are "actionable" to drive improvements in their operations. Water loss control includes efforts that water utilities employ to minimize Non Revenue Water (NRW), which comprises real (physical) losses, largely leakage, apparent (non-physical) losses that result in customer under-billing, and unbilled authorized consumption.

High levels of NRW will have a serious impact on the financial viability of water utilities and whole communities due to revenue losses and unnecessarily high operating costs. NRW thus directly affects the capacity of water utilities to fund necessary service expansions, conduct proper maintenance and invest in new technology. NRW losses can be real, physical losses (caused by leaks, breaks, spills, etc.) or only apparent losses that occur as a result of broken or tampered meters, poor meter reading, inaccurate record keeping, or unbilled water consumption that is authorized but not properly read or recorded by the utility, or outright water theft. Real losses are obvious, caused by leaks and breaks in transmission mains, storage tanks, cisterns, distribution pipelines, and individual service connections. The NewGen Report indicated that 20 % of the water supplied was NRW and the (Year-2019) costs associated with that NRW was \$15,087,978. Maryland sets an action level for when more than 10% of water withdrawn is unaccounted for. AWWA has recently recommended against setting loss reduction goals around a specific target such as "less than 10%", recognizing that loss reduction targets are best tailored as system specific goals for each water utility rather than a "one size fits all" approach. Consequently, a key consideration regarding NRW control is the economic level of leakage (ELL). ELL is defined as "the level of leakage where the marginal cost of active leakage control equals the marginal cost of the leaking water".

Given that the Special District or Authority will not be limited by the institutional barriers to interjurisdiction cooperation and collaboration inherent in governance models D and C, there is every reason to believe that systematic coordination on water loss management would be the de facto state of affairs after implementing Model E - Special District or Authority.

AWWA supports the use of the Loss Cost Rate indicator, a new KPI expressed in value /service connection/year, with one expression for apparent losses and one for real (leakage) losses. These KPIs measure the negative impact of losses to a utility's finances. AWWA supports the use of the Normalized Water Losses indicator, a new KPI expressed in volume/service connection/day. Water losses is the sum of apparent losses and real losses. It is meant to be employed only as a high-level indicator and in tandem with the disaggregated normalized KPIs: Normalized Apparent Loss (volume/service connection/day) and Normalized Real Loss (volume/service connection/day). To better understand or consider using these KPIs for measuring Non-Revenue Water Loss control when implementing Model E please refer to the AWWA report titled *Key Performance Indicators for Non-Revenue Water, AWWA Technical and Education Council's Water Loss Control Committee, November 2019.*

Even given reasonable assumptions about possible improvements to the DPW- DPWT Intergovernmental Agreement governance structure (Model C), Special District or Authority (Model E) emerges as the governance structure with the greatest merit to providing improvements to the Operations issues cited earlier in this section.

**Figure 20** presents the matrix with the ratings for assessment of the governance models against the “Operations” criterion.

OPERATIONS			
Areas for improvement	Model C	Model D	Model E
High turnover rate (loss of institutional knowledge)	+	+	++
Standard operating procedures are not documented	+	+	++
County does not have access to City’s work order system	SQ	SQ	++
City maintenance staff do not have access to County’s GIS data	SQ	SQ	++
Lack of systematic coordination on water loss management	SQ	SQ	++

**Figure 20: Assessment rating matrix for Operations**

### Employee recruitment

In relation to employee recruitment, the New Gen Report highlighted the issues of higher than industry average vacancy rates especially for key positions and high turnover rate (loss of institutional knowledge). One area of particular concern cited in the NewGen report at both the City and County was a high employee turnover rate and loss of institutional knowledge practically at the senior leadership level positions. These were cited as recruitment and retention and the related but flip side issues.

NewGen surveyed City and County managers to provide feedback on how they thought many of these organizational constraints that impacted turnover and retention and how they could be addressed. Some of the responses in the NewGen Report are listed below.

- Some of the independence from politics;
- A strong, long-term vision unaffected by transitions in administrations;
- Modification as to how the HR, procurement, and training support functions work with operations staff; and
- Adjustments to salaries to make them competitive with that of other utilities and private firms.

Since the NewGen report was published the City has conducted a salary survey for the Water and Wastewater Bureau. The rate increases are being implemented to help in some part mitigate the high turnover rate. However, it was noted that given the occurrence of the recent compensation study and the extent of the demand in the City overall to conduct similar departmental compensation studies, it will likely be a while before another compensation study of the Water and Wastewater Bureau would occur. WSP cites this as an example of how a Department or Bureau in a City government structure naturally institutionally competes for resources and services within the overall City administration. Alternatively, an Authority with a single purpose can maintain a greater focus and emphasis on its mission and may have greater flexibility in pursuing their objectives.

Safe operation of the nation’s drinking water and wastewater utilities (water utilities) depends partly on continuous access to a qualified workforce, particularly sufficient numbers of certified water operators—workers who run the equipment and control the treatment processes for drinking water and wastewater. According to the 2016 Environmental Protection Agency (EPA) Drinking Water Action Plan, a well-trained and knowledgeable workforce that implements proper assessment and management of water utility



assets is vital to providing safe drinking water and ensuring the long-term sustainability of public water systems.

Given that the Special District or Authority will be a single purpose agency lead by a board of directors with demonstrated competencies relating to effective utility management, will have greater economies of scale and greater flexibility or responsiveness regarding management of competitive salaries, training, and benefits. It is for these reasons that Model E - Special District or Authority was assessed with the potential for either some or for significant benefit, while the Model D and Model C were ranked either as having some potential for benefit or expected to perform consistent with the current status quo.

**Assessment**

Even given reasonable assumptions about possible improvements to the DPW- DPWT Intergovernmental Agreement governance structure (Model C), Special District or Authority (Model E) emerges as the governance structure with the greatest merit to providing improvements to the Employee Recruitment issues cited earlier in this section.

**Figure 21** presents the matrix with the ratings for assessment of the governance models against the “Employee Recruitment” criterion.

EMPLOYEE RECRUITMENT			
Areas for improvement	Model C	Model D	Model E
Higher than industry average vacancy rates esp. for key positions	+	+	++
High turnover rate (loss of institutional knowledge)	+	+	++

**Figure 21: Assessment rating matrix for Employee Recruitment**

**Retention and training**

The 2023 SOTWI survey provided an open-ended question asking participants whether there were other issues they felt ranked at least “very important” but were not listed. Workforce issues were a common write-in response—in particular, how to attract, train, and pay the water workforce of tomorrow. Respondents pointed out that the public’s value and respect for water professionals is critical for attracting qualified staff and that training operators for both exam certification as well as long-term professional development is also a challenge. High school courses, trade schools, and college education need to be tailored to water system operations. Not surprisingly, pay is a significant issue. Respondents expressed that compensation should be comparable to other careers in the industry, allowing systems to attract and retain operators and staff. In the past, others have pointed out that along with aging infrastructure we have an aging workforce. Respondents in 2023 noted that knowledge retention within the industry, and specifically of operators, is a major concern.

**Examples of workforce issues throughout the water industry**

**Engage.** It is critical to value the people and employees dedicated to providing safe water and wastewater services to our communities. Recent and upcoming retirements coupled with low recruitment are continued workforce concerns.

**Compensate.** Compensation needs to be comparable to other careers to encourage retention and recruitment within the industry. Compensation should reflect the importance of water industry professions.

**Train.** Operators need access to training programs and materials for exam preparation and certification. High school courses, trade schools, and college education need programming tailored to water system operations. Knowledge retention within the industry, specifically of operators, is a major concern.

**Workforce Training**

Future workforce needs can be identified through strategic workforce planning, which involve developing long-term strategies for acquiring, developing, and retaining staff to achieve program goals.

Five federal agencies – EPA and the Departments of Agriculture (USDA), Labor (DOL), Education, and Veterans Affairs (VA)—have programs or activities that can assist utilities with utility workforce needs in



several ways, including through guidance, funding, and training. Additionally, reviewing other workforce programs of similar agencies can leverage industry knowledge and tailor a program to the meet the regional and community’s needs. A link to EPA workforce training reference can be found at: <https://www.epa.gov/dwcapacity/water-workforce-training-programs>.

Given that the Special District or Authority will be a single purpose agency led by a board of directors with demonstrated competencies relating to effective utility management, will have greater economies of scale and greater flexibility or responsiveness regarding management of competitive salaries, training, and benefits. It is for these reasons that Model E – Special District or Authority was assessed with some potential benefit, while the Model D and Model C were ranked as expected to perform consistent with the current status quo.

**Assessment**

In the assessment of how the three governance approaches may improve Retention and Training, even given reasonable assumptions about possible improvements to the DPW- DPWT Intergovernmental Agreement governance structure, Model C, the governance structure with the greatest merit to providing improvements to the Retention and Training issues cited is Model E, Special District or Authority.

**Figure 22** presents the matrix with the ratings for assessment of the governance models against the “Retention and Training” criterion.

RETENTION AND TRAINING			
Areas for improvement	Model C	Model D	Model E
Loss of institutional knowledge due to high turnover and high vacancy rates	SQ	SQ	+
Salaries are not market competitive*	SQ	SQ	+

**Figure 22: Assessment rating matrix for Retention and Training**

**Billing and collections**

Given that the Special District or Authority will not be limited by the institutional barriers to interjurisdiction cooperation and collaboration institutionally inherent in governance models D and C, there is every reason to believe that systematic billing, collection, and revenue enhancement would be the de facto state of affairs after implementing Model E – Special District or Authority. Additionally, a new Special District or Authority, would in order to become financially sound be focused on optimizing the billing and collection processes to manage the receipt of revenues consistent with the approved billing polices. While the Model D and Model C were ranked as expected to perform consistent with the status quo, or with some potential benefit or in one category in the case of Model D worse than the current status quo. As the Model D wholesale utility would sell water in bulk to the County, the County would need to reconstruct a substantially or entirely new water and sewer billing process.

**Assessment**

Even given reasonable assumptions about possible improvements to the DPW-DPWT Intergovernmental Agreement governance structure (Model C), Special District or Authority (Model E) emerges as the governance structure with the greatest merit to providing improvements to the Billings and Collections issues cited earlier in this section.

**Figure 23** presents the matrix with the ratings for assessment of the governance models against the “Billing and Collections” criterion.



BILLING AND COLLECTIONS			
Areas for improvement	Model C	Model D	Model E
QA/QC process to ensure billing accuracy	+	+	++
Increase in customer delinquency since 2017	SQ	+	+
Long standing disputes over customer billing and annual water reconciliation	SQ	SQ	++
City's water billing adjustments and customer account changes inadequately communicated to County (impacting sewer billing)	+	-	++

**Figure 23: Assessment rating matrix for Billing and Collections**

### Planning for capital improvements

Given that the Special District or Authority will be a single purpose agency lead by a board of directors with demonstrated competencies relating to effective utility management and that joint capital planning will be a point of both transition and long-term interests of its founding members, and that it will not be limited by the institutional barriers to interjurisdiction cooperation and collaboration institutionally inherent in governance models D and C, there is every reason to believe that systematic planning for capital improvements be the de facto state of affairs after implementing Model E - Special District or Authority. It is for these reasons that Model E - Special District or Authority was assessed with some or significant potential benefit, while the Model D and Model C were ranked as having some potential benefit or worse than the current status quo.

#### Assessment

Even given reasonable assumptions about possible improvements to the DPW- DPWT Intergovernmental Agreement governance structure (Model C), Special District or Authority (Model E) emerges as the governance structure with the greatest merit to providing improvements to the area of planning for capital improvements.

**Figure 24** presents the matrix with the ratings for assessment of the governance models against the “Planning for Capital Improvements” criterion.

PLANNING FOR CAPITAL IMPROVEMENTS			
Areas for improvement	Model C	Model D	Model E
No mechanisms/systems in place to ensure that the joint planning function is carried out effectively and efficiently (water and wastewater)	+	--	++
Water Analyzer office is understaffed	+	+	++
No metrics are used to evaluate program performance	+	+	++

**Figure 24: Assessment rating matrix for Planning for Capital Improvements**

### Emergency management

A major metropolitan water system that does not have a well-developed, approved, and well-coordinated and socialized Drought Response Plan is not consistent with prudent industry practices. The Newgen Report states that as of 2020 “An RFP for a comprehensive watershed plan, including a drought management component, has been issued.” And then goes on to state that “the County and City both need coordinated [Drought Response] plans.” The NewGen report references AWWA’s M60 Drought Preparedness and Response as a guidance document for development and implementation of a drought Response Plan. The Consultant emphatically agrees that the County and City both need a well-coordinated, communicated, and socialized Drought Response plan. Planning for and preserving adequate water supplies



in the current error of climate change is a fundamental requirement of effective management of a water supply system and essential to support the regional health, welfare, and economy.

Given that the Special District or Authority will be a single purpose agency lead by a board of directors with demonstrated competencies relating to effective utility management and that Drought Response planning be both a transitional and long-term interest of its founding members, and that it will not be limited by the institutional barriers to interjurisdiction cooperation and collaboration institutionally inherent in governance models D and C, there is every reason to believe that systematic and regular planning for Drought Response be the de facto state of affairs after implementing Model E – Special District or Authority. It is for these reasons that Model E – Special District or Authority was assessed with significant potential benefit, while the Model D and Model C were ranked as having some potential benefit relative to the current status quo.

**Assessment**

Even given reasonable assumptions about possible improvements to the DPW- DPWT Intergovernmental Agreement governance structure (Model C), Special District or Authority (Model E) emerges as the governance structure with the greatest merit to providing improvements to the area of emergency management.

Figure 25 presents the matrix with the ratings for assessment of the governance models against the “Emergency Management” criterion.

EMERGENCY MANAGEMENT			
Areas for improvement	Model C	Model D	Model E
No drought response and unclear drought response roles	SQ	SQ	+

Figure 25: Assessment rating matrix for Emergency Management

**Rate stability for customers**

**Rate Affordability**

NewGen report indicates that the City has a well-developed customer assistance program, the Water4All program that provides generous subsidies for low-income customers and senior citizens. The City’s approach to its customer assistance programs is modeled on recognized best practice affordability programs. Baltimore County maintains programs to assist veterans and seniors with sewer bills.

The 2023 AWWA SOTWI survey respondents who identified as executive/ management and financial officers of utilities were asked if their utility offered an affordability program to assist low-income customers in paying their water and/or wastewater bill; 54% said they either had an affordability program in place or that assistance was offered elsewhere (e.g., through the city). Additionally, 66% of respondents indicated that they have flexible payment plans, 42% have external customer assistance programs, and 33% have utility-managed customer assistance programs. Late-payment fee suspension and bill credits or bill forgiveness are reported by 29% and 27% of respondents, respectively.

The City has undertaken several important initiatives to address water service and affordability issues. Those activities include many steps considered to be part of affordability programs. Upgrading existing meter technology to smart advanced metering infrastructure (AMI) system can reduce both operating costs and nonrevenue water losses. Moving to a monthly billing cycle and the creation of the Water4All program, that is a water billing discount program designed to create more equitable access to water assistance for more Baltimore City residents are beneficial elements of many affordability programs.

The existing City equity-based programs such as the Water4All program would continue under the new governance model including Model E. The consultant recommends that these existing programs focused on promoting equitable and affordable access to water continue or be expanded under the new governance model. If Model E is chosen, there will be an opportunity to expand these programs across the region/service area of the new authority, which may be a positive development from an equity perspective.



Affordability has been identified as one of the Threshold Issues that would need to be addressed as a transition period activity that would be necessary in order to Implement Model E- Special District or Authority. It was indicated that an Equity Assessment would be prepared during the transition that would address both affordability and equity in rate setting and policy.

### **Rate Predictability - Providing Sustainable and Reliable Utility Service**

#### ***Full-Cost Pricing***

AWWA holds that the best practice for provided water services to the public is by ensuring a self-sustaining enterprise which are adequately financed with rates and charges based on sound accounting, engineering, financial, and economic principles. Revenues from service charges, user rates, and capital charges (e.g., impact fees, system development charges) should be sufficient to enable utilities to provide for the full cost of service, including the following:

- Annual O&M expenses
- Capital costs (e.g., debt service, other capital outlays)
- Adequate working capital and required reserves.

Full-cost pricing—i.e., charging rates and fees that reflect the full cost of providing water and/or wastewater services—should include renewal and replacement costs for treatment, storage, distribution, and collection systems. Some utilities have previously kept their rates low by minimizing or ignoring renewal and replacement costs, but as the useful lives of our infrastructure systems come to an end, managers, and the communities they serve are forced to address these costs, sometimes through painful and unexpected rate increases. Issues related to equity and affordability must be considered as rates are adjusted, and each system has its own unique rate-setting challenges based on current conditions as well as recent developments and long-term history.

The 2023 SOTWI survey asked respondents who identified as utility executive/management and financial officers whether their utility has conducted a water and/or wastewater rate study in the past three years. The AWWA survey found that 27.3% of utilities are struggling to implement full-cost pricing.

#### ***Sustainable and Reliable Utility Service***

To provide sustainable and reliable utility services it will be of critical importance that the City, County, and the new Authority in all cases address both Full Cost Pricing and Affordability as matters being of equal importance. Utilities must plan, build, operate, maintain, and replace the typically large and expensive assets that provide potable water and wastewater services. System stewardship entails how water and wastewater systems are operated, maintained, and replaced and replaced. Financial stewardship of the utility must include ensuring full cost recovery (i.e., pricing water to accurately reflect its true cost). This is particularly difficult now that the utilities' assets now are facing a critical time for renewal and replacement. However, to provided sustainable and reliable water and sewer services long-term requires adequate funding in order for the utility to be an effective steward of the utility systems. The transition to sustainable water and sewer utility systems presents opportunities to enhance affordability of water and sewer utility services and access to reliable clean water and a healthy environment for those disadvantaged by existing utility systems.

To be consistent with the objectives for ensuring sustainable and reliable rates, the Consultant has recommended that the new Authority be required to undertake the following financial planning and accounting processes and procedures.

- Adopt an Audited Financial Report
- Cause a Cost-of-Service Study to be performed to support rate increase.
- Annually reconcile its actual expenses to the Cost-of- Service study expenses
- Prepare and Publish for Board Approval, a Five and 10-Year Capital Improvement Plan, the CIP (fully reconciled with five-year rate forecast)



- Require Board Approval of Annual CIP Spending Plan (fully reconciled with Approved Annual Budget and Rates)
- Annually approve Budget to include:
  - A published Five-Year Rate Forecast fully reconciled with approved 5-Year CIP plan.
  - A long-term forecast of Service Demands of Special District or Authority’s Service Area
- The City and Counties would be obligated to prepare a long and short term forecast of Service Demands that are to be relied upon by the Special District or Authority
- Approval or reconciliation with the of Annual CIP Spending Plan with the budget
- Require Board approval of any Capital Project contract.

Water & sewer systems, particularly in core cities, can produce inequities by race and income in the distribution of utility system costs and benefits. However, policy imperatives to reverse these inequities and transition to well-functioning infrastructure systems to mitigate very high urban asset rehabilitation costs and deferred investment on aging infrastructure are not mutually exclusive. Hence, the City, County and the new Authority must address both Full Cost Pricing and Affordability as matters being of equal importance.

Given that the Special District or Authority will be a single purpose agency lead by a board of directors with demonstrated competencies relating to effective utility management and that Rate Stability for Customers will be a transitional Threshold Issue and of long-term interest of its founding members, will have a greater economy of scale, and that it will not be limited by the institutional barriers to interjurisdiction cooperation and collaboration institutionally inherent in governance models D and C, there is every reason to believe that the greatest opportunity for long-term benefit to rate stability for customers exist after implementing Model E - Special District or Authority. It is for these reasons that Model E - Special District or Authority was assessed with either some, or significant potential benefit in most cases, while the Model D and Model C were ranked as having some potential benefit relative to the current status quo and maintaining the status quo, respectively.

**Assessment**

Even given reasonable assumptions about possible improvements to the DPW-DPWT Intergovernmental Agreement governance structure (Model C), Special District or Authority (Model E) emerges as the governance structure with the greatest merit to providing improvements to the area of rate stability.

**Figure 26** presents the matrix with the ratings for assessment of the governance models against the “Rate Stability” criteria.

RATE STABILITY FOR CUSTOMERS			
Areas for improvement	Model C	Model D	Model E
Rate affordability	SQ	SQ	+
Rate predictability	+	+	+
Rate structure (for retail customers)	SQ	+	-
Rate structure (for wholesale customers)	SQ	+	+

**Figure 26: Assessment rating matrix for Rate Stability for Customers**



## 9. ALTERNATIVE GOVERNANCE MODELS: RECOMMENDATIONS

The objective of the Task Force is to make a recommendation for the governance model best suited for water and wastewater systems in the Baltimore region and for the necessary legislation and funding to establish the recommended model as directed in House Bill 843. On the merits, it is the opinion of the Consultant that the governance model that holds the greatest prospect to provide the optimal customer service, system reliability, and interjurisdictional collaboration is governance Model E, Special District or Authority. The Consultant also indicated that delivering the benefits of Model E, a Special District or Authority, also presented significant risks related to a series of threshold economic and community issues, that cannot be answered based upon a hypothetical conceptual governance model. Lastly, the Consultant recommended that the Task Force select as its preference Model E, but that the City and County commit sufficient resources to define the transactions and actions involved enough to resolve the threshold issues such that there is a reasonable basis to fully commit to implementing a regional authority. Based upon the information presented to the City and County representatives regarding Model E in response to Task Force Meeting No. 5 the following recommendation was developed for consideration for implementing Model E.

### Model E- Special District or Authority – Threshold Issues

Delivering the benefits of Model E, a Special District or Authority that meets all the objectives defined in HB843 also presents significant risks to the City, County and region related to a series of threshold economic and community issues, (the Threshold Issues) that cannot be answered based upon consideration of a theoretic conceptual governance model.

WSP was tasked to make a recommendation to the Task Force for its consideration. After assessing all the information and factors required by HB843 and our scope to consider, the Consultant recommended that the Task Force select as its preference Model E on its merits. However, in light of the findings about the complexity of unresolved threshold issues and the actual depth of planning required to transition to Model E, we also recommended that the City and County commit sufficient resources to collaboratively define the specifics of that governance model and transactions and actions involved to transition to that governance structure in order to resolve the threshold issues.

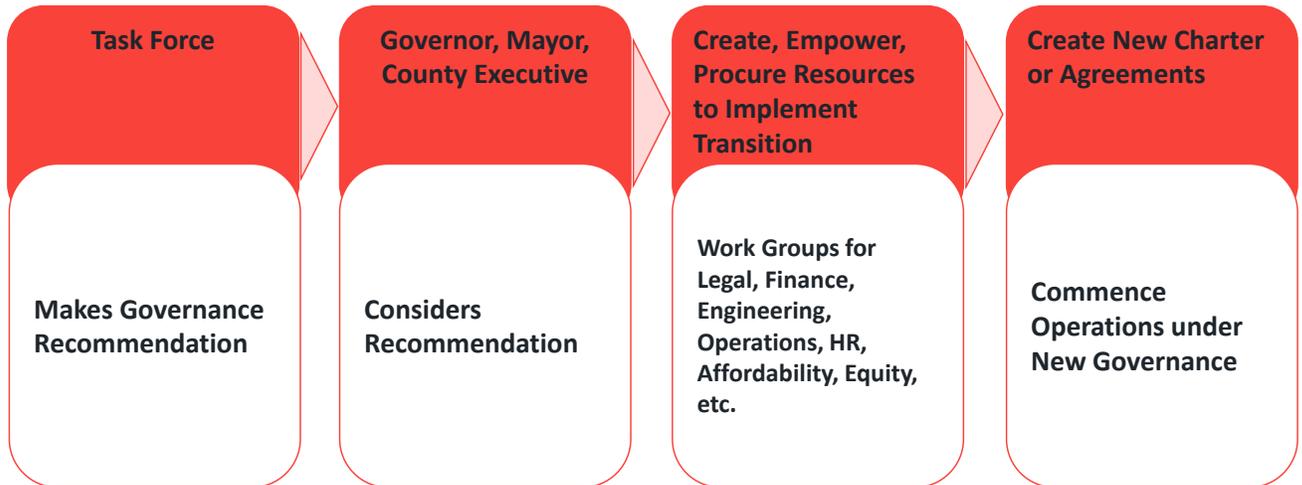
If any of these threshold issues cannot be resolved equitably and economically, they each hold the potential to derail implementing Model E if the economics or community impacts prove unacceptable. Resolution of the following threshold issues is necessary in order to develop a detailed and comprehensive basis to have reasonable confidence that fully committing to implementing a Special Authority was possible:

- Final debt defeasance determination specifically to determine whether debt refinancing be required.
  - Defining acceptable contractual relationships City and Authority, and County and Authority so that existing City and County debt does not need to be refinanced.
  - Developing a financial transition plan that “Does no damage” to the Parties involved while facilitating standing-up the new authority.
  - Exploring potential role of MEDCO in near-term interim and initial Authority financings
- Resolution of transition options from City, County to Authority Pension.
- Develop asset lease or facilities use policies and strategies.
  - Baltimore City Charter may prohibit leasing of facilities.
  - Charter amendment required for City to lease assets to an authority.
  - Is a Rate Setting Board feasible or desirable to implement in the City, or for the Authority?
- Develop an Equity Assessment.

## Transition approach

The remainder of this section describes the overall transition approach, the advisory groups that would be needed to implement the transition to a new governance model as well as an indicative cost estimates and schedule. Most importantly, this section defines a set of issues that would need to be satisfactorily resolved in order to successfully transition to Model E.

A general concept and sequence of transitioning to a new governance model was presented to the Task Force using **Figure 27**.



**Figure 27: Overview of the recommended transition approach**

The long-term recommendation is for future implementation of an Authority (Model E), supported by an 11-member Board of Directors with appointees from the City of Baltimore, Baltimore County, and the Governor of Maryland.

The transition approach to support this recommendation includes the following:

- In order to implement an Authority, further evaluation of several threshold issues should be conducted by a dedicated, professional Work Group. The threshold issues studied by the Work Group should include, but are not limited to, the following:
  - Legal: Assessment of any legal and legislative adjustments needed to transition to an Authority, including an analysis of changes needed to the City and County Charters.
  - Human Capital: Evaluation of the potential workforce for an Authority, including the transition of employee benefits, pension, and labor representation of existing City and County employees to a newly established authority model.
  - Financial: Development of a financial transition plan, including an analysis of pre-existing debt and the broader fiscal implications of moving to an authority model on each jurisdiction.
  - Equity: Oversee creation of an equity analysis to understand the implication of transition to a newly established authority of vulnerable residents in each jurisdiction, including recommended programming to support residents through impacts associated with transition.

Recommend improvements to the existing governance structure while further evaluation of a transition to an Authority is conducted (which could take several years) include the following:

- Establish a City-County Water Advisory Committee to ensure that the current operation is accountable to all ratepayers of the system.
  - Appointees of the City-County Water Advisory Committee would be selected by the Mayor of Baltimore City and Baltimore County Executive.
  - The scope of work for a City-County Water Advisory Committee should include, but are not limited to, the following:



- engagement in long-term planning, drought response, capacity planning, and CIP prioritization; and
- engagement in customer service, support and water and sewer billing issues.
- Perform a cost-of-service study to provide ratepayers with a clear understanding of how their water bills translate to the requirements of operating the system.
- Perform a joint equity assessment to evaluate the impact that the existing governance structure has on employees, customers, stakeholders and the environment, and recommend policy and project modifications to promote community well-being.
- Intermunicipal Agreement Improvements: It was observed and reported that the City and County have made improvements to improve the interjurisdictional cooperative efforts to better manage the performance of the shared facilities and it had additionally become apparent that the existing governance structure associated with the Intermunicipal Agreement would need to remain in place for an extended period of time until such time as the threshold issues related to Model E were sufficiently addressed, it was further advised that there should be short-term governance recommendations, including:
  - Document standard annual procedures and milestone deadlines for developing annual cost sharing allocations.
  - Prepare a Contract Administration Memorandum to document procedures for use.
- Consider and pursue legislative items for the upcoming legislative session including:
  - Provide support for establishing the Work Group to study implementation steps for a Regional Authority, including funding to support those groups that will evaluate the threshold issues listed above. Note that this may require the procurement of outside legal counsel to advise given the inherent conflict associated with advice from the legal counsel of the existing utilities.
- Maximize use of internal City and County agency resources:
  - Legal, noting however the above restriction.
  - Financial and Accounting
  - HR – Salary-Benefits - Pensions
  - O&M Performance - Benchmarking Best Practices
- Procure advisory support as needed.
- Create Charter/Bylaws for new Special District or Authority – obtain City/County/Legislative approvals.

## Potential Configuration of the Transition Work Groups.

Examples of third-party services to support the Work Groups include facilitation, management consulting, financial and accounting, legal, investment banking, and employee relations and benefits support.

### 1. Legal Work Group

- City-County Charter Amendments
- Asset Lease
- Water and Sewer Agreement
- Authority Bylaws
- Legislative Authorization
- Bond indenture



## 2. Human Capital Work Group

- Equity Plan addressing: safe, efficient, equitable, and affordable
- Authority Compensation plan
- Reviewing options for benefits
- Reviewing options for retirement plans,
- Considering transition for collective bargaining agreements.

## 3. Financial Work Group

- Creating a Financial Framework to Move Forward
- Consolidation of finances
  - Existing debt management
  - New Debt management structure
- Create financial framework for the region's ratepayers,
  - Assessing opportunities to realize cost savings,
  - optimize water and sewer infrastructure,
  - promote rate stability.
- Financial Structure of the New Authority – Credit worthiness – MEDCO's role
- Reconciling water and sewer rate design & rates
- Producing a consensus financial proforma
- Performing the legwork to allocate assets and created operational responsibilities and accountabilities.
- Consolidating Billing and Collections, Customer Service
- Creating the Consolidated CIP
- Evaluating the “What Else” – joint capital projects
- Authority Capital Planning Process
- Strategic Plan

## 4. Equity Work Group

- Equity analysis development
- Public meetings and communications

## Transition Cost Estimates & Schedule

According to industry comparators, the transition to an authority is estimated to cost between \$5 million and \$15 million. Transition costs assumptions are forward-looking and actual costs will be based on resource availability for yet undetermined set of issues, by parties not yet determined that will once formed determine the extent of need for third-party support. We have used a conceptual cost range from \$5 million for Model C and \$15 million for Models D and E , not including retirement benefit transition costs. These estimates are purely based upon industry comparators. The cost magnitude of transitioning retirement benefits remains unknown and therefore are a threshold issue. If the use of City/County human resources for supporting the transition is maximized, additional outside third party costs can be minimized.

For other utilities that have transitioned to a new authority structure, the timeline has taken from 12 to 24 months. A transition to Model E – Special District or Authority will require a timeframe closer to, or even



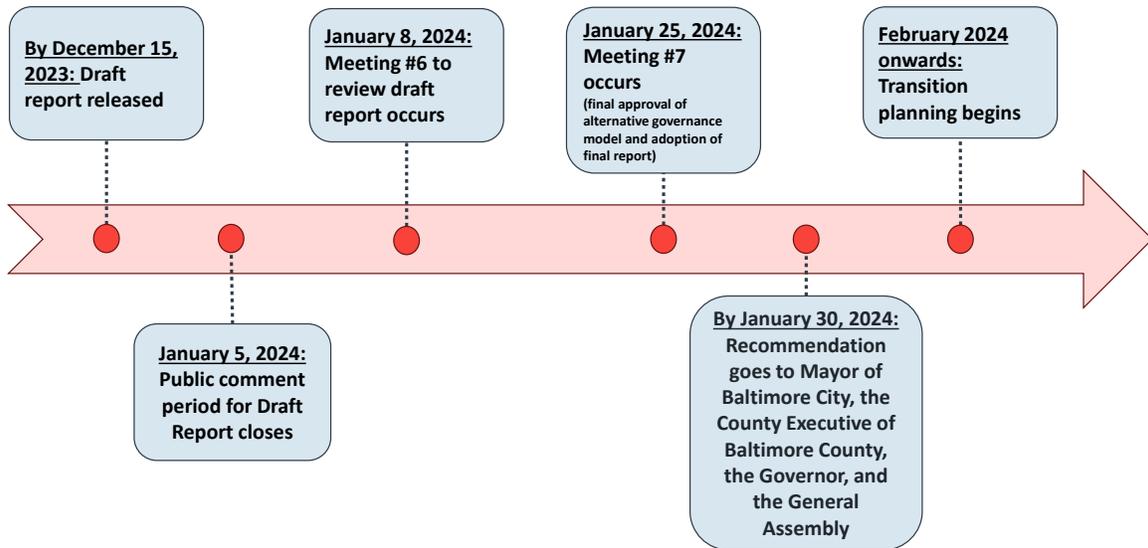
longer than 24 months given the nature and complexity of the threshold issues that must be addressed before an authority could be stood-up.

## 10. NEXT STEPS

This draft report is now posted for public comment and will be available until 5:00 P.M. on January 5, 2024. Comments from the public are welcome. The procedure for submitting comments on this report is to e-mail [WaterGovernance@baltimorecity.gov](mailto:WaterGovernance@baltimorecity.gov) or [watergovernance@baltimorecountymd.gov](mailto:watergovernance@baltimorecountymd.gov).

**Figure 28** presents the next steps on the path of reaching a final Task Force recommendation on the best governance model for the Baltimore water and wastewater systems. This Consultant’s recommendation in the draft report to the Task Force will be discussed at Meeting No. 6, to be held virtually on January 8, 2024. Following the January 8, 2024 meeting, the Consultant will incorporate feedback from the Task Force that will include their consideration of the public’s comments and prepare a Final Draft Report of Findings and Recommendations from the Task Force. This report will be posted online and then made part of the agenda for discussion and final adoption during Meeting No. 7 to be held virtually on January 25, 2024.

The Consultant will assist the Task Force in making any revisions necessary to prepare its Final Report of Findings and Recommendations. As required by HB843, the Task Force shall no later than January 30, 2024 report its findings and recommendations to the Mayor of Baltimore City, the County Executive of Baltimore County, the Governor, and, in accordance with § 2–1257 of the State Government Article, the General Assembly. It is expected that transition planning for implementing the final recommendation will begin from February 2024 onwards.



**Figure 28: Overview of next steps for selection of a new governance model**

# Table of Contents

Appendix A – Water Governance Table

Appendix B – SWOT Analysis

Appendix C – Follow-ups

Appendix D – Refinancing Analysis Memo

## Appendix A

### **Background**

The Task Force is charged with researching and coming to a decision on the best water governance model to recommend for the Baltimore region. To do this, they are supported by consultants at WSP. WSP put forward five models to consider for further research. These models are: Memorandums of Understanding, Cooperatives, Wholesale Service Purchase Agreements, Intermunicipal Service Agreements, and Special Districts. To support this research and provide examples to the public and the Task Force, WSP developed a table outlining different cities and their utility models that covers the model type, model background, and key information such as the rate setting process. Additionally, the Task Force requested WSP also include some information regarding stormwater. The intention of this is to provide greater context with which to help the Task Force make recommendations. This was also put together with input from the Task Force as to which utilities would be of interest.

### **Methodology**

WSP based the 44 selected utilities on the following criteria:

- 1) Easily available information. The NewGen Business Process Review offered several utilities which were incorporated here and then many others were added.
- 2) Population and geography. Metropolitan areas that were similar in size to Baltimore with a similar geography and access to water.
- 3) Interest. Included several metropolitan areas or utilities specifically requested by the public and Task Force members.

### **Summary per Model Type**

United States (39)

- Model A, Memorandum of Understanding (2): Loudoun Water-Loudoun County, Santa Maria-Nipomo;
- Model B, Cooperative (3): Bonita Springs Utilities, EJ Water Cooperative, Entranosa Water;
- Model C, Wholesale Service Purchase Agreement (7): AFCWRC, DC Water, Charlottesville, Great Lakes Water Authority Massachusetts Water Resources Authority, Metropolitan Water District of Southern California, San Diego County Water Authority, Tampa Bay Water;
- Model D, Intermunicipal Service Agreement (12): Town of Andover, City of Baltimore, Baltimore County, Buffalo Water, DC Water, Detroit Water and Sewerage District, Jefferson County Environmental Services, Louisville/Jefferson County Metropolitan Sewer District, Milwaukee Water Works, Nashville Metro Water Services, Portland, San Francisco; and
- Model E, Special District or Water/Wastewater Authority (10): City of Atlanta, Birmingham Water Works, Boston Water and Sewerage District, Cape Fear Public Utility Authority, DC Water, Louisville Water Company, Milwaukee Metropolitan Sewer District, Sacramento Area Sewer District, St. Louis County, WSSC Water.

Single City Utilities (5): KC Water, Philadelphia Department of Water, City of Richmond VA, City of Sacramento, City of St. Louis Water Division

International (5): Bristol (Privatized, Special District), Gold Coast (Wholesale Agreement with regional authority but owns own pipes), Bloemfontein (Special District), Kitchener (Special District), Winnipeg (Intermunicipal Agreement).

This table was put together entirely through online research and as such is limited to information that is in the public domain. It does not intend to serve as an exhaustive list of all relevant utilities. This research involved classifying each utility as one model or another, whenever possible, but the reality is that most utilities are a blend of more than one model. A city department, for example, may serve suburban communities outside its normal jurisdiction, or a special district may only address wastewater, making an additional utility necessary.

Baltimore Regional Water Governance Task Force  
 Consultant Summary of Utility Profiles

City/Utility	Population	Service Relationship with Metro Region	Name	Model	Model Background	Rate Setting Process	Stormwater part of?
City of Baltimore, MD	569,931	Serving Baltimore City and surrounding region, totaling 1.8 million people.	Baltimore Department of Public Works (DPW)	Intermunicipal Service Agreement	Combined water, wastewater, sanitation, and recycling authority. Provides wholesale services to neighboring areas	DPW submits request and Board of Estimates approves for water, sewer, and stormwater.	Yes, DPW manages stormwater in Baltimore. DOT supports maintenance and aspects of the adjacent physical infrastructure. Not a combined sewer system.
Baltimore County, MD	850,000	Water handled by Baltimore City. Sewage handled by County.	Baltimore County Bureau of Utilities	Intermunicipal Service Agreement	Baltimore City operates water utility, Baltimore County manages own wastewater collections through municipal Bureau of Public Utilities, but wastewater is treated by a City of Baltimore facility ( <a href="#">Patapsco</a> or <a href="#">Back River</a> WWTP)	Baltimore DPW implements water rates set by Baltimore County. Baltimore County Financing and Petitions Office is responsible for setting wastewater rates.	No. Stormwater managed by Department of Environmental Protection & Sustainability. Not a combined sewer system.

Baltimore Regional Water Governance Task Force  
 Consultant Summary of Utility Profiles

City/Utility	Population	Service Relationship with Metro Region	Name	Model	Model Background	Rate Setting Process	Stormwater part of?
AFCWRC (Atlanta-Fulton Water Resources Commission)	1,000,000	Agreement between Atlanta and Fulton County	Atlanta Fulton County Water Resources Commission	County wholesale Utility formed to assure meeting the water supply needs of northern Fulton County and the City of Atlanta. Water from the water plant is sold by contract.	Run by Board of 7 (3 from Atlanta, 3 from Fulton County, one independent). The purpose of the joint venture is to develop plans for, acquire the necessary sites and governmental permits for and to construct and operate a water treatment plant and appurtenances in North Fulton County, Georgia, to serve the joint needs of Atlanta and Fulton County in assuring an adequate supply of potable water for the citizens of Atlanta and Fulton County. The water produced by the plant shall be delivered to the parties to this contract for their use. Additionally, the joint venture shall make investigations and coordinate additional joint planning and development for the efficient utilization of the water resources.	Managed by a Joint Venture Board of Commissioners consisting of seven members (3) from Atlanta, (3) from Fulton County and (1) one independent member.	Only manages water supply.
Andover-North Reading, MA	50,000	Established terms for Town of Andover to sell potable water to Town of North Reading	Town of Andover Water Division - North Reading Water Department	<a href="#">Intermunicipal Water Purchase Agreement</a>	Owned by Town of Andover. Andover's Rates set by Andover Board of Selectmen	Rate determined by Town of Andover for its customers and North Reading sets the rates for its customers.	No. Stormwater not addressed in intermunicipal agreement. Andover does not have a combined sewer system.

Baltimore Regional Water Governance Task Force  
 Consultant Summary of Utility Profiles

City/Utility	Population	Service Relationship with Metro Region	Name	Model	Model Background	Rate Setting Process	Stormwater part of?
Atlanta, GA	499,127	Drinking water also covers Fulton County, wastewater covers greater region.	City of Atlanta Department of Watershed Management	Special District formed 2002 to manage Atlanta's water, wastewater and stormwater systems to address consent decrees and provide City, Regional and State economic stability.	Owned by City of Atlanta. Responsible for the strategic planning and oversight of the O&M of the water treatment and distribution, wastewater collection and treatment and stormwater management.	Rates proposed by Department of Watershed Management. Water and Sewer Appeals Board approves, members appointed by City Council.	Yes. Stormwater managed by Department of Watershed Management, different office than water/sewer. City has combined sewer overflow treatment facilities. Combination of combined and separate sewer systems. To reduce combined sewer overflows, Atlanta has worked to separate the systems in key areas.
Birmingham, AL	200,000	BWW serves neighboring counties, nearly 800,000 total people.	Birmingham Water Works + Jefferson County Environmental Services	Special District (water) + Intermunicipal Service Agreement (sewer)	Jefferson County Environmental Services is a department of Jefferson County, AL. Birmingham Water Works is owned by City of Birmingham.	Birmingham Water Works Board of Directors is responsible for providing strategic direction, adopting the utility's operating and capital budgets, approving contracts, and setting rates. The Board consists of nine members, two appointed by the Mayor, four directors are appointed by the Birmingham City Council, one appointed by the Jefferson County Mayor's Association, one by the Shelby County Commission and one director is appointed by the Blount County Commission. <a href="#">Sewer rates appear</a> to reflect the requirements of Jefferson County's bankruptcy agreement in 2013.	No. Managed by City of Birmingham Stormwater Management Division. Jefferson County sewer facilities are <a href="#">separate</a> sewer systems
Bonita Springs Utilities	55,000	Serves Bonita Springs, FL and some neighboring communities	Bonita Springs Utilities	Cooperative	Not-for-profit water and wastewater utility cooperative founded by local citizens in 1970.	Established by the board as needed. The nine-member Board of Directors sets policy for BSU and meets twice a month to conduct Company business.	No. Stormwater is not managed by BSU. <a href="#">Not a</a> combined sewer system,

Baltimore Regional Water Governance Task Force  
 Consultant Summary of Utility Profiles

City/Utility	Population	Service Relationship with Metro Region	Name	Model	Model Background	Rate Setting Process	Stormwater part of?
Boston, MA	650,706	Purchases water and sewer services from regional wholesaler (MWRA)	Boston Water and Sewer Commission	<a href="#">Special</a> District with Wholesale Supply and Services Purchase Arrangement	BWSC owns and operates the water and sewer system. BWSC purchases water from the Massachusetts Water Resources Authority (MWRA), a wholesale supplier of water and wastewater services. Wastewater is treated by MWRA. BWSC is overseen by a three-member Board of Commissioners that is appointed by the mayor with the approval of the City Council.	Commission sets rates based on its own <a href="#">methodology</a> .	Yes. BWSC manages stormwater. <a href="#">80% of Boston</a> is now served by separate stormwater systems. The remainder is served by combined sewers or no stormwater system.
Buffalo, NY	275,000	Suburban service primarily managed by Erie County Water Authority	Buffalo Water + Buffalo Sewer Authority	Buffalo Water Board in a NY public service corporation. BSA is an Authority that provides services to adjacent municipalities by Intermunicipal Service Agreement	Buffalo Water O&M is performed by Veolia through a Public-Private Partnership.	Buffalo Sewer Authority establishes rates and charges for sewer service.	Unclear, but Buffalo Sewer Authority prepared the jurisdiction's stormwater management plan. There are Combined Sewer Overflow events noted in the report.
Cape Fear, NC	440,000	Cape Fear is a regional utility authority covering the City of Wilmington and New Haven County, NC.	Cape Fear Public Utility Authority	Special District/Authority	Consolidation of formerly independent City and County water and sewer utilities into a new independent authority (Consolidation; Water and Wastewater Authority)	Rates are established by CFPUA board. Rates are set as part of the Authority's budget approval process and involves public consultation.	The City of Wilmington separately manages stormwater from their combined sewer system.

Baltimore Regional Water Governance Task Force  
 Consultant Summary of Utility Profiles

City/Utility	Population	Service Relationship with Metro Region	Name	Model	Model Background	Rate Setting Process	Stormwater part of?
Charlottesville, VA	46,000	RWSA is a wholesale agency that provides impoundment, treatment, storage and transmission of potable water and transport and treatment of wastewater to the Charlottesville Public Works Department and the Albemarle County Service Authority, who in turn provide water and wastewater services to individual retail customers. Amounting to 150,000 total people.	Rivanna Water and Sewer Authority (RWSA)	Wholesale Service Purchase Arrangement	Regional wholesale supplier with retail City and County customers (Wholesale Service Purchase Arrangement, Collaborative Resource Development; Wholesale Service Purchase Agreement, Water and Sewer Authority).	Utility rates set by City Council.	Yes. Stormwater, water, and wastewater all managed by Department of Utilities but not by the RWSA. Stormwater uses separate infrastructure from sewer. Note: Charlottesville just supplies drinking water provided by RWSA.
Detroit, MI	620,376	Serves City of Detroit. GLWA serves as wholesale supplier to City and suburbs.	Detroit Water and Sewerage Department (DWSD)	Intermunicipal Service Agreement	Combined Water and Wastewater utility that operates as a branch of the city government overseen by the Board of Water Commissioners (BOWC).	GLWA sets rates for wholesale water supply. Detroit Board of Water Commissioners sets rates for DWSD customers.	Yes. DWSD manages stormwater. Uses a combined sewer system.
EJ Water Cooperative, IL	11,000	Serves Montgomery County, IL area.	EJ Water Cooperative	Cooperative	Member-owned, not-for-profit water utility.	Rate increases are based on the Consumer Pricing Index from the Bureau of Labor Statistics.	No. Provides drinking water only. Not a combined sewer system.

Baltimore Regional Water Governance Task Force  
 Consultant Summary of Utility Profiles

City/Utility	Population	Service Relationship with Metro Region	Name	Model	Model Background	Rate Setting Process	Stormwater part of?
Entranosa Water, NM	7,100	Based in Tijeras, rural community near Albuquerque.	Entranosa Water & Wastewater Association	Cooperative	Entranosa Water & Wastewater is a <a href="#">non-profit</a> , private, cooperative. The Board of Directors of Entranosa Water & Wastewater Association is the governing body of the association. The Board consists of a chairman, a vice chairman, secretary and treasurer and three board members. The board serves three-year staggered terms, is completely volunteer and is elected by votes from Entranosa's general membership during the annual meeting.	Determined by Board of Directors in accordance with association by-laws.	No. Drinking and wastewater only. Not a combined sewer system.
Kansas City, MO	509,297	KC Water does not supply Kansas City, KS across the border. North Kansas City, an independent city within the Kansas City metro, handles its own water and sewer infrastructure.	KC Water	City Utility Dept.	KC Water manages both water and wastewater in Kansas City. KC Water is regulated by the Kansas City, MO Code of Ordinances.	KC Water submits budget to Mayor and City Manager, who in turn submit budget to City Council. City Council acts as the Governance Board regarding rates and budget.	Yes. Stormwater is managed by KC Water. 56 square miles of 320 square mile total service area have a combined sewer system, generally the older parts of the city are combined sewers. KC Water has a federally mandated overflow control program (OCP).

Baltimore Regional Water Governance Task Force  
 Consultant Summary of Utility Profiles

City/Utility	Population	Service Relationship with Metro Region	Name	Model	Model Background	Rate Setting Process	Stormwater part of?
Loudoun County-Loudoun Water	425,000	Serves Loudoun County, VA, which is part of the greater DC area.	Loudoun County-Loudoun Water MOU	Memorandum of Understanding	The two parties wanted to cooperate on certain wastewater capital projects in unincorporated parts of the county. The MOU is a high-level document meant to clarify the roles and responsibilities between the two parties when undertaking such projects.	N/A	No, stormwater is not covered under the purview of the MOU. Loudoun County does not have a combined sewer system.
Louisville, KY	624,444	Provides retail service to those in Jefferson County and wholesale service to other counties in the region.	Louisville Water Company + Louisville/Jefferson County Metropolitan Sewer District	<a href="#">Special</a> District (water), Intermunicipal Service Agreement (wastewater/sewer)	Separate water and wastewater utilities. Water Company is governed by the Board of Water Works. Water Company and MSD meet regularly as part of the One Water Partnership. Provides wholesale services to region.	Both utilities self-set rates. MSD Board votes on wastewater rates. Rate increases above 7% require Louisville Metro Council.	Yes. Louisville/Jefferson County Metropolitan Sewer District as the de facto municipal government manages sewer, stormwater and other local services. Not a combined sewer system.
Metropolitan Water District of Southern California	19,000,000	Supplies 40% of California's water resources (in Southern California)	Metropolitan Water District	Intermunicipal Agreement - Wholesale Water Supply Service for 29 agencies	Regional wholesaler	MWDSC is governed by a board of 38 Directors. <a href="#">Rates are set by the Board</a> through the biennial budget process.	No stormwater management by agency. No sewer service provided.
Milwaukee, WI	563,305	MWW covers Milwaukee, Ozaukee and Waukesha Counties with 866,000 users while MMSD covers parts of additional neighboring counties with 1,100,000 users.	Milwaukee Water Works; Milwaukee Metropolitan Sewerage District	MWW - City owned Utility – Uses Intermunicipal Service Agreement; MMSD – Special District	Separate agencies for water and wastewater. Owned by City of Milwaukee and reports to Mayor. The wastewater treatment plants are operated by Veolia through a Public-Private Partnership.	Public Service Commission of Wisconsin sets water rates. Sewer rates set by Milwaukee Metropolitan Sewerage District Commission. In Wisconsin, sewer and stormwater utilities do not require Public Service Commission approval when establishing rates.	No. Stormwater is operated broadly by <a href="#">City of Milwaukee</a> . Only 5% of MMSD service area uses a combined sewer system (one-third of Milwaukee).

Baltimore Regional Water Governance Task Force  
 Consultant Summary of Utility Profiles

City/Utility	Population	Service Relationship with Metro Region	Name	Model	Model Background	Rate Setting Process	Stormwater part of?
Montgomery & Prince George's Counties, MD,	1,900,000	Serves part of DC suburbs. Part of regional Blue Plains Intermunicipal Agreement.	WSSC Water – Washington Suburban Sanitary Commission	Special District	Water and sewer commission serving two large counties (Consolidation; Special District set up as a Commission)	The Commission recommends rates and charges, which must be approved by each County through the budget approval process,	No. Stormwater managed by Montgomery County Department of Environmental Protection / Prince George's County Department of the Environment. Not a combined sewer system.
Nashville, TN; Metropolitan Government of Nashville & Davidson County	683,622	Serves Nashville-Davidson County. 700,000 people total.	Metro Water Services	Intermunicipal Service Agreement	Water and Wastewater authority operating as a department of the Metropolitan Government of Nashville & Davidson County.	MWS sets rates. Must seek approval from Tennessee Comptroller and state Water and Wastewater Financing Board.	Yes. MWS manages stormwater. Nashville is <a href="#">primarily served</a> by separated sewer and storm water systems. Some parts of the city are still served by combined sewer systems.
Philadelphia, PA	1,567,258	Covers the city and portions of neighboring Montgomery, Delaware, and Bucks counties, amounting to more than 2 million people.	Philadelphia Water Department	City Utility with one wholesale water Agreement and 10 wholesale wastewater contracts outside of the City.	City owned and financed water and wastewater. Mayor Appoints Water Commissioner- Water Department Commissioner responsibilities include oversight of drinking water treatment plants, wastewater treatment plants, and a contract-operated biosolids facility.	Rates set by independent body, The Philadelphia Water, Sewer, and Storm Water Rate Board. Board uses a process of board meetings and public rate hearings.	Yes. PWD manages stormwater with combination of combined and separated systems. <a href="#">60% of Philadelphia</a> is served by a combined sewer system.
Portland, OR	635,067	Portland Water Bureau supplies water to nearly a quarter of the state including via wholesale contracts	City of Portland Water Bureau + City of Portland Bureau of Environmental Services	<a href="#">Intermunicipal</a> Service Agreement + wholesale service agreements	Separated systems for sewer and drinking water, but both managed by the City of Portland.	Rate study then approval by City Council.	Yes. Bureau of Environmental Services manages sewer and stormwater. Many older neighborhoods still have combined sewer systems. Portland <a href="#">dealt with its overflow problem</a> by increasing capacity of the system in 2011.

Baltimore Regional Water Governance Task Force  
 Consultant Summary of Utility Profiles

City/Utility	Population	Service Relationship with Metro Region	Name	Model	Model Background	Rate Setting Process	Stormwater part of?
Richmond, VA	226,600	Serves the City of Richmond and the Counties of Henrico and Chesterfield. Amounting to around 900,000 potential users.	City of Richmond, Department of Public Works	City Utility with Wholesale and Retail Service Purchase Arrangement with customers	Wholesale and retail customer relationship which evolved into the retail customer becoming an independent water supplier (Wholesale Service Purchase Arrangement; Wholesale Service Purchase Agreement). While Henrico is building its own water treatment capacity, it will continue to purchase treated water from Richmond through 2040.	Operating and financial relationship is governed by terms of the wholesale purchase agreement.	Yes. Combined Sewer System managed by Department of Public Utilities.
Sacramento, CA	528,001	City of Sacramento only serves 75,000 sewer customers. Sacramento Area Sewer District serves metro area (1.2 million).	City of Sacramento Department of Utilities	City Utility- Dept Intermunicipal Service Agreement (water and sewer) + Special District (sewer)	City of Sacramento Department of Utilities covers both water and wastewater. Sacramento Area Sewer District is governed by a Board of Directors made up of representatives from nearby counties.	Utility Rate Advisory Commission reviews proposals for rate increases.	Yes. Stormwater is managed by Department of Utilities. City of Sacramento uses combined sewer system, but Sacramento Area Sewer District is solely wastewater.
San Diego County Water Authority, CA	3,300,000	Provides Wholesale water only to San Diego County, California.	San Diego County Water Authority	Charter Agency - Wholesale Service Agreements	Wholesale water supply to 24 retail water agencies, including cities, special districts, and a military base.	Rates are set by the Board of Directors. Board consists of 36 members representatives, at least one each from their 24 member agencies. Rates are also largely driven by the Metropolitan Water District of Southern California as that is a major source of <a href="#">purchased water</a> for the San Diego Water Authority	No. Only covers drinking water.

Baltimore Regional Water Governance Task Force  
 Consultant Summary of Utility Profiles

City/Utility	Population	Service Relationship with Metro Region	Name	Model	Model Background	Rate Setting Process	Stormwater part of?
San Francisco, CA	815,000	Own and operate the Hetch Hetchy Regional Water System which serves 2.7 million customers. Retail service in San Francisco and wholesale service in Alameda, Santa Clara, and San Mateo counties.	San Francisco Public Utilities Commission	Regional City-County agency uses Intermunicipal Service Agreements	San Francisco Public Utilities Commission is a public agency of the City and County of San Francisco that provides water and wastewater to the city and Alameda, San Mateo Santa Clara counties	The San Francisco Public Utilities Commission consists of five members, nominated by the mayor and approved by the County's Board of Supervisors. Their responsibilities include providing operational oversight, setting rates and charges for services, approval of contracts, and organizational policy. There is also a Rate Fairness Board that includes local residents and business owners. SFPUC is required to undertake independent rate studies at least every five years.	Yes. Stormwater is managed by San Francisco Public Utilities Commission. <a href="#">Per commission website</a> , San Francisco is the only coastal city in California with a combined sewer system that collects and treats both wastewater and stormwater in the same network of pipes.
Santa Maria-Nipomo Community Services District	130,000	Established relationship between two nearby towns.	Santa Maria-Nipomo Community Services District MOU	Memorandum of Understanding	The MOU here served as a precursor to the wholesale agreement—it summarized the need for an agreement, the intent to negotiate that agreement, and the basic terms and conditions.	N/A	No, <a href="#">drinking</a> water only.
SFWMD (South Florida Water Management District)	9,000,000	Manages permitting for water utilities in South Florida and provides stormwater and flood control service.	South Florida Water Management District	State Legislative Agency-Water Management District	Agency is responsible for managing and protecting water resources of South Florida by balancing and improving flood control, water supply, water quality.	Does not set rates	Primary function is to provide flood control and manage stormwater. Issues water use permits to Cities and water supply agencies.
Great Lakes Water Authority, Southeast Michigan	3,800,000	Great Lakes Water Authority leases Detroit Water and Sewerage Department infrastructure to provide water to eight counties in Southeast Michigan. Covers 30-40% of the state for water and wastewater.	Great Lakes Water Authority (GLWA)	Is a wholesale supply Authority for City of Detroit and southern Michigan municipalities (its members). Uses Detroit's treatment plants under a Facility Use Agreement.	Regional water, wastewater, and stormwater authority for southeast Michigan borne out of Detroit's bankruptcy.	GLWA board sets rates for its members, capped at 4%.	Yes. GLWA operates water, sewer, and stormwater. Uses a <a href="#">combined</a> sewer system.

Baltimore Regional Water Governance Task Force  
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City/Utility	Population	Service Relationship with Metro Region	Name	Model	Model Background	Rate Setting Process	Stormwater part of?
St. Louis County, MO	1,000,000	Supplies water to 1.5 million people in Missouri	Missouri American Water + St. Louis Metropolitan Sewer District	Investor owner publicly traded water company + Special municipal district for sewer	American Water is a publicly traded water and wastewater utility company. MSD is a regional authority.	Missouri Public Service Commission <a href="#">approves</a> rates for all investor owned public utilities. St. Louis Metropolitan Sewer District Board of Trustees sets sewer budgets and proposes rates to Rate Commission.	Yes. Stormwater and wastewater managed by St. Louis <a href="#">MSD</a> . St. Louis and its inner suburbs <a href="#">are served by combined sewer systems</a> . Separate systems are more common in the newer suburbs.
City of St. Louis, MO	293,000	St. Louis MSD manages wastewater and stormwater for the City and <a href="#">90 percent</a> of St. Louis County	City of St. Louis Water Division + St. Louis Metropolitan Sewer District for metropolitan regional sewer and stormwater management	City Utility Dept. for Water, + Special District for sewer and stormwater management	Water Division owned by City of St. Louis. MSD is a regional water authority.	Drinking water rate set by city's legislative body (board of alderman) Wastewater Rates set by Rate Commission based on MSD proposal and Agency's Charter Plan	Yes. Stormwater and wastewater managed by the same utility but separate from drinking water (managed by St. Louis Water). St. Louis and its inner suburbs <a href="#">are served by combined sewer systems</a> . Separate systems are more common in the suburbs.
Tampa Bay, FL	2,500,000	Tampa Bay Water supplies wholesale drinking water to Hillsborough County, Pasco County, Pinellas County, New Port Richey, St. Petersburg and Tampa.	Tampa Bay Water	Special District /Authority - provides Wholesale water supply Service to members under Interlocal Agreement	State-funded nonprofit regional Special District that provides wholesale water services to Tampa Bay region. Nine-member board of directors, with two elected commissioners from each member county and one elected representative from each member city.	Rates are set by Board of directions, consisting of nine members (2) from each county (1) each from the Cities of Tampa, Saint Petersburg and New Port Richey. Uniform rates are at the level to fund infrastructure investment and utility management and O&M.	No Stormwater Services provided. Storm water is Managed individually by TBW's member governments. Tampa Bay area municipalities have separated sewer system.

Baltimore Regional Water Governance Task Force  
 Consultant Summary of Utility Profiles

City/Utility	Population	Service Relationship with Metro Region	Name	Model	Model Background	Rate Setting Process	Stormwater part of?
Washington, DC	671,803	Serves City of Washington. Provides wholesale wastewater treatment for adjacent counties (1.6 million people). Part of regional Blue Plains IMA.	DC Water	Special District + Wholesale Service Purchase Arrangement + Intermunicipal Service Agreement	Water and sewer authority with a significant number of diverse wholesale and retail customers. DC Water is part of the Blue Plains Intermunicipal Service Agreement with three surrounding counties (Montgomery, Prince George's, and Fairfax).	Board sets rates through majority votes. 5 of 11 board members are from neighboring counties.	No. Stormwater managed by Department of Energy & Environment. <a href="#">Two-thirds</a> of DC is served by a separated sewer system, one-third is served by a combined sewer system.
<b>International</b>							
Bloemfontein, ZA	759,693	Vaal Central Water covers the City of Bloemfontein as well as most of Free State and Northern Cape, amounting to around 4 million users. Vaal Central Water reports to the National Department of Water and Sanitation	Bloem Water / Vaal Central Water	Special District	Vaal Central Water is a Water Board covering most of Free State and Northern Cape, South Africa. Vaal Central Water is a State-owned Entity, categorized as a Schedule 3B, National Government Enterprise	Unclear	Unclear
Bristol, UK	472,400	Bristol Water covers the region around Bristol, amounting to 1,200,000 users	Bristol Water/South West Water (water) + Wessex Water (water and sewer)	Other (Privatized)	Bristol Water: Private company, owned by Pennon Group, a water infrastructure company. Handles drinking water services for the region. Bristol Water is regulated as a water only company. Wessex Water: Owned by international firm YTL. Handles both water and wastewater services for the region.	Regulatory body ( <a href="#">OFWAT</a> ) oversees and regulates prices	Yes. Bristol has many points where the sewer system is combined. Wessex Water is currently working to <a href="#">separate the systems</a> .

Baltimore Regional Water Governance Task Force  
 Consultant Summary of Utility Profiles

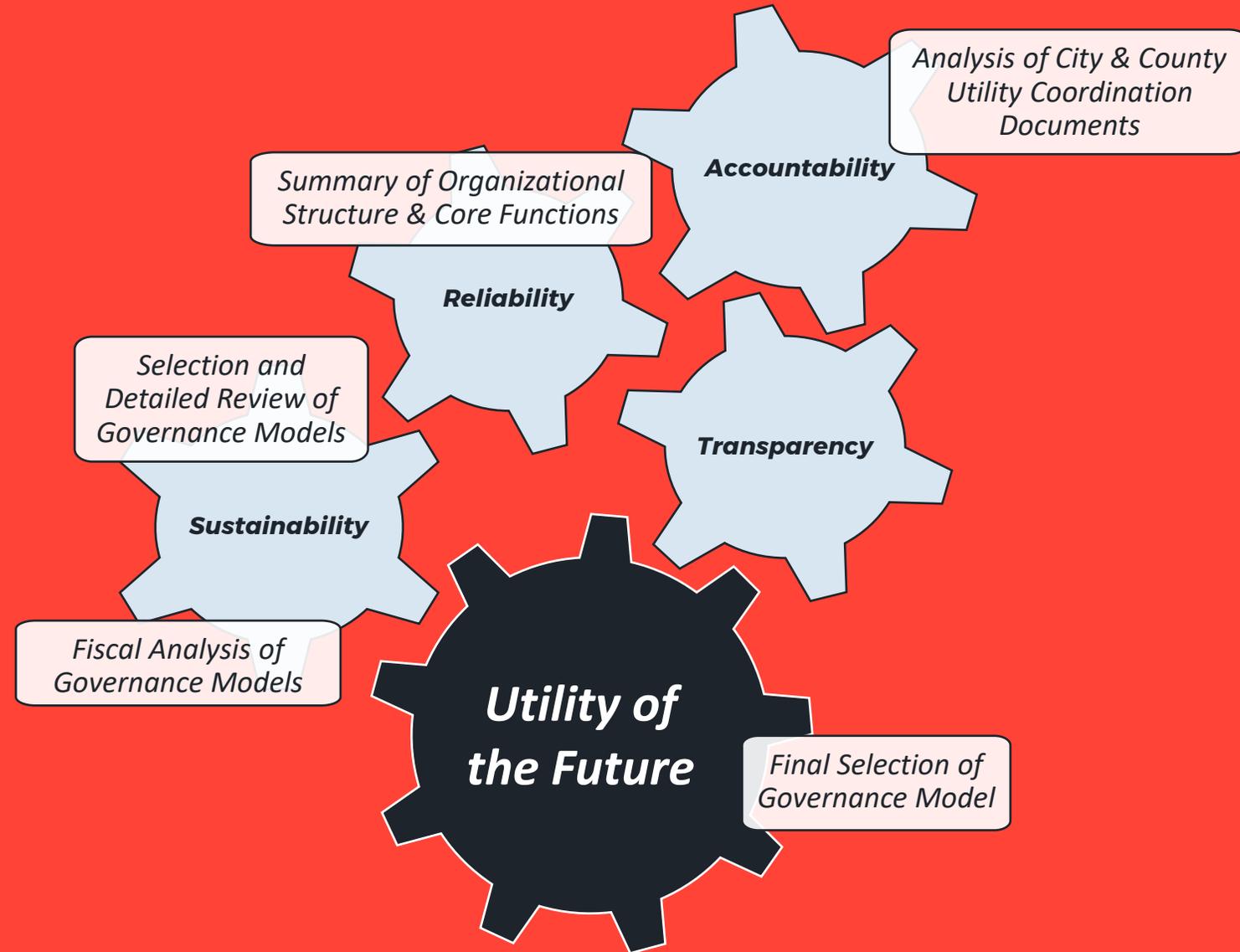
City/Utility	Population	Service Relationship with Metro Region	Name	Model	Model Background	Rate Setting Process	Stormwater part of?
Gold Coast, AU	716,000	Seqwater covers South East Queensland and totals 3.6 million people	Seqwater	Wholesale Service Agreement	Seqwater is a statutory authority of the Government of Queensland and one of the largest water businesses in Australia. Seqwater was formed on 1 January 2013 through a merger of three State-owned water businesses, the SEQ Water Grid Manager, LinkWater and the former Seqwater. They also assumed some responsibilities undertaken by the former Queensland Water Commission, such as the long-term planning of the region's future water needs.	Rates approved by government of Queensland	No. Seqwater covers drinking water only.
Kitchener, ON	250,000	Around 650,000 people live in the Region of Waterloo	City of Kitchener	Intermunicipal Service Agreement	The Region of Waterloo is responsible for wholesale water treatment and provision. Kitchener is responsible for operation and maintenance of its water distribution systems.	Fees approved by City Treasurer	Yes. Stormwater managed by City of Kitchener. Not a combined sewer system.

Baltimore Regional Water Governance Task Force  
 Consultant Summary of Utility Profiles

City/Utility	Population	Service Relationship with Metro Region	Name	Model	Model Background	Rate Setting Process	Stormwater part of?
Winnipeg, MB	750,000	The City of Winnipeg manages the Winnipeg Water and Waste Department.	Winnipeg Water and Waste Department	Intermunicipal Service Agreement	<p>Winnipeg Sewage Treatment Program (WSTP) is a non-traditional infrastructure delivery model that focuses on extensive collaboration and shared risks and responsibilities for the improvement and operation of the three wastewater treatment plants owned and operated by the City of Winnipeg. This is in partnership Veolia for a total of 30 years.</p> <p>Appears that drinking water is managed directly by the city, although it retains ownership of sewage/wastewater infrastructure as well.</p>	City sets water and sewer rates for the city.	Yes. The Water and Waste Department included 'Drainage'. One-third of the city contains combined sewers, primarily older infrastructure.

## Appendix B

# APPENDIX



# SWOT Analysis

## Model A: Memorandum of Understanding (MOU)

- Written agreement between utilities that documents specific terms of partnership for a defined mutually beneficial objective.
- Language determines if the agreement is legally binding



# Model A: MOU (1/8)

## MANAGEMENT

### Strengths

- No impact on how decisions are made
- Potentially clarify roles and responsibilities in handling a defined situation

### Weaknesses

- Transactional and limited to a specific problem/scenario
- May get outdated and need revisions to keep pace with changes in either jurisdiction

### Opportunities

- Useful starting point for further contract negotiations with other utilities/entities

### Threats

- No potential to address any organizational issues
- Weaker party may have less leverage in negotiations

# Model A: MOU (2/8)

## OPERATIONS

### Strengths

- Could improve coordination between parties

### Weaknesses

- May not address operational inefficiencies due to systemic or organizational issues

### Opportunities

- Potential for efficiency gains if roles and responsibilities of actors are well-defined

### Threats

- May not be legally binding unless drafted as such

# Model A: MOU (3/8)

## EMPLOYEE RECRUITMENT

### Strengths

- Potential for collaboration, capacity building, and human resource sharing

### Weaknesses

- Will not impact existing recruitment practices of either party
- Compete for same staff

### Opportunities

- Potential for resource sharing through secondments or deputations if agreed upon

### Threats

# Model A: MOU (4/8)

## RETENTION AND TRAINING

### Strengths

- Collaboration for capacity building of staff can be agreed upon

### Weaknesses

- Does not address inherent challenges of the utility in retaining and training staff

### Opportunities

- Potential to collaborate on skills training, study tours, site visits across jurisdictions

### Threats

# Model A: MOU (5/8)

## BILLING AND COLLECTIONS

### Strengths

- Can explicitly agree to integrate or coordinate this function across jurisdictions and specify the roles and responsibilities of relevant parties

### Weaknesses

- Systematic and periodic coordination is necessary
- May not address equity/justice matters across jurisdictions in similar way

### Opportunities

- Potential to reduce non-revenue water due to erroneous billing and collections

### Threats

- Poor execution can compromise customer interface in both jurisdictions

# Model A: MOU (6/8)

## PLANNING FOR CAPITAL IMPROVEMENTS

### Strengths

- Potential for inter-jurisdictional coordination in terms of data sharing on demand, population growth across service area

### Weaknesses

- May not be legally binding unless drafted as such
- Can be difficult to enforce cost-share

### Opportunities

- Potential cost savings through coordinated planning

### Threats

- Need to consider policy priorities and political economy of each jurisdiction while coordinating plans

# Model A: MOU (7/8)

## EMERGENCY MANAGEMENT

### Strengths

- Can leverage existing coordination mechanisms for data and resource sharing

### Weaknesses

- May not be legally binding unless drafted as such

### Opportunities

- Potential for periodic updates to emergency management plans

### Threats

- Insufficient organizational preparedness and threat awareness hampers effectiveness

# Model A: MOU (8/8)

## RATE STABILITY FOR CUSTOMERS

### Strengths

- Each jurisdiction retains respective control over rate setting
- Efficiency gains in other areas may lower costs for customers
- Potential for data sharing on cost of service

### Weaknesses

- No impact on or guarantee of rate stability as those are subject to Council decisions and processes

### Opportunities

- Potential for coordination and data sharing in developing rate proposals

### Threats

- Rate changes in one jurisdiction may prompt changes in the other

# SWOT Analysis

## Model B: Cooperatives

- Non-profit, member-owned organizations created to achieve a single goal
- All customers of the cooperative are members, and each member has voting power.



# Model B: Cooperatives (1/8)

## MANAGEMENT

### Strengths

- Decision makers are representative of consumer interests as they are elected by members.

### Weaknesses

- Interest of cooperative may not align with interests of governing cities and counties

### Opportunities

- Accountability is fostered since incentives of decision makers are aligned with that of consumers

### Threats

- Need to ensure high-level of customer engagement and essential that Board is capable of working through stakeholder issues

# Model B: Cooperatives (2/8)

## OPERATIONS

### Strengths

### Weaknesses

- Generally not able to support operations of a World-class urban utility

### Opportunities

- Potential for efficiency gains if operations are managed in-house

### Threats

- Outsourcing of some functions may be needed if expertise in-house is limited

# Model B: Cooperatives (3/8)

## EMPLOYEE RECRUITMENT

### Strengths

- Employees are typically also members; strong alignment of incentives

### Weaknesses

- Talent pool may be limited; depends on size of member base

### Opportunities

- Create jobs within the community served

### Threats

# Model B: Cooperatives (4/8)

## RETENTION AND TRAINING

### Strengths

- Since employees have strong ties to the community as members, high turnover is less likely

### Weaknesses

- Uncompetitive pay relative to other public/private utilities
- Limited exposure to cross-training

### Opportunities

- Strong focus on training
- Synergies between training for members and employees

### Threats

- Limited talent pool could pose issues for succession planning

# Model B: Cooperatives (5/8)

## BILLING AND COLLECTIONS

### Strengths

- Single entity provides billing and collection services, streamlining the processes.
- Eliminates potential for billing disputes between jurisdictions.

### Weaknesses

- Transition from current processes may be complicated and time consuming.
- Membership requires upfront investment (membership fee)

### Opportunities

- Potential for lower payment delinquency

### Threats

# Model B: Cooperatives (6/8)

## PLANNING FOR CAPITAL IMPROVEMENTS

### Strengths

- Cost of capital works shared between member-owners

### Weaknesses

- Members generally need to agree on key investment decisions

### Opportunities

- Benefits of capital improvements directly realized by members
- Potential for grants and concessional loans from Govt.

### Threats

- Potential for delays in plan approvals if consensus is not reached

# Model B: Cooperatives (7/8)

## EMERGENCY MANAGEMENT

### Strengths

- High level of community engagement

### Weaknesses

- Lack of resources to effectively manage emergencies, prompting need for Govt. support

### Opportunities

- Potential for easier coordination within the community

### Threats

- Need to coordinate with relevant state and local government agencies for support

# Model B: Cooperatives (8/8)

## RATE STABILITY FOR CUSTOMERS

### Strengths

- Third-party review and approval of rates from Maryland Public Service Commission (PSC) regulation.

### Weaknesses

- The Cooperative Board of Directors does not have sole authority to set rates.
- Transition may require predecessor agency to refinance debt.

### Opportunities

- Potential to standardize fiscal and rate setting policy throughout an entire service area.

### Threats

- Transition to a single rate structure may be revenue-neutral for the utility as a whole, but it will not be revenue-neutral for all individual customers.

# SWOT Analysis

## Model C: Intermunicipal Service Agreements

- Written agreements between municipalities/utilities that result in services provided to residents and ratepayers

### Blue Plains Agreement



# Model C: Intermunicipal Service Agreements (1/8)

## MANAGEMENT

### Strengths

- Shared improvements and technological advances across jurisdictions due to shared incentives and close working relationships

### Weaknesses

- Large bureaucracy comprised of potentially competing interests

### Opportunities

- Allows for simpler transition as less needs to change

### Threats

- Potential loss of agency by underrepresented communities due to the need to fulfil contracts

# Model C: Intermunicipal Service Agreements (2/8)

## OPERATIONS

### Strengths

- Collaborate and make regional plans for long-term operations

### Weaknesses

- Requires coordination with external jurisdictions
- Timing/schedules of planning activities may not have perfect overlap, causing delays

### Opportunities

- Collaborate and make regional plans for long-term operations

### Threats

- Inter-jurisdictional competition for economic development is dependent on water/sewer

# Model C: Intermunicipal Service Agreements (3/8)

## EMPLOYEE RECRUITMENT

### Strengths

- Availability of shared labor resources if agreed upon

### Weaknesses

- Does not address institutional issues towards hiring difficulties

### Opportunities

- Reduced need for recruitment due to streamlined operations (e.g., consolidated billing)

### Threats

- Potential imbalance if one part of the system is perceived as a better employer

# Model C: Intermunicipal Service Agreements (4/8)

## RETENTION AND TRAINING

### Strengths

- Employees moving around the region will have less impact on the jurisdiction that loses employees
- Long-term clarity on objectives and processes

### Weaknesses

- No fundamental overhaul of hiring and retention practices

### Opportunities

- Opportunities for collaboration and peer learning

### Threats

- Present hiring difficulties could get ignored if people declare success after this change

# Model C: Intermunicipal Service Agreements (5/8)

## BILLING AND COLLECTIONS

### Strengths

- Each jurisdiction keeps their retail customers.
- Potential to implement incremental changes.

### Weaknesses

- May not require jurisdictions to make decisions that benefit all parties.
- May not require jurisdictions to have billing systems that communicate.

### Opportunities

- Region-wide learning and best practice sharing

### Threats

- Inaccuracies caused by one jurisdiction may alter customer perception of other jurisdictions.

# Model C: Intermunicipal Service Agreements (6/8)

## PLANNING FOR CAPITAL IMPROVEMENTS

### Strengths

- Opportunities to collaborate on regional needs
- Disperses the overall cost of capital improvements across all those that use the infrastructure
- Economies of scale in annual O&M costs

### Weaknesses

- Requires coordination with external jurisdictions
- Inter-jurisdictional competition for economic development is dependent on water/sewer

### Opportunities

- Potential for jurisdictions to be more efficient in where they make capital investments because of wider array of locations to choose from

### Threats

- One jurisdiction could potentially hamper others if they do not see a benefit to themselves from the new infrastructure

# Model C: Intermunicipal Service Agreements (7/8)

## EMERGENCY MANAGEMENT

### Strengths

- Emergencies require coordination, which is inherent to this system

### Weaknesses

- Potential for collective action problems

### Opportunities

- Chance to revisit emergency plans and make scheduled updates

### Threats

- Inflexible agreements may limit emergency response, especially if emergency only threatens one party

# Model C: Intermunicipal Service Agreements (8/8)

## RATE STABILITY FOR CUSTOMERS

### Strengths

- Each jurisdiction retains respective control over rate setting.
- Efficiency gains in other areas may lower costs for customers.
- Potential for data sharing on cost of service

### Weaknesses

- No impact on or guarantee of rate stability as those are subject to Council decisions and processes

### Opportunities

- Potential for coordination and data sharing in developing rate proposals

### Threats

- Rate changes in one jurisdiction may prompt changes in the other

# SWOT Analysis

## Model D: Wholesale Service Agreements

- Contract for a utility to provide another with water or sewer services.
- Services provided are for wholesale type services (utility to utility sales of services) as opposed to retail type services (directly to end customers).



# Model D: Wholesale Service Agreements (1/8)

## MANAGEMENT

### Strengths

- Allows for regional cooperation in long-term planning while short-term is managed by city

### Weaknesses

- Complex-multijurisdictional management structure that potentially limits accountability to residents

### Opportunities

- Can simplify things, as regional wholesaler manages water flow but city manages its infrastructure

### Threats

- Responsibility for flow of water transferred to agency outside of the city

# Model D: Wholesale Service Agreements (2/8)

## OPERATIONS

### Strengths

- Economies of scale may lead to lower-cost operations

### Weaknesses

- May need additional redundant infrastructure to ensure quality standards are met
- Bound by contracts instead of what is needed at the given moment

### Opportunities

- Greater regional collaboration

### Threats

- Reliant on an external party to meet demand

# Model D: Wholesale Service Agreements (3/8)

## EMPLOYEE RECRUITMENT

### Strengths

- No fundamental overhaul of hiring is necessary

### Weaknesses

- Systemic issues with recruitment will remain unaddressed

### Opportunities

- Potential to specialize at hiring by changing the type of positions needed

### Threats

- Some positions may be made redundant if role is outsourced

# Model D: Wholesale Service Agreements (4/8)

## RETENTION AND TRAINING

### Strengths

- Does not impact existing HR systems

### Weaknesses

- Will not help address existing issues with employee turnover and skill building

### Opportunities

### Threats

- Some positions may be made redundant if role is outsourced

# Model D: Wholesale Service Agreements (5/8)

## BILLING AND COLLECTIONS

### Strengths

- Each jurisdiction reads their own meters and bills their own customers.

### Weaknesses

- Transition will be expensive and time consuming.

### Opportunities

- More direct interactions between customers and the utility that serves them.

### Threats

- No requirement for jurisdictions to cooperate or have complimentary systems.

# Model D: Wholesale Service Agreements (6/8)

## PLANNING FOR CAPITAL IMPROVEMENTS

### Strengths

- Regional coordination on capital improvements

### Weaknesses

- Due to the need for regional cooperation, planning for capital improvements may be inflexible in the face of long-term changes

### Opportunities

- Flexibility to deal with changing demand in short-term

### Threats

- Master plan may go out of date quickly, causing planned infrastructure to be insufficient or superfluous

# Model D: Wholesale Service Agreements (7/8)

## EMERGENCY MANAGEMENT

### Strengths

- Unified organization that connects all wholesale customers, can coordinate emergency response

### Weaknesses

- May be necessary to predict emergencies to ensure collaboration is possible
- An issue in the system can impact a wide range of users

### Opportunities

- Larger number of jurisdictions can de-risk emergencies, as the system will be larger and more robust

### Threats

- Wholesale purchaser may have to rely on wholesaler to properly address the problem even if it does not directly affect them

# Model D: Wholesale Service Agreements (8/8)

## RATE STABILITY FOR CUSTOMERS

### Strengths

- Each jurisdiction retains rate setting control
- Billing/collection related revenue issues can be addressed independently of other jurisdictions.

### Weaknesses

- Rates may be influenced by wholesale purchase costs.
- Wholesale customer has no voting power over decisions that affect costs of wholesale water.

### Opportunities

- Potential to adopt pass-through rate adjustment of wholesale cost increases, which reduces financial risk.

### Threats

- Contract language may limit future flexibility to ensure lower rates

# SWOT Analysis

## Model E: Special District/ Authority

- Special districts formed within service area boundary to meet specific purpose.
- Special districts have the authority to charge rates and fees and issue revenue bonds in return for the responsibility and obligations to render services.



# Model E: Special District / Authority (1/8)

## MANAGEMENT

### Strengths

- Greater oversight by municipal government
- Limited change in fundamental processes

### Weaknesses

- Collaboration with competing jurisdictions covered by same system

### Opportunities

- Greater flexibility to make needed changes

### Threats

- Subject to political changes

# Model E: Special District / Authority (2/8)

## OPERATIONS

### Strengths

- The same organization owns, operates, and maintains the assets

### Weaknesses

- Generally easier to manage when the govt agency that oversees operations represents a single jurisdiction, otherwise it may require input from external jurisdictions that impact those who do not live there

### Opportunities

- Allows most capable parties to handle what they are best at

### Threats

- Must adapt to changing populations and needs

# Model E: Special District / Authority (3/8)

## EMPLOYEE RECRUITMENT

### Strengths

- Ability to overhaul HR systems and processes to address current challenges such as succession planning

### Weaknesses

- Uncertainty around any overhaul of HR systems may impact employee morale

### Opportunities

- Can emphasize local recruiting of those in the district

### Threats

- May exacerbate high turnover given uncertainty among staff

# Model E: Special District / Authority (4/8)

## RETENTION AND TRAINING

### Strengths

- Ability to revisit terms of employment to address high turnover

### Weaknesses

- Any overhaul/transition in terms of employment may receive push back from existing staff

### Opportunities

- Potential for capacity building, peer learning, and training across jurisdictions

### Threats

- Any glitches in rolling out new HR systems could compromise employee trust and confidence

# Model E: Special District / Authority (5/8)

## BILLING AND COLLECTIONS

### Strengths

- Single entity provides billing and collection services, streamlining the processes.
- Eliminates potential for billing disputes between jurisdictions.

### Weaknesses

- Transition from current processes may be complicated and time consuming.

### Opportunities

- Potential to improve customer service.

### Threats

# Model E: Special District / Authority (6/8)

## PLANNING FOR CAPITAL IMPROVEMENTS

### Strengths

- Unified planning
- Robust fundraising resources available

### Weaknesses

- Limited to own jurisdiction
- Potentially less regional integration

### Opportunities

- Flexibility to make changes as needed

### Threats

- Political changes

# Model E: Special District / Authority (7/8)

## EMERGENCY MANAGEMENT

### Strengths

- Can be more easily coordinated with other parts of the government

### Weaknesses

- Requires collaboration between different jurisdictions
- May be necessary to predict emergencies to ensure collaboration is possible

### Opportunities

- Allow for better synergy between different jurisdictions as they will need to get on the same page

### Threats

- A threat to one part of the system may pose an additional burden on some users that they may not have otherwise faced

# Model E: Special District / Authority (8/8)

## RATE STABILITY FOR CUSTOMERS

### Strengths

- Realize economies of scale
- Financial risk is pooled among a larger customer base.

### Weaknesses

- May require predecessor jurisdictions to refinance debt.
- May require a Facilities Use Agreement if predecessor jurisdictions retain assets.

### Opportunities

- Potential to standardize fiscal and rate setting policy throughout an entire service area.

### Threats

- Transition to a single rate structure may be revenue-neutral for the utility as a whole, but it will not be revenue-neutral for all individual customers.

## Appendix C

Meeting #	Follow-up	How it was addressed
2	Clarity on whether the existing cost sharing model/formula for O&M costs is adequate,	Task Force Meeting 3 Presentation, slide 40
2	Details on how bulk rates for the County are set and revised periodically under the existing 1972 water and 1974 sewer agreements specifically,	Task Force Meeting 3 Presentation, slide 40
2	Cost sharing arrangements with the City's wholesale customers for capital improvements,	Task Force Meeting 4 Presentation, slide 21
2	Explain rate setting from the wholesale and retail perspective,	Task Force Meeting 3 Presentation, slide 23
2	Graphically explain the \$/ccf rate that a County resident pays and the \$/ccf rate that a City resident pays,	Task Force Meeting 3 Presentation, slide 20
2	For the utilities studied, provide a chart or table showing what model each utility follows,	Addressed through creation and dissemination of Water Governance Table, shared with the Task Force and published on the City and County websites alongside Meeting 2 notes
2	Note down historical experiences of individual or separate jurisdictions moving to a special district/authority model, and	Addressed through creation and dissemination of Water Governance Table, shared with the Task Force and published on the City and County websites alongside Meeting 2 notes
2	Provide additional information on stormwater management practices for the utilities that the Consultant is already studying.	Addressed through creation and dissemination of Water Governance Table, shared with the Task Force and published on the City and County websites alongside Meeting 2 notes
3	Examples of how other utilities that transitioned into Special Districts/Authorities handled the issue of employee pensions.	Addressed through research presented on the Great Lakes Water Authority example during Meeting 4.  Also addressed in Follow ups_Meeting 5 documents
3	Shortlist of comparable utilities that are being interviewed further and details of those interviews.	Addressed through creation and dissemination of Water Governance Table, shared with the Task Force and published on the City and County websites alongside Meeting 2 notes
3	Breakdown of costs that are recovered through the annual true up process.	Task Force Meeting 4 Presentation, slide 24

3	Annotated version of slide 38 on historical wholesale revenues providing some basic explanation of the figures	Task Force Meeting 4 Presentation, slide 25
3	For a hypothetical customer bill at the City and County level, show what percentage of the bill is fixed charge vs. volumetric charge.	Task Force Meeting 4 Presentation, slide 34
3	Clarify how the fire suppression fee is applied in the City and the County.	Task Force Meeting 4 Presentation, slide 33
3	Clarify current pension plan arrangements in place for existing employees of the utilities at the City and County	Task Force Meeting 4 Presentation, slide 36-38
3	<p>On capital costs:</p> <ul style="list-style-type: none"> <li>- a. City to provide figures for Federal/State Funds on Slide 50 showing City's FY25-29 Capital Plan Funding,</li> <li>- b. Clarify whether the figures showing capital spending by the County include contributions to the City,</li> <li>- c. Confirm whether the figure showing State Aid of US\$5 million for the County is correct (Slide 55).</li> </ul>	Point b. addressed in Task Force Meeting 4 Presentation, slide 26.
3	<p>On Debt:</p> <ul style="list-style-type: none"> <li>- a. Debt projections showing a schedule of new debt expected to be incurred by both the City and the County, and debt to be repaid.</li> <li>- b. Cost of capital for refinancing existing debt at current interest rates and how that would impact rate payers.</li> <li>- c. Options/examples where a new entity/utility has contractual arrangements with the City and County to provide debt service payments annually, such that each jurisdiction meets its own debt service requirements, avoiding the need for expensive refinancing.</li> <li>- d. Impact of asset ownership on debt financing</li> <li>- e. Consult with MDE and EPA on financing mechanisms that they administer.</li> <li>- f. Provide a chart showing what debt service would look like at different interest rates.</li> <li>- g. Provide financial models for each jurisdiction (City and County)</li> <li>- h. Provide bond ratings for the utilities (City and County) and any associated financial metrics of each of the utilities.</li> </ul>	<p>Task Force Meeting 4 Presentation, slides 27 to 31.</p> <p>Point g. pending with the City and the County.</p> <p>Point e. addressed through conversation with MDE and EPA held on 24 October 2023. [Neil to advise if we are able to attach the Call records as an appendix]</p>

3	<p>Provide information on:</p> <p>a. How accounts that are currently not paying property taxes are billed for water and sewer; and</p> <p>b. Uncollected/unbilled/unmetered revenues from commercial businesses.</p>	Verbal response provided by representatives from the Baltimore City DPW during Meeting 4.
3	Consider governance model options that would involve a financing arm or conduit (e.g. MEDCO) that would raise debt on behalf of the newly formed water and wastewater authority.	Task Force Meeting 4 Presentation, slide 20
3	City to provide details on when the last cost of service study was done and its results.	Task Force Meeting 4 Presentation, slide 32
4	<p>In the Detroit example and establishment of Great Lakes Water Authority (GLWA), provide details on:</p> <ul style="list-style-type: none"> <li>- a. Transition costs</li> <li>- b. Impact of transition on rates in the region</li> <li>- c. Pension payments to City employees</li> <li>- d. Model contract and the rate structure within it</li> <li>- e. Breakdown of the US\$4 billion debt payment</li> <li>- f. How is the US\$50 million annual payment applied between pension payments and equity/affordability programs</li> <li>- g. Variance (if any) between employee compensation at Detroit Water and Sewerage Department and GLWA for staff at equivalent positions</li> <li>- h. Pension transition for existing and new employees.</li> </ul>	Addressed in writing in a document shared with the Task Force ahead of Meeting 5 and published on the City and County websites.
4	For the Detroit and Tampa Bay Water examples, provide details on the Board's composition, term/duration(years), whether the terms are consecutive or staggered, how the Boards are chaired, and whether there are any de facto positions.	Addressed in writing in a document shared with the Task Force ahead of Meeting 5 and published on the City and County websites.
4	<p>City to provide details on:</p> <p>a. State support for operating costs</p> <p>b. Determine what the collection procedures have been over the last few years and are now for commercial properties: are they put in tax sale for long delinquent unpaid water bills?</p> <p>c. Whether there has been a third-party independent audit of the integrity of the billing data base and invoicing accuracy of the fire suppression fee data since 2016</p>	Addressed in writing in a document shared with the Task Force ahead of Meeting 5 and published on the City and County websites.
4	Clarify the proportion of the total water supplied to Anne Arundel County by Baltimore City.	Addressed in writing in a document shared with the Task Force ahead of Meeting 5 and

		published on the City and County websites.
4	Clarify in the information indicated in Slide 25 regarding how much Baltimore County receives from its wholesale partners for water and wastewater services it provides.	Addressed in writing in a document shared with the Task Force ahead of Meeting 5 and published on the City and County websites.
4	Provide actual City and County financial metrics for Days Cash on Hand, Debt Service Coverage Ratio and Debt to Operating Revenue supporting the City and the County's bond ratings.	Addressed in writing in a document shared with the Task Force ahead of Meeting 5 and published on the City and County websites.
4	Comment, to the extent possible, on factors that would have financial impact or that should be considered in case of transitioning to a regional authority model.	Addressed in writing in a document shared with the Task Force ahead of Meeting 5 and published on the City and County websites.
4	Describe the concept of having an independent Rate Setting Board within Model E (special district/water and wastewater authority).	Addressed in writing in a document shared with the Task Force ahead of Meeting 5 and published on the City and County websites.
4	Clarify the assumptions underlying the Net Present Value calculations of debt refinancing costs.	Addressed in writing in a document shared with the Task Force ahead of Meeting 5 and published on the City and County websites.
4	Describe options within Model E (special district/water and wastewater authority) that do not require debt refinancing.	Addressed in writing in a document shared with the Task Force ahead of Meeting 5 and published on the City and County websites.
4	Follow up with Maryland Department of the Environment on whether it would be permissible for existing loans to be assumed by a new entity under the same terms without the need for refinancing.	Addressed in writing in a document shared with the Task Force ahead of Meeting 5 and published on the City and County websites.
4	Confirm the following: In case the City were to decide to lease all or any portion of the water and sewer system assets currently on the City's books to another entity, what would be the disposition of these leased assets at the end of the Lease's term? Can the assets remain on the City's books during the term of the lease and thereafter?	Addressed in writing in a document shared with the Task Force ahead of Meeting 5 and published on the City and County websites.
4	Within Models C and D, explore the option involving the creation of a separate water and wastewater department within the City as opposed to at the	Addressed in writing in a document shared with the Task Force ahead of Meeting 5 and

	Bureau level within the Department of Public Works. Check governance structure in the City of Atlanta (water and sewer).	published on the City and County websites.
4	Clarify the scope for governance improvements within Model C (intermunicipal agreements) and Model D (wholesale agreements).	Addressed in writing in a document shared with the Task Force ahead of Meeting 5 and published on the City and County websites.
5	Include equity study as one of the items to be considered as a threshold issue.	Included as a recommendation in Section 9 of the Draft Report.
5	<p>For Model C:</p> <p>Reach out to the City’s Law Department to understand which of the recommended changes to Model C/modified intermunicipal agreements can be done without a Charter Amendment or legislation? Determine what changes would need legislative action and what changes can be done through executive decree by the Mayor, Board of Estimates or County Executive.</p> <p>Recommend that periodic cost of service studies be undertaken to support any rate increase. Annually track cost of service expenses (reconcilable to last Cost of Service Study) or use other method(s) consistent with industry standards to inform rate setting in the future.</p>	<ul style="list-style-type: none"> <li>• Discussion with City’s Law Department completed on 1 December 2023. [Neil to advise if we are able to attach the Call records as an appendix]</li> <li>• Recommendations on periodic cost of service studies included in the Draft Report as part of Section 7.</li> </ul>
5	<p>For Model E:</p> <p>Provide information on feasibility of avoiding debt refinancing based on an example that would help structure a similar course of action for the Baltimore region. Check for more information about the Los Vaqueros Reservoir Joint Powers Authority deal structure.</p> <p>Include details and description of the sub-options/variations available under Model E</p>	<ul style="list-style-type: none"> <li>• [Discuss with Neil/Brian how we should respond to the first one. To my knowledge we have not looked into the Vaqueros example but I may be mistaken]</li> <li>• Sub-options and variations of Model E are described in Section 7 of the Draft Report</li> </ul>

## Appendix D

**MEMORANDUM**

To: Brian Shell, WSP  
 From: David Moore, Clean Energy Capital  
 Date: December \_\_, 2023  
 Re: ALTERNATIVE GOVERNANCE MODEL ASSESSMENT AND RECOMMENDATIONS FOR THE BALTIMORE REGION’S WATER AND WASTEWATER UTILITIES  
**Estimated Cost of Refinancing Outstanding Debt**

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**OVERVIEW AND PURPOSE**

As part of WSP’s evaluation of alternative governance models for the Baltimore region’s water and wastewater utilities, Clean Energy Capital Securities LLC (“Clean Energy Capital” or “CEC”) was engaged to quantify the cost of refinancing the outstanding water and wastewater revenue bond indebtedness of the City of Baltimore (the “City Water Utility Debt” and “City Wastewater Utility Debt”, respectively) and outstanding Baltimore County Metropolitan District Bonds and debt obligations (“County Metro Debt”) issued for both water and wastewater purposes. Clean Energy Capital is a registered Municipal Advisor.

The cost evaluation summarized herein is relevant to the assessment of alternative governance models to the extent that organization changes conflict with existing debt covenants between the City and its lenders or between the County and its Lenders. The cost of refinancing creates a financial incentive for the parties to pursue governance models that are consistent with existing debt covenants and that would not result in a requirement to refinance outstanding debt. Clean Energy Capital developed a Low-Case and High-Case estimated cost of refinancing as set forth in Table 1. This memorandum summarizes the methodology and results of our analysis.

Table 1  
 Summary of Outstanding Debt and Estimated Cost of Refinancing (\$millions)

	CITY WATER UTILITY DEBT	CITY WASTEWATER UTILITY DEBT	COUNTY METRO DEBT	TOTAL
Approximate Debt Outstanding	\$1,500	\$1,700	\$2,200	\$5,400
Present Value Cost of Refinancing				
Low Case	\$90	\$130	\$105	\$325
High Case	\$210	\$340	\$185	\$735

**METHODOLOGY**

**Sources of Data**

Clean Energy Capital developed its analysis using publicly-available information drawn primarily from the City and County’s Annual Comprehensive Financial Reports for the year ended June 30, 2022 and from official statements posted to the MSRB’s Electronic Municipal Market Access site. The City’s Water and Wastewater Utility Debt is comprised of senior and subordinated new money revenue bonds, taxable and tax exempt refunding revenue bonds, WIFIA Loans from the US EPA, and loans from the Maryland Water Quality Financing Administration (“MWQFA”). The County’s Metro Debt, issued for both water and wastewater system purposes, is comprised of



new money revenue bonds, taxable and tax exempt refunding bonds, and MWQFA loans. For certain outstanding debt issues where the publicly-available information identified was incomplete, Clean Energy Capital made certain assumptions. For example, we assumed that the City's WIFIA Loans could be optionally redeemed at a price of par. For certain smaller or older outstanding debt issues that were less material to our cost estimate, Clean Energy Capital extrapolated present value savings calculated for other outstanding bond series.

### Key Assumptions

Clean Energy Capital's High Cost Refunding Estimate as developed using the following assumptions.

- Outstanding refunding bonds and taxable bonds refunded with taxable refunding bonds
  - Taxable rate = 6.00% (5.00% long-term Treasury rate plus 1.00%)
- Outstanding new money bonds refunded with tax-exempt refunding bonds
  - Tax exempt rate = 4.50% (5.00% long-term Treasury rate less 0.50%)
- Escrow reinvestment at lesser of 5.00% and tax-exempt rate, where applicable
- NPV discount rate = borrowing rate (taxable rate used where applicable, tax-exempt rate used where applicable)
- January 1, 2024 refunding date
- Outstanding debt called at first optional redemption date
- 1% cost of issuance
- Subordinate debt refinanced at same rate as senior debt
- Savings extrapolated to outstanding bonds with missing/incomplete information
- Swap breakage costs not included in analysis

Clean Energy Capital's Low Cost Refunding Estimate as developed using the following assumptions. Because of the materiality to the overall cost estimate of the refinancing assumptions applied to outstanding MWQFA loans, WIFIA loans, and taxable refunding bonds, variation of these refunding assumptions was determined to be a more appropriate basis for establishing a low cost estimate than a more traditional refunding interest rate sensitivity analysis.

- Cost of refinancing outstanding MWQFA Loans is one-third of high cost estimate, reflecting an assumed negotiated outcome between lender and borrower
- Cost of refinancing outstanding WIFIA Loans is one-third of high cost estimate, reflecting an assumed negotiated outcome between lender and borrower
- Cost of refinancing the City's Series 2020AB taxable bonds is one-half of high cost estimate, reflecting a later redemption date, for example, an escrow-to-maturity or other defeasance strategy
- All other refinancings are calculated as described in high cost estimate

## REFUNDING BY OUTSTANDING SERIES

Tables 2, 3 and 4 summarize Clean Energy Capital's refunding analysis of a series-by-series basis for outstanding City Water Utility Debt, City Wastewater Utility Debt, and County Metro Debt, respectively. The tables present the High Case cost-of-refinancing estimates.



Table 2  
Refunding Savings (Cost) by Series – City Water Utility Debt (\$000s)

Series 2021C Water Bonds (WIFIA Loan)	(\$72,053)
2021 MWQFA Revolving Loan Fund	(\$32,073)
Series 2020B Refunding Revenue Bonds (Taxable)	(\$51,907)
Series 2020A Project Revenue Bonds	(\$1,037)
Series 2019C Subordinate Refunding Revenue Bonds	(\$678)
Series 2019B Refunding Revenue Bonds	(\$863)
Series 2019A Project Revenue Bonds	(\$5,494)
2017 MWQFA Revolving Loan Fund	(\$33,796)
Series 2017D Refunding Revenue Bonds	(\$2,177)
Series 2017C Subordinate Refunding Revenue Bonds	(\$1,732)
Series 2017B Refunding Revenue Bonds	(\$184)
Series 2017A Subordinate Project Revenue Bonds	\$3,387
Series 2014C Subordinate Refunding Revenue Bonds	(\$7,656)
Series 2014B Refunding Revenue Bonds	(\$1,573)
Series 2014A Subordinate Project Revenue Bonds	\$590
Series 2013C Subordinate Refunding Revenue Bonds	\$38
Series 2013B Refunding Revenue Bonds	(\$665)
Series 2013A Project Revenue Bonds	(\$338)
Other Debt	(\$1,406)
Total	(\$209,617)



Table 3  
Refunding Savings (Cost) by Series – City Wastewater Utility Debt (\$000s)

DEBT SERIES	PRESENT VALUE SAVINGS (COST)
Series 2022A Project Revenue Bonds	\$1,642
Series 2021C Wastewater Bonds (WIFIA Loan)	(\$60,144)
2021 MWQFA Revolving Loan Fund	(\$1,372)
2021 MWQFA Revolving Loan Fund	(\$6,629)
2021 MWQFA Revolving Loan Fund	(\$41,641)
Series 2020A Refunding Revenue Bonds (Taxable)	(\$62,449)
2019 MWQFA Revolving Loan Fund	(\$2,641)
2019 MWQFA Revolving Loan Fund	(\$238)
Series 2019A Project Revenue Bonds	(\$2,770)
2018 WIFIA Loan	(\$44,206)
2018 MWQFA Revolving Loan Fund	(\$2,894)
2018 MWQFA Revolving Loan Fund	(\$67,663)
2017 MWQFA Revolving Loan Fund	(\$1,156)
Series 2017C Refunding Revenue Bonds	(\$3,211)
Series 2017B Refunding Revenue Bonds	(\$6,281)
Series 2017A Subordinate Project Revenue Bonds	\$2,195
2016 MWQFA Revolving Loan Fund	(\$8,391)
2015 MWQFA Revolving Loan Fund	(\$11,331)
2015 MWQFA Revolving Loan Fund	(\$2,441)
Series 2014E Subordinate Refunding Revenue Bonds	(\$889)
Series 2014D Refunding Revenue Bonds	(\$4,773)
Series 2014C Subordinate Project Revenue Bonds	\$2,294
2014 MWQFA Revolving Loan Fund	(\$4,447)
Series 2013E Subordinate Refunding Revenue Bonds	\$23
Series 2013D Refunding Revenue Bonds	\$0
Series 2013C Project Revenue Bonds	\$48
2013 MWQFA Revolving Loan Fund	(\$3,030)
Other Debt	(\$4,806)
Total	(\$338,845)



Table 4  
Refunding Savings (Cost) by Series – County Metro Debt (\$000s)

DEBT SERIES	PRESENT VALUE SAVINGS (COST)
84th Issue	\$4,743
2021 Refunding Series (Taxable)	(\$9,404)
83rd Issue	(\$9,549)
2020 Refunding Series	(\$2,099)
2020 MWQFA Revolving Loan Fund	(\$30,045)
2019 Refunding Series	(\$5,114)
81st Issue	(\$8,755)
2018 MWQFA Revolving Loan Fund	(\$58,027)
80th Issue	(\$7,240)
2017 MWQFA Revolving Loan Fund	(\$20,239)
2017 Refunding Series	(\$590)
79th Issue	(\$2,346)
2016 MWQFA Revolving Loan Fund	(\$3,915)
78th Issue	\$1,956
2016 Refunding Series	(\$8,694)
2015 MWQFA Revolving Loan Fund	(\$7,738)
2015 Refunding Series	(\$2,590)
77th Issue	\$1,965
2014C Refunding Series	\$202
76th Issue	(\$2,394)
2014 Refunding Series	(\$1,571)
2013 MWQFA Revolving Loan Fund	(\$486)
75th Issue	(\$2,766)
2012 Refunding Series	\$20
2012 MWQFA Revolving Loan Fund	(\$1,588)
73rd Issue (Taxable)	(\$3,983)
2009 MWQFA Revolving Loan Fund	(\$385)
Other Debt	(\$3,801)
Other Debt	(\$498)
Other Debt	(\$781)
Total	(\$185,708)

## **Exhibit G**

Task Force Meeting #6, January 8, 2024: Draft Report Review Meeting Notes

**BALTIMORE REGIONAL WATER GOVERNANCE TASK FORCE**

**MEETING #6 – DRAFT REPORT REVIEW MEETING**

**MONDAY, JANUARY 8, 2024**

**6:00 – 9:00 P.M.**

**PUBLIC COMMENTS**

**Key Actions:**

- The Consultant Draft Report to the Taskforce was summarized and discussed. The Taskforce then began the planned process to move from the Consultant's Recommendation to forming their Recommendation.
- The Chair asked the Taskforce if they would like to take a vote related to recommending a model for further study.
  - The Taskforce declined to do so at this time. Members Powell and Moran both stated they would second a decision to defer the vote to the Taskforce's final meeting on Thursday, January 25, 2024.
- Taskforce's Draft Recommendation will be posted on the public websites.
  - Taskforce members will return comments to the Chair and Consultant by end of day, Friday, January 12, 2024.
  - Public Comment will be requested by Friday, January 19, 2024.
- A final draft of the Taskforce's Recommendation will be voted on during the meeting on Thursday, January 25, 2024.

No.	Public Comment	Action Requested	Taskforce Response
<b>Public Comment Session #1 – Pre-Taskforce Discussion</b>			
1.	<p><b>Name: David Wheaton, NAACP Legal Defense Fund</b></p> <p><b>Comment:</b> I'm concerned that this draft does not address what was stated or the questions that the Taskforce had at the last meeting. It represents only a consultant's view and it was funneled to the public that this was the recommendation of the Taskforce and to have none of the concerns that were voiced in the last meeting part of the draft is concerning.</p> <p>Suggest we do a racial equity, economic equity assessment before we are picking what is the right governance model. Again, there needs to be some type of feasibility study to even see if this is doable economically from the City's perspective and for ratepayer's perspective. If rates are going to go up as they did in Detroit, then I think the task force members should really take a second look that other governance models that would not affect rate payers as much, especially our low-income rate payers.</p>	<ul style="list-style-type: none"> <li>• Continue to advance the Taskforce's recommendation development process following the Taskforce's review of the Consultant's draft report and recommendations.</li> <li>• Perform a racial equity and economic equity assessment.</li> <li>• Explore impacts to rates.</li> <li>• Reject the recommendation of Model E.</li> </ul>	<p>Thank you for your comment.</p> <p>The process of moving from the Consultant's recommendation to the Taskforce's recommendation is intentional and has been detailed throughout our meeting series. The website detailed and distinguished the Draft Consultant report as "The Consultant's recommendation in the draft report to the Task Force". In the interest of transparency, the public was afforded the ability to review the Consultant's report in parallel with the Taskforce members. The Consultant addressed in their Draft Report all items, to the extent feasible and practicable, from the published list of "Follow-ups from Meeting 5 to be Addressed in the Draft Report" in the Meeting 5 Notes online.</p> <p>Your suggestions for further analysis will be recorded, and the issues raised will be kept in mind as we work to select a new governance model and for any future implementation and policy work around the new model.</p>
2.	<p><b>Name: Jomar Lloyd, Food and Water Watch</b></p> <p><b>Comment:</b> We urge you to reject the draft report's recommendation of a regional authority and instead we ask you to recommend improving the intermunicipal agreements and creating a joint City-County Advisory Committee.</p> <p>We have argued since the inception of the task force that a</p>	<ul style="list-style-type: none"> <li>• Create a City-County Advisory Committee.</li> <li>• Reject the recommendation of Model E.</li> </ul>	<p>Thank you for your comment.</p> <p>The process of moving from the Consultant's recommendation to the Taskforce's recommendation is intentional and has been detailed throughout our meeting series. The website detailed and distinguished</p>

No.	Public Comment	Action Requested	Taskforce Response
	<p>predetermined outcome to establish a new water authority was decided for the Taskforce before it even began. The consultant provided no evidence or data to justify the recommendation of the authority. The Consultants have directed the Taskforce to choose a regional authority but there is little to no actual proof that an authority would resolve the issues the system currently has. We are stunned and disappointed to see the Consultants released the draft report in December without having shared with the Taskforce members, nor incorporating any of the concerns and doubts about the authority model. The second draft that you have referenced here was not shared with the public ahead of this meeting.</p> <p>The creation of a new water authority presents significant risks related to transaction costs to refinance debt, cover lease payments, and provide for worker retirements. This could lead to bill hikes, water shut-offs, water privatization, and loss of unionized positions. We have provided a written analysis on these items.</p> <p>The legislature gave you an unreasonable task. The time was insufficient to obtain information to assess the governing models. That is why the only reasonable recommendation is one that would improve the existing structure.</p>		<p>the Draft Consultant report as “The Consultant’s recommendation in the draft report to the Task Force”. In the interest of transparency, the public was afforded the ability to review the Consultant’s report in parallel with the Taskforce members. The Consultant addressed in their Draft Report all items, to the extent feasible and practicable, from the published list of “Follow-ups from Meeting 5 to be Addressed in the Draft Report” in the Meeting 5 Notes online.</p> <p>The “second draft” referenced is not of the Consultant draft report, but a proposal for the Taskforce recommendation which has since been posted online.</p> <p>Your suggestions for further analysis will be recorded, and the issues raised will be kept in mind as we work to select a new governance model and for any future implementation and policy work around the new model.</p>
	<b>Public Comment Session #2 – Post-Taskforce Discussion</b>		
3.	<p><b>Name: Jorge Aguilar, Food and Water Watch</b></p> <p><b>Comment:</b> We’re really grateful that the Taskforce members have been wrestling with the decision going forward. It’s very difficult to know exactly what all is being recommend, the latest draft of the Taskforce’s recommendation has not been shared with us so we are not aware of its contents. We’ve heard every member bring up threshold issues related to the Authority. Several Taskforce members have wrongly insinuated that the choice is between status quo and transitioning to a water authority. This has been</p>	<ul style="list-style-type: none"> <li>• Create a City-County Advisory Committee.</li> <li>• Reject the recommendation of Model E.</li> <li>• Continue to advance the Taskforce’s recommendation development process following the Taskforce’s review of the</li> </ul>	<p>Thank you for your comment.</p> <p>The process of moving from the Consultant’s recommendation to the Taskforce’s recommendation is intentional and has been detailed throughout our meeting series. The proposal for the Taskforce recommendation has since been posted online and members of the</p>

No.	Public Comment	Action Requested	Taskforce Response
	<p>mischaracterized as something the advocates want. The advocates have called for creating the much needed improvements in the system by reworking the intermunicipal agreements and creating a new City-County Advisory Committee. Thank you for supporting that recommendation. The threshold issues are the result of only one of the options: the authority.</p> <p>It has been very clear that the County wants to have more control over the water and wastewater system built by the City. And yet, there's been no evidence that an authority would actually address any of the shortfalls facing the system so we believe this task force should not move to any unsupported, drastic governance changes like a water authority just because of the County's desire for more control.</p> <p>A compact commission dedicated to watershed planning could be a way to really improve the regional coordination without all the issues of an authority. The threshold issues have been discussed for six months and can't be worked around. We are requesting a chance to provide written comment on your draft [Taskforce] report before that final meeting. We're hoping you do not move in any more conversations about a water authority.</p>	<p>Consultant's draft report and recommendations and allow for public comments.</p> <ul style="list-style-type: none"> <li>Explore compact commissions.</li> </ul>	<p>public can comment on it.</p> <p>Your suggestions for further analysis will be recorded, and the issues raised will be kept in mind as we work to select a new governance model and for any future implementation and policy work around the new model.</p>
4.	<p><b>Name: David Wheaton, NAACP Legal Defense Fund</b></p> <p><b>Comment:</b> By statute this Taskforce is charged with assessing different governance models to ensure that the water and wastewater systems serving Baltimore are safe, efficient, equitable, and affordable. Yet the draft report recommends a reasonable authority governance model without doing the proper analysis to determine if this governance model is the best thing for the City of Baltimore and its residents. Research and history show that regionalization can lead to unaffordable water rates and loss of control over a major asset without showing any of the benefits of improved water quality or increased service to residents. There are still several questions that need to be addressed by this Taskforce before it adopts the draft report recommendation of a regional authority governance model, both long term and short term. Questions include racial and economic equity, effect of regional authority on low-income residents, and fiscal impact of</p>	<ul style="list-style-type: none"> <li>Continue to explore threshold questions before the recommendation of Model E.</li> <li>Work with Baltimore County on affordability programs separately.</li> <li>Continue to advance the Taskforce's recommendation development process following the Taskforce's review of the Consultant's draft report and recommendations and allow for public comments.</li> </ul>	<p>Thank you for your comment.</p> <p>Your suggestions for further analysis will be recorded, and the issues raised will be kept in mind as we work to select a new governance model and for any future implementation and policy work around the new model.</p> <p>The proposal for the Taskforce recommendation has since been posted online and members of the public can comment on it or the revised draft ahead of the next meeting.</p>

No.	Public Comment	Action Requested	Taskforce Response
	<p>lease of assets on both the City and County.</p> <p>The Right to Water Coalition would like to work with Ms. Buckler and Baltimore County and getting a water for all program in Baltimore County. We don't need a new model for this to be possible.</p> <p>Will the comments on the new draft of the Taskforce recommendation be open to comment by the public?</p>		

## **Exhibit H**

Task Force Meeting #7, January 25, 2024: Final Recommendation Report Meeting Notes

**BALTIMORE REGIONAL WATER GOVERNANCE TASK FORCE**

**MEETING #7 – DRAFT REPORT REVIEW MEETING**

**THURSDAY, JANUARY 25, 2024**

**6:00 – 9:00 P.M.**

**PUBLIC COMMENTS**

## **Key Actions:**

The Task Force reviewed the last draft of the Task Force's Recommendations and workshopped each paragraph, voting to adopt the final form of each paragraph after comments were reviewed and potential edits discussed. After an overview of the Executive Summary, the Task Force began with Phase I – Short Term recommendation details, moved to the Phase II – Long Term recommendation details, and then returned to edit and adopt the Executive Summary of the Recommendation.

### Phase I – Short Term

- The Task Force discussed proposed language relating to the establish of a City-County Water Advisory Committee to evaluate short term operational issues in Transparency and Equity areas. A prior draft included contract administration related suggestions around Intermunicipal Agreement Improvements, but in discussion the Task Force suggested to delete this section. A motion to adopt that language was made by Task Force Member Mr. Barr and then seconded by Ms. Buckler. All other Task Force Members and the Chair voted affirmatively for the resolution and so the language, as edited, was kept.

### Phase II – Long Term

- The Task Force discussed proposed language relating to the establish of a working group to evaluate threshold issues in Equity, Financial, Human Capital, Legal and Operational areas. A motion to adopt that language was made by Task Force Member Ms. Buckler and then seconded by Ms. Reed. Mr. Moran voted no, all other Task Force Members and the Chair voted affirmatively for the resolution and so the language, as edited, was kept.
- The Task Force discussed proposed language relating to potential further study of a Rate Board. Edits were made and this insertion was made one of the now six (6) issues to be studied by the working group. A motion to adopt that language was made by Task Force Member Dr. Summers and then seconded by Mr. Barr. All other Task Force Members and the Chair voted affirmatively for the resolution and so the language, as edited, was kept.
- The Task Force discussed proposed language relating to other forms of regional governance structures, including compact commissions. Edits were made to remove some of the details that were in the prior draft. A motion to adopt that language was made by Task Force Member Mr. Barr and then seconded by Mr. Kebede. All other Task Force Members and the Chair voted affirmatively for the resolution and so the language, as edited, was kept.
- The Task Force discussed proposed language relating to legislation and providing of sufficient resources for the working group from the General Assembly. A motion to adopt that language was made by Task Force Member Dr. Summers and then seconded by Mr. Barr. All other Task Force Members and the Chair voted affirmatively for the resolution and so the language, as edited, was kept.
- The Task Force discussed proposed language that all nominees from City and County officials to future temporary study groups or permanent board or commissions arising from this work be confirmed through a process with the appropriate local legislative body. Task Force Member Ms. Buckler made a motion to strike this paragraph, which was seconded by Task Force Member Dr. Mitchell. All twelve (12) Task Force Members voted in favor of this motion and so the paragraph was struck.

### Executive Summary

- The Task Force edited and voted on the Executive Summary. A motion to adopt that language was made by Task Force Member Ms. Buckler and then seconded by Ms. Powell. Mr. Moran voted no, all other Task Force Members and the Chair voted affirmatively for the resolution and so the language, as edited, was kept.

### Meeting Conclusion

- Public Comment was then accommodated, which is summarized on the following page.
- Task Force Member Ms. Reid made a motion (seconded by Task Force Member Mr. Kebede) to approve the recommendations as discussed and agreed to during this meeting. A roll call vote was taken. All Task Force Members and the Chair voted unanimously in favor of this motion.
- The Task Force's Final Draft Recommendation will be posted on the public websites on or about Friday, January 26, 2024.
- The Task Force's Final Recommendations and Findings will be provided by the Chair to the Mayor, County Executive, Governor, and General Assembly on or before Tuesday, January 30, 2024.

No.	Public Comment	Action Requested	Taskforce Response
1.	<p><b>Name: Jorge Aguilar, Food and Water Watch</b></p> <p><b>Comment:</b> Thank you, Chair Henry, and Task Force members for your continued work on this final recommendation, which we know has been an enormous effort. We support the short term goals generally but we do recommend that you acknowledge City ownership of the assets, as in the previous draft and ensure that the City has the majority of seats on the City-County Advisory Committee. It should also be clear that any long-term work group should also have majority representation by the City officials as well.</p> <p>We do worry that the term “professional” which appeared to be added by the County is intended to keep out community voices from the Committee and Work Group. I don’t think that’s the intention, but we do ask that you provide space for impacted residents and workers as part of the future work.</p> <p>We appreciate your due diligence approach to the long-term recommendations. We still see some language that still sort of predetermines that the outcome of that new work group is a regional authority. Some things were still left in. We suggest that the lines at the top of Phase Two section should say “recommending how a regional governance structure should be structured, if it is feasible” and that the Taskforce should strike all references to an authority under the list of items - equity, financial, human capital, and legal – that the Work Group will explore. This will ensure the Phase Two language is not predetermined to be a regional authority.</p> <p>The Executive Summary, though, should also express the significant threshold issues associated with Option E that went unresolved for much of the workgroup. As written now, it says that Option E shows promises that other options do not. Option E has major issues which is why the workgroup did not resolve these questions. As written, it suggests that the workgroup did not have time to resolve these issues, but we did discuss the major threshold issues. All of this should be articulated in the Executive Summary.</p> <p>These changes will ensure that as the report is passed on to other</p>	<ul style="list-style-type: none"> <li>• Reflect City’s role as owner of assets in future representation.</li> <li>• Make community members and advocates part of City-County Advisory Committee and Work Group.</li> <li>• Continue to not presuppose any conclusions.</li> </ul>	<p>Thank you for your comment.</p> <p>Your suggestions for further analysis will be recorded, and the issues raised will be kept in mind as we work to select a new governance model and for any future implementation and policy work around the new model.</p>

No.	Public Comment	Action Requested	Taskforce Response
	officials, they are not set up to review a pre-determined outcome.		
2.	<p><b>Name: David Wheaton, NAACP Legal Defense Fund</b></p> <p><b>Comment:</b> Thank you for doing a racial and economic equity assessment before fully recommending a regional authority. It's best for the City of Baltimore to do a full feasibility study and a full racial economic equity study to make sure that whatever governance model is chosen, it does not negatively impact black and brown and low income Baltimore residents.</p> <p>We also believe that having directly impacted people like low income rate payers and also local community organizations or nonprofit legal organizations that represent low income rate payers and also representatives of union workers should be explicitly put in the final report, that the Mayor or County Executive can select to be on the Advisory Committee. We understand that there was a "professional" wording added but emphasize that the Mayor and County Executive can select from those groups.</p> <p>The City of Baltimore should be given the majority of seats on whatever new board, or Advisory Committee, is enacted, so that the City and its residents which actually own the asset do not lose decision making authority over critical issues, such as rate setting and project prioritization over the asset that the City owns. Baltimore actually has banned privatization of its water and wastewater system in 2008. All of Baltimore's residents are serviced by the City's water and wastewater system and so since Baltimore controls those assets it is critical that Baltimore maintains control over the water and wastewater system.</p> <p>Again, I want to thank the Task Force for doing an amazing job and for slowing down the process to do a racial and economic equity assessment before fully recommending a regional authority.</p>	<ul style="list-style-type: none"> <li>• Thank you for continuing to support the recommendation from the Consultant for a racial and economic equity assessment.</li> <li>• Reflect City's role as owner of assets in future representation.</li> <li>• Make community members and advocates part of City-County Advisory Committee and Work Group.</li> </ul>	<p>Thank you for your comment.</p> <p>Your suggestions for further analysis will be recorded, and the issues raised will be kept in mind as we work to select a new governance model and for any future implementation and policy work around the new model.</p>

**Exhibit I**

Public Comments Received to City and County Mailboxes

**Shell, Brian C.**

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**From:** Lynn Vitilio <lvitilio1@gmail.com>  
**Sent:** Monday, July 24, 2023 9:16 AM  
**To:** Water Governance  
**Subject:** What is the cost of the 13 member water governance task force? How is it being funded? Would like to see breakdown of charges for the task force. Thank You!

CAUTION: This message from lvitilio1@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

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Sent from my iPhone

**Shell, Brian C.**

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**From:** Justen <justen.ries@gmail.com>  
**Sent:** Tuesday, August 1, 2023 11:08 PM  
**To:** Water Governance  
**Subject:** I have an idea

CAUTION: This message from justen.ries@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

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Hi! I heard on public radio that all ideas are on the table and you welcome public input. I would like to suggest that Baltimore city could leverage this water resource to become a unified city county tax base. #bettogether Thanks for considering, Justen Ries

## Shell, Brian C.

---

**From:** Water Governance <watergovernance@baltimorecountymd.gov>  
**Sent:** Thursday, September 14, 2023 1:45 PM  
**To:** Shell, Brian C.  
**Cc:** Thomas Flagg; Hammed-Owens, Bukola (DPW); Michael Swygert  
**Subject:** FW: Baltimore Right to Water Coalition Letter to the Task Force  
**Attachments:** Letter to the Baltimore Regional Water Task Force 9.13.pdf

Brian – please make sure this is distributed to the task force

---

**From:** Water Governance <watergovernance@baltimorecountymd.gov>  
**Sent:** Thursday, September 14, 2023 1:43 PM  
**To:** David Wheaton <dwheaton@naacpldf.org>; Water Governance <watergovernance@baltimorecountymd.gov>  
**Cc:** Mary Grant <mgrant@fwwatch.org>; Rianna Eckel <rmeckel93@gmail.com>  
**Subject:** RE: Baltimore Right to Water Coalition Letter to the Task Force

Thank you for reaching out to the Task Force. We will make sure this is distributed to the task force members.

Baltimore County  
Baltimore Regional Water Governance Task Force

---

**From:** David Wheaton <[dwheaton@naacpldf.org](mailto:dwheaton@naacpldf.org)>  
**Sent:** Wednesday, September 13, 2023 1:09 PM  
**To:** Water Governance <[watergovernance@baltimorecountymd.gov](mailto:watergovernance@baltimorecountymd.gov)>  
**Cc:** Mary Grant <[mgrant@fwwatch.org](mailto:mgrant@fwwatch.org)>; Rianna Eckel <[rmeckel93@gmail.com](mailto:rmeckel93@gmail.com)>  
**Subject:** Baltimore Right to Water Coalition Letter to the Task Force

**CAUTION:** This message from [dwheaton@naacpldf.org](mailto:dwheaton@naacpldf.org) originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

To whom it may concern,

Please find this letter from the Baltimore Right to Water Coalition calling for the Baltimore Regional Water Task Force to (1) study the racial and economic equity of a change in governance, and (2) reject all forms of water privatization, including private management and operation.

Please let us know if you have any questions.

Thanks,

**David Wheaton (he/him)**

Hfrqrp lf#xvwlfh#s rdf | #hørz #



700 14<sup>th</sup> Street N.W. Ste. 600 Washington, D.C. 20005  
o: 202-682-1300 | c: 404.861.5898 | [dwheaton@naacpldf.org](mailto:dwheaton@naacpldf.org)  
[www.naacpldf.org](http://www.naacpldf.org)

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Dear Baltimore Regional Water Task Force members,

We write this letter regarding the Baltimore Water Regional Task Force (Task Force). We are thankful that you have taken the privatization of the ownership of Baltimore's water system out of consideration by the Task Force. To ensure the work of the Task Force benefits the public well-being, we request that you (1) conduct racial and economic equity assessments; and (2) reject all forms of water and sewer privatization, including public-private partnership operations contracts.

**(1) We urge you to direct the consultants to conduct racial and economic equity assessments for each governance model under consideration.**

We are concerned that the Task Force will not properly study how changes in governance will affect Black residents of Baltimore, water affordability for residents, and the city of Baltimore's finances. Analyzing how a change in governance of the water and sewer system will affect Black residents, who make up over 60% of the city's population, and water affordability for all Baltimore residents is a responsible way to allocate city funds.

Baltimore's water affordability crisis has and will continue to have a disproportionate and detrimental impact on the city's Black neighborhoods. In 2020, water bills in Baltimore exceeded two percent of median income (which is the affordability threshold for water) in 131 of 200 census tracts—108 of which were majority-Black. Baltimore has addressed some of these issues with shutoff protections and special water affordability plans for low-income residents found in the 2018 Water Accountability and Equity Act. We implore that whatever governance model is chosen, it incorporates local water affordability laws and shutoff protections.

The consultants should perform a racial equity study of the governance model chosen. [Racial equity](#) develops goals and outcomes that will result in improvements for all groups, but the strategies are targeted based on the needs of a particular group. Given that water affordability, shutoffs, and water quality issues disproportionately affect Black Baltimore residents there is a need to ensure that a new governance model will not enhance any of these issues for Black Baltimore residents. The 2021 Water/Sewer Services Comprehensive Business Report, which the Task Force is compelled to review, has no mention of racial equity and makes little mention of water affordability. The consultants should perform or contract out the ability of a 3rd party to conduct a racial equity study for the benefit of Baltimore residents.<sup>1</sup>

The racial equity analysis should be inclusive of the Detroit/ Great Lakes Regional Water Authority, as there is substantial research available about how Detroit's water regionalization deepened regional racial inequities. The analysis should also include a comprehensive rate analysis; an assessment of local ratepayer and labor protections established by local jurisdictions; the impact on Baltimore City's finances; and alternatives analysis of options other than a governance change can address the underlying problems of the water and sewer

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<sup>1</sup> There are several non profit organizations, consultants, and law firms that have the ability to perform racial equity studies if the consultants that have been hired do not have the expertise in that field.

system, such as how to address staffing shortfalls and equity in allocation of state and federal funding to the water and sewer system.

**(2) We urge you to take all forms of water privatization off the table, including public private partnerships.**

While Mayor Bradon Scott and County Executive Johnny Olszewski have indicated a desire to protect public ownership of the utility system in an opinion piece for the *Baltimore Sun*, and this is a good first step, a stronger commitment is necessary to protect the people of Baltimore from the harms of privatization. The Task Force must take all forms of water privatization off the table and reject any type of private management and operations contract, which are also called public-private partnerships.

In these public-private partnership privatization contracts, water corporations run or manage various parts of a utility system or treatment plant, and because of their fee structure, they have a financial incentive to cut costs to drive up their profits. When private operators attempt to cut costs, practices they employ can result in worse service quality. They may use shoddy construction materials, delay needed maintenance, or downsize the workforce. On average, one in three water worker jobs are lost after privatization through a public-private partnership because of downsizing and attrition. These strategies can impair customer service and slow responses to emergencies. Such neglect can hasten equipment breakdowns and allow water system assets to deteriorate.

A public statement against water privatization is insufficient. The Task Force must explicitly write into its report and findings that there will be continued public ownership, management and operation of the systems and treatment plants with strong protections for union workers and jobs. This would send a strong message that Baltimore's water system is and should remain controlled by the people of Baltimore who have paid into that system since 1854.

Rapidly rushing to establish a new governance model without strong protections against all forms of privatization and doing critical analyses on how a new model will affect Black residents and low-income ratepayers' risks undermining progress and creating even greater disparities. Solving the problems confronting the Baltimore region's water system requires thoughtful analysis that examines multiple alternatives and weighs the various costs and benefits. Issues such as racial equity, the fiscal health of Baltimore City and Baltimore County, water affordability, and the environment must be reviewed thoroughly before a new governance model is chosen.

Sincerely,

Baltimore Right to Water Coalition

**Shell, Brian C.**

---

**From:** Todd Reynolds <treynolds@aftmd.org>

**Sent:** Wednesday, September 13, 2023 1:26 PM

**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>;  
WaterGovernance@baltimorecountymd.gov

**Cc:** Antoinette Ryan-Johnson <cubprezz@cub-aft.org>; Kenya Campbell <Kcampbell@aftmd.org>

**Subject:** Written testimony from Antoinette Ryan-Johnson, City Union of Baltimore, for tonight's taskforce meeting

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Is attached. President Ryan-Johnson plans to give oral remarks tonight as well. How should she sign up for that?

Thank you in advance,

-----  
**Todd Reynolds, PhD**

**Political Coordinator**

AFT-Maryland, 5800 Metro Dr., Ste 100, Baltimore, MD 21215

direct: [443.320.4719](tel:443.320.4719) | main: [410.764.3030](tel:410.764.3030) | fax: [410.764.3008](tel:410.764.3008)

[treynolds@aftmd.org](mailto:treynolds@aftmd.org)

[md.aft.org](http://md.aft.org) | [Facebook.com/AFTMaryland](https://www.facebook.com/AFTMaryland) | Tw: @AFT\_Maryland

*Pronouns: He/him/his*



Proud member of the Office and Professional Employees International Union, (OPEIU) Local 2



# ***City Union of Baltimore***

**Local 800, AFT, AFL-CIO**

**President**

*Antoinette Ryan-Johnson*

**Executive Vice President**

*Donna Price*

**Testimony of Antoinette Ryan-Johnson  
President, City Union of Baltimore  
Before the Baltimore Regional Water Governance Task Force  
September 13, 2023**

Good evening Chair Henry and the members of the Baltimore Regional Water Governance Task Force.

My name is Antoinette Ryan-Johnson. I am a resident of Baltimore County Rosedale, where my family and I have lived for 24 years. I grew up in Baltimore City McElderry Park neighborhood and I am the President of the City Union of Baltimore, a Union of City employees in which over 400 members work to provide water and wastewater services to residents throughout the region. On behalf of these city employees, who have worked long hours and at times at risk to their own health and well-being, I ask that the task force address a number of concerns the City Union of Baltimore members as the task force endeavors to review the governance structure for the future of Baltimore Water.

The recommendations of the Business Process Study upon which this task force plans to act has noted a number of issues that should be addressed with respect to the water system. I realize many elected officials believe staffing issues can be handled separately from a robust discussion on the organizational model of the current water and wastewater utility, but I assure you, any attempt to address organizational shortcomings of our water system that does not address glaring red flags in what I would call a staffing crisis is doomed to failure. The very same Business Process Study itself handles a number of these staffing problems under the heading "Organization Findings and Observations"-- noting that vacancy rates in water and wastewater systems in the city and county are both higher than usual, salaries for city and county employees are woefully inadequate causing many high-quality employees to leave for greener pastures, and high turnover rates, whereby several key workers with long-standing knowledge of how the system operates leave city employment because of substandard working conditions,. The work of this taskforce must keep these deeply troubling concerns in mind if it wants to create a successful model moving forward in delivering water and wastewater services to this community.

Many employees have expressed concerns regarding a lack of certainty on the future of the city's water and wastewater department, and that uncertainty can exacerbate these problems. For instance, if a new regional water utility is to be created, water and wastewater workers ask if

they will be forced to reapply for their jobs? Such a prospect is a slap in the face to the workers who have remained loyal to Baltimore and worked in service to our utility for decades. New governance structures also introduce crucial questions regarding what will happen to accumulated leave, retirement, and pensions. Will their jobs still be good jobs, protected by a union contract, or will a potentially new employer employ them as at-will employees without an existing union? If they do have to re-apply for their jobs, will they be starting over? As you can see, such unanswered questions to a workforce whose knowledge on our utility systems is vital to our community, may make already existing turnover and vacancy problems worse, not better.

It's good that both Mayor Scott and County Executive Olszewski have publicly pledged to not privatize any component of the water system. However, we must be sure all parties are speaking the same language when it comes to privatization. To be clear, City Union of Baltimore considers privatization to be any contracting out of public duties— including maintenance, upkeep, and day-to-day operations of a utility, including the reading of water meters. Not only has outsourcing services historically diminish the quality of service provided to residents, but it also undercuts a fundamental component of a democratic society— namely that the ownership, maintenance, and day-to-day operation of vital services that we all use should be done under democratic principles of participation, fairness, and equity. Because every living thing needs water for survival, regardless of the subjective wealth of any one person, we must all have an equal, fair say as to how a resource as precious as water should best be used within our community.

CUB stands proudly in concert with our coalition partners in Food and Water Watch, the NAACP Legal Defense Fund, Blue Water Baltimore, and others to be sure that protections are put in place to defend against utility shut offs for our regions lowest-earning rate payers and that historically underrepresented communities are not disproportionately, negatively impacted by proposed changes to the governance of the utility.

Thank you for your time and consideration.

Antoinette Ryan-Johnson  
President, City Union of Baltimore  
AFT Local 800

## Shell, Brian C.

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**From:** David Wheaton <dwheaton@naacpldf.org>

**Sent:** Wednesday, September 13, 2023 1:07 PM

**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>

**Cc:** Mary Grant <mgrant@fwwatch.org>

**Subject:** Baltimore Right to Water Coalition Letter to the Task Force

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To whom it may concern,

Please find this letter from the Baltimore Right to Water Coalition calling for the Baltimore Regional Water Task Force to (1) study the racial and economic equity of a change in governance, and (2) reject all forms of water privatization, including private management and operation.

Please let us know if you have any questions.

Thanks,

**David Wheaton (he/him)**

Hfrqrp lf#xvwlfn#s rdf | #hørz #



700 14<sup>th</sup> Street N.W. Ste. 600 Washington, D.C. 20005

o: 202-682-1300 | c: 404.861.5898 | [dwheaton@naacpldf.org](mailto:dwheaton@naacpldf.org)

[www.naacpldf.org](http://www.naacpldf.org)

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Dear Baltimore Regional Water Task Force members,

We write this letter regarding the Baltimore Water Regional Task Force (Task Force). We are thankful that you have taken the privatization of the ownership of Baltimore's water system out of consideration by the Task Force. To ensure the work of the Task Force benefits the public well-being, we request that you (1) conduct racial and economic equity assessments; and (2) reject all forms of water and sewer privatization, including public-private partnership operations contracts.

**(1) We urge you to direct the consultants to conduct racial and economic equity assessments for each governance model under consideration.**

We are concerned that the Task Force will not properly study how changes in governance will affect Black residents of Baltimore, water affordability for residents, and the city of Baltimore's finances. Analyzing how a change in governance of the water and sewer system will affect Black residents, who make up over 60% of the city's population, and water affordability for all Baltimore residents is a responsible way to allocate city funds.

Baltimore's water affordability crisis has and will continue to have a disproportionate and detrimental impact on the city's Black neighborhoods. In 2020, water bills in Baltimore exceeded two percent of median income (which is the affordability threshold for water) in 131 of 200 census tracts—108 of which were majority-Black. Baltimore has addressed some of these issues with shutoff protections and special water affordability plans for low-income residents found in the 2018 Water Accountability and Equity Act. We implore that whatever governance model is chosen, it incorporates local water affordability laws and shutoff protections.

The consultants should perform a racial equity study of the governance model chosen. [Racial equity](#) develops goals and outcomes that will result in improvements for all groups, but the strategies are targeted based on the needs of a particular group. Given that water affordability, shutoffs, and water quality issues disproportionately affect Black Baltimore residents there is a need to ensure that a new governance model will not enhance any of these issues for Black Baltimore residents. The 2021 Water/Sewer Services Comprehensive Business Report, which the Task Force is compelled to review, has no mention of racial equity and makes little mention of water affordability. The consultants should perform or contract out the ability of a 3rd party to conduct a racial equity study for the benefit of Baltimore residents.<sup>1</sup>

The racial equity analysis should be inclusive of the Detroit/ Great Lakes Regional Water Authority, as there is substantial research available about how Detroit's water regionalization deepened regional racial inequities. The analysis should also include a comprehensive rate analysis; an assessment of local ratepayer and labor protections established by local jurisdictions; the impact on Baltimore City's finances; and alternatives analysis of options other than a governance change can address the underlying problems of the water and sewer

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<sup>1</sup> There are several non profit organizations, consultants, and law firms that have the ability to perform racial equity studies if the consultants that have been hired do not have the expertise in that field.

system, such as how to address staffing shortfalls and equity in allocation of state and federal funding to the water and sewer system.

**(2) We urge you to take all forms of water privatization off the table, including public private partnerships.**

While Mayor Bradon Scott and County Executive Johnny Olszewski have indicated a desire to protect public ownership of the utility system in an opinion piece for the *Baltimore Sun*, and this is a good first step, a stronger commitment is necessary to protect the people of Baltimore from the harms of privatization. The Task Force must take all forms of water privatization off the table and reject any type of private management and operations contract, which are also called public-private partnerships.

In these public-private partnership privatization contracts, water corporations run or manage various parts of a utility system or treatment plant, and because of their fee structure, they have a financial incentive to cut costs to drive up their profits. When private operators attempt to cut costs, practices they employ can result in worse service quality. They may use shoddy construction materials, delay needed maintenance, or downsize the workforce. On average, one in three water worker jobs are lost after privatization through a public-private partnership because of downsizing and attrition. These strategies can impair customer service and slow responses to emergencies. Such neglect can hasten equipment breakdowns and allow water system assets to deteriorate.

A public statement against water privatization is insufficient. The Task Force must explicitly write into its report and findings that there will be continued public ownership, management and operation of the systems and treatment plants with strong protections for union workers and jobs. This would send a strong message that Baltimore's water system is and should remain controlled by the people of Baltimore who have paid into that system since 1854.

Rapidly rushing to establish a new governance model without strong protections against all forms of privatization and doing critical analyses on how a new model will affect Black residents and low-income ratepayers' risks undermining progress and creating even greater disparities. Solving the problems confronting the Baltimore region's water system requires thoughtful analysis that examines multiple alternatives and weighs the various costs and benefits. Issues such as racial equity, the fiscal health of Baltimore City and Baltimore County, water affordability, and the environment must be reviewed thoroughly before a new governance model is chosen.

Sincerely,

Baltimore Right to Water Coalition

## Shell, Brian C.

---

**From:** Stephen Demczuk <stephen@ravenbeer.com>  
**Sent:** Wednesday, September 13, 2023 3:52 PM  
**To:** County Executive Johnny Olszewski; kc.kelleher@baltimorecity.gov  
**Cc:** Water Governance  
**Subject:** Loch Raven Reservoir

**Importance:** High

**CAUTION:** This message from stephen@ravenbeer.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

I recently sent Mayor Scott the below email and a photo of trash that I picked off the shore (the water level is low) of Loch Raven Reservoir. It took me 10 minutes and I covered maybe 100 meters of shoreline. I focused primarily on plastic, glass was left behind.

I received no response from the City.

I would think the water supply to the citizens of Baltimore would be of high priority.

Regards,

Stephen

Stephen Demczuk  
RavenBeer, Poe Baltimore  
National EA Poe Theatre  
443-847-6223

[stephen@ravenbeer.com](mailto:stephen@ravenbeer.com)

[http://secure-web.cisco.com/1nGkzZ5FFQk4kfqGBi4gI17tXVyA0Pg7--1UrIkmyReS2bFjXmeGrS2gZ1ISmsRvgJxo39LPnT-RuUwCczVt\\_w3-GlhKe24madIZMK2ACU-bbZ4I\\_sPhORtoRlhORSuQnQQqE-7kJkScB\\_wDnwF4Ci5V9KPIIMrYjZiFswikUIUGF8CzN1pINpBjemOd4NMyhMGtnXzP4GdaFdA0k1vcyvcOI7um-JcSxGn6JM6WNtI86sEnv7UpO4ef2c0aPwSUxh0vXBm9BPjwJBgLqGo9gV1d3g87TiCT-jqzJxTBhYx14vNfpVULjnSG8S0L6f5SS4VeRJW3c3I66b5N4IVHFmOu-g2TPrHY-hbk3RNROl6k1\\_CI6Tnbll7b-ZcEeZxLsP1\\_P5Q\\_CB1QyuIOrSK6JMintMI726jI0oCa2XYEVXKDHnlak8Hk7DRrQVRcrjlmeiPbLM-\\_Y-InV4T6EQcg/http%3A%2F%2Fwww.ravenbeer.com](http://secure-web.cisco.com/1nGkzZ5FFQk4kfqGBi4gI17tXVyA0Pg7--1UrIkmyReS2bFjXmeGrS2gZ1ISmsRvgJxo39LPnT-RuUwCczVt_w3-GlhKe24madIZMK2ACU-bbZ4I_sPhORtoRlhORSuQnQQqE-7kJkScB_wDnwF4Ci5V9KPIIMrYjZiFswikUIUGF8CzN1pINpBjemOd4NMyhMGtnXzP4GdaFdA0k1vcyvcOI7um-JcSxGn6JM6WNtI86sEnv7UpO4ef2c0aPwSUxh0vXBm9BPjwJBgLqGo9gV1d3g87TiCT-jqzJxTBhYx14vNfpVULjnSG8S0L6f5SS4VeRJW3c3I66b5N4IVHFmOu-g2TPrHY-hbk3RNROl6k1_CI6Tnbll7b-ZcEeZxLsP1_P5Q_CB1QyuIOrSK6JMintMI726jI0oCa2XYEVXKDHnlak8Hk7DRrQVRcrjlmeiPbLM-_Y-InV4T6EQcg/http%3A%2F%2Fwww.ravenbeer.com)



Mr. Mayor, I recently moved from 300 E. 30th St. to Glen Arm, Baltimore County. Almost daily I am still on Baltimore City property since I take long walks around Loch Raven Reservoir. Today, I walked out on the shore of the reservoir, and in 10 minutes (no exaggeration), I picked up this bag of trash. All this was in the water before the drought. Several people thanked me for doing so when I walked back to my car. Another time, I found a large trash bag and filled that up in 30 min. It was between 30-40 pounds.

Here is my suggestion. While the reservoir's level is low, why not bring out your folks and have them walk around the reservoir and clean it up? It's the city's drinking water. There is so much plastic. This cannot be healthy for the citizens of Baltimore to drink microplastics from their tap water. Enclosed is the photo of my 10 minutes of labor.

## Shell, Brian C.

---

**From:** Water Governance <watergovernance@baltimorecountymd.gov>  
**Sent:** Thursday, September 14, 2023 1:40 PM  
**To:** Shell, Brian C.  
**Cc:** Hammed-Owens, Bukola (DPW); Thomas Flagg; Michael Swygert  
**Subject:** FW: Written testimony from Antoinette Ryan-Johnson, City Union of Baltimore, for tonight's taskforce meeting  
**Attachments:** CUBWaterTaskforceTestimony9-13.docx.pdf

Brian – please distribute to the task force

---

**From:** Water Governance <watergovernance@baltimorecountymd.gov>  
**Sent:** Thursday, September 14, 2023 1:39 PM  
**To:** Todd Reynolds <treynolds@aftmd.org>; WaterGovernance@baltimorecity.gov; Water Governance <watergovernance@baltimorecountymd.gov>  
**Cc:** Antoinette Ryan-Johnson <cubprezz@cub-aft.org>; Kenya Campbell <Kcampbell@aftmd.org>  
**Subject:** RE: Written testimony from Antoinette Ryan-Johnson, City Union of Baltimore, for tonight's taskforce meeting

Thank you for reaching out, apologies for the delayed response. We did see that President Ryan-Johnson was able to present this information last night. We will make sure the written testimony to the whole task force.

Baltimore County  
Baltimore Regional Water Governance Task Force

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**From:** Todd Reynolds <treynolds@aftmd.org>  
**Sent:** Wednesday, September 13, 2023 1:26 PM  
**To:** [WaterGovernance@baltimorecity.gov](mailto:WaterGovernance@baltimorecity.gov); Water Governance <[watergovernance@baltimorecountymd.gov](mailto:watergovernance@baltimorecountymd.gov)>  
**Cc:** Antoinette Ryan-Johnson <[cubprezz@cub-aft.org](mailto:cubprezz@cub-aft.org)>; Kenya Campbell <[Kcampbell@aftmd.org](mailto:Kcampbell@aftmd.org)>  
**Subject:** Written testimony from Antoinette Ryan-Johnson, City Union of Baltimore, for tonight's taskforce meeting

**CAUTION:** This message from [treynolds@aftmd.org](mailto:treynolds@aftmd.org) originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Is attached. President Ryan-Johnson plans to give oral remarks tonight as well. How should she sign up for that?

Thank you in advance,

-----  
**Todd Reynolds, PhD**  
**Political Coordinator**  
AFT-Maryland, 5800 Metro Dr., Ste 100, Baltimore, MD 21215  
direct: [443.320.4719](tel:443.320.4719) | main: [410.764.3030](tel:410.764.3030) | fax: [410.764.3008](tel:410.764.3008)  
[treynolds@aftmd.org](mailto:treynolds@aftmd.org)  
[md.aft.org](http://md.aft.org) | [Facebook.com/AFTMaryland](https://www.facebook.com/AFTMaryland) | Tw: @AFT\_Maryland

Pronouns: He/him/his



Proud member of the Office and Professional Employees International Union, (OPEIU) Local 2

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[www.baltimorecountymd.gov](http://www.baltimorecountymd.gov)

**Shell, Brian C.**

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**From:** OpenGov <opengov@oag.state.md.us>

**Sent:** Tuesday, September 19, 2023 9:13 AM

**To:** Comptroller <Comptroller@baltimorecity.gov>

**Cc:** todd.reynolds@gatech.edu; Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>; watergovernance@baltimorecountymd.gov; lawoffice@baltimorecountymd.gov

**Subject:** Open Meetings Act Complaint No. 24-7 (Baltimore Regional Water Governance Task Force)

**CAUTION:** This email originated from outside of Baltimore City IT Network Systems.

**Reminder:** DO NOT click links or open attachments unless you recognize the sender and know that the content is safe. Report any suspicious activities using the Report Phishing Email Button, or by emailing to [Phishing@baltimorecity.gov](mailto:Phishing@baltimorecity.gov)

Bill Henry, Chair

Baltimore Regional Water Governance Task Force

**Sent by email:** [comptroller@baltimorecity.gov](mailto:comptroller@baltimorecity.gov)

Mr. Henry:

The Open Meetings Compliance Board (Compliance Board) has received the attached complaint alleging that the Baltimore Regional Water Governance Task Force violated the Open Meetings Act.

Under Section 3-206 of the General Provisions Article of the Maryland Code, a written response to the open meetings allegations in the complaint is due within 30 days of the receipt of this letter (October 19, 2023). The Compliance Board accepts email submissions at [opengov@oag.state.md.us](mailto:opengov@oag.state.md.us). The Compliance Board also requests that the Complainant, Mr. Reynolds, be copied on any submissions; his email address is copied on this correspondence and is listed below.

The Compliance Board's procedures are posted at <http://www.marylandattorneygeneral.gov/Pages/OpenGov/OpenMeetings/complaint.aspx>. Generally, the Compliance Board is able to issue an opinion within 30 days of its receipt of the response and any supplemental papers. Thank you for your attention to this matter. Please feel free to contact me if you have any questions.

Sincerely,

Rachel Simmons

Counsel to the Open Meetings Compliance Board

(410) 576-6344

cc:

Complainant Todd Reynolds, [todd.reynolds@gatech.edu](mailto:todd.reynolds@gatech.edu)

[WaterGovernance@baltimorecity.gov](mailto:WaterGovernance@baltimorecity.gov)

[watergovernance@baltimorecountymd.gov](mailto:watergovernance@baltimorecountymd.gov)

[lawoffice@baltimorecountymd.gov](mailto:lawoffice@baltimorecountymd.gov)

Sep 15, 2023

Dear Open Meetings Compliance Act Board.

I write this to issue a complaint that the Baltimore Regional Water Task Force is in violation of the Open Meetings Act by failing to publish and share an agenda before the meeting took place.

The meeting of the task force, which is a public body created by SB 880 and enacted into law during the 2023 legislative session, took place on Wednesday, September 13th, at 6pm. The Task Force's website— still as of this morning— has not provided an agenda for the meeting, as required by the act. I have attached screen shots of the Task Force's website, taken at 11:15am on September 15th, two days after the meeting took place, that show the agenda is still not available publicly.

An emailed response can be sent back to me at my email address: [todd.reynolds@gatech.edu](mailto:todd.reynolds@gatech.edu)

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Todd Reynolds".

Todd Reynolds

Mailing address: 2704 Sulgrave Ave.  
Baltimore, MD 21215



# Mayor Brandon M. Scott

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Baltimore Regional Water Governance Task Force

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## Baltimore Regional Water Governance Task Force

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Board Information



Request Ceremonial Documents

2023 State of the City

(NEW) Mayor's Action Plan Tracker

Behavioral Health and the Consent Decree

2022 Annual State of Downtown Address

Current Contracts

FAQ for the Americans with Disabilities Act (ACT)

National Night Out Registration

Background

City Contracting Basics

### Board Information

<b>Name</b>	Baltimore Regional Water Governance Task Force
<b>Function</b>	
<b>Composition</b>	Baltimore Regional Water Governance Task Force
<b>City Council Approval</b>	
<b>Legal Authority</b>	
<b>Liaison/Executive Director Name</b>	
<b>Liaison/Executive Director Phone</b>	
<b>Liaison/Executive Director Email</b>	WaterGovernance@baltimorecity.gov

The Baltimore Regional Water Governance Task Force was established under state law to make recommendations to modernize the governance of the Baltimore region's water and wastewater utilities to help ensure residents efficiently, equitably and sustainably receive high-quality services.

Currently, residents of both Baltimore City and Baltimore County jurisdictions are served by water and wastewater systems under an agreement that dates back to 1972. Today, the regional drinking water and wastewater systems, owned and operated primarily by Baltimore City, now serve as many as 1.8 million residents across

Background served by water and wastewater systems under an agreement that dates back to 1972.

City Contracting Basics Today, the regional drinking water and wastewater systems, owned and operated primarily by Baltimore City, now serve as many as 1.8 million residents across Baltimore City, Baltimore County and other surrounding jurisdictions.

Regulations

Frequently Asked Questions Due to this regional population growth and the growing complexity of the utilities, City and County officials jointly-related a comprehensive review of the shared water and wastewater systems in 2021.

Contact Us

For any questions about attending or watching meetings, specific agenda items, or general feedback for the Task Force, please email: [WaterGovernance@BaltimoreCity.gov](mailto:WaterGovernance@BaltimoreCity.gov).

**DUTIES**

The Baltimore Regional Water Governance Task Force will:

- Review the findings of two specified tasks of the Water/Sewer Services Comprehensive Business Process Review for Baltimore City and Baltimore County as finalized in July 2021, and other existing regional water and wastewater governance models.
- Assess alternative governance structures for the Baltimore region's water and wastewater utility.
- Analyze the fiscal implications and efficiencies of each alternative governance structure, including estimated short- and long-term costs, 10-year historical costs,

- Analyze the fiscal implications and efficiencies of each alternative governance structure, including estimated short- and long-term costs, 10-year historical costs that both jurisdictions have paid to the utility and cost savings.
- Recommend the governance model best suited for water and wastewater systems in the Baltimore region, and the necessary legislation and funding to establish the recommended model.
- Issue a final report to the Mayor of Baltimore City, the County Executive of Baltimore County, the Governor and the General Assembly, no later than January 30, 2024.

**MEMBERSHIP**

Position	Member Name	Term Started	Term Expires	Appointed By
Chair	Bill Henry			Mayor
Member	Lester Davis			Mayor
Member	Jason Mitchell			Mayor
Member	Patrick Moran			Mayor
Member	Kishia L. Powell			Mayor
Member	Lauren Buckler, P.E., CEM, LEED AP			Baltimore County Executive

Member	Kishia L. Powell	Mayor
Member	Lauren Buckler, P.E., CEM, LEED AP	Baltimore County Executive
Member	Carla A. Reid	Baltimore County Executive
Member	Robert M. Summers, Ph.D	Baltimore County Executive
Member	Timothy Barr	Governor
Member	Jessica Medicus	Governor
Member	Senator Cory McCray	Senate President
Member	Delegate Dana Stein	Speaker of the House
Member	Yosef Kebede	Baltimore Metropolitan Council

### TIMELINE

The Task Force is currently expected to hold four public meetings:

- September through November—Public Meetings Held
- December—Draft Report Issued for Public Comment Period
- January 2024—Public Comment Period Closes
- January 30, 2024—Final Report on Findings and Recommendations Issued

- January 30, 2024—Final Report on Findings and Recommendations Issued

### MEETINGS

- **Task Force Meeting #1: Existing Organization & Agreements**
  - September 13, 2023 - 6PM - 9PM
  - Randallstown Community Center
  - 3505 Resource Drive, Randallstown, MD 21133
- **Task Force Meeting #2: Governance Models**
  - October 4, 2023 - 6PM - 9PM
  - Middle Branch Wellness Center
  - 201 Reedbird Avenue, Baltimore, MD 21225
- **Task Force Meeting #3: Governance Models & Preliminary Fiscal Analysis**
  - October 18, 2023 - 6PM - 9PM
  - CCBC Essex Campus
  - 7201 Rossville Boulevard, Baltimore, MD 21237
- **Task Force Meeting #4: Final Fiscal Analysis**
  - November 1, 2023 - 6PM - 9PM
  - Mount Pleasant Community Church
  - 6000 Radecke Avenue, Baltimore, MD 21206
- **Task Force Meeting #5: Summary & Recommendation**
  - November 16, 2024 - Virtual/Online
- **Task Force Meeting #6: Final Recommendation Report**
  - January 25, 2024 - Virtual/Online

- o Task Force Meeting #6: Final Recommendation Report
- o January 25, 2024 - Virtual/Online

**Livestream:**

BRWGT YouTube Channel

**County Website:**

Baltimore Regional Water Governance Task Force - Baltimore County  
(baltimorecountymd.gov)

**County Email:**

WaterGovernance@baltimorecountymd.gov



The image shows a contact form for the City of Baltimore. On the left, there is the City of Baltimore logo and the text: "City of Baltimore", "City Hall - Room 250", "100 N. Holliday St, Baltimore, MD 21202", and "City Operator: (410) 396-3100". To the right of this information is the word "Contact" above two input fields labeled "Name" and "Email". The form is set against a dark background. At the bottom of the image, a Windows taskbar is visible, showing the search bar, several application icons, and the system tray with the date and time "11:26 AM 9/15/2023".

**Shell, Brian C.**

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**From:** Water Governance <watergovernance@baltimorecountymd.gov>  
**Sent:** Thursday, October 5, 2023 1:50 PM  
**To:** Shell, Brian C.  
**Cc:** Thomas Flagg; Michael Swygert; Sameer Sidh  
**Subject:** FW: For your consideration

---

**From:** Wolfson, Jane L. <jwolfson@towson.edu>  
**Sent:** Monday, October 2, 2023 4:29 PM  
**To:** Water Governance <watergovernance@baltimorecountymd.gov>  
**Subject:** For your consideration

**CAUTION:** This message from [jwolfson@towson.edu](mailto:jwolfson@towson.edu) originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

As you consider the various issues that will be coming before you, please take time to address the current bridge maintenance responsibilities for the jurisdictions. Baltimore City is currently responsible for maintaining the bridges that cross Loch Raven Reservoir and aren't part of the state highway system BUT it is the Baltimore County Residents who are impacted by construction issues. Baltimore County needs to be assume either partial or total responsibility for maintenance of these. structures.

I say this as a county resident. The City should not be forced to maintain these crossings that their citizens/residents do not routinely use. This situation be changed.

Thank you.

Jane L. Wolfson  
3310 Richfield Lane  
Phoenix, MD 21131

++++  
Jane L. Wolfson, Ph.D.  
Professor Emerita  
Towson University

**CONNECT WITH BALTIMORE COUNTY**



## Shell, Brian C.

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**From:** Water Governance <watergovernance@baltimorecountymd.gov>  
**Sent:** Thursday, October 5, 2023 1:51 PM  
**To:** Shell, Brian C.  
**Cc:** Thomas Flagg; Michael Swygert; Sameer Sidh  
**Subject:** FW: Request for equity and question on Philadelphia Water

---

**From:** Mary Grant <mgrant@fwwatch.org>  
**Sent:** Wednesday, October 4, 2023 11:30 AM  
**To:** WaterGovernance@BaltimoreCity.gov; Water Governance <watergovernance@baltimorecountymd.gov>  
**Subject:** Request for equity and question on Philadelphia Water

**CAUTION:** This message from [mgrant@fwwatch.org](mailto:mgrant@fwwatch.org) originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Good morning, Task Force Members,

On behalf of Food & Water Watch, I am writing for two reasons before tonight's meeting:

1. I urge you to ensure that there are proper and thorough legal analyses and racial and economic equity analyses of various governing models under consideration prior to recommending any major restructuring. Failure to do proper due diligence could open the City up to substantial harm as it sounds like state or local officials intend to act on your recommendation quickly.

Equity has long been a missing piece of similar efforts to change governance structures, so relying on existing studies and case studies would be insufficient. Please see the below article from the Metropolitan Planning Council: [The missing component in water service regionalization debates: equity](#)

2. I would like clarity as to why Philadelphia is listed as a special district or water authority in the Task Force [presentation](#) (page 25) for this evening. Philadelphia's water system is a department of the City of Philadelphia, subject to the laws of the City. In 2014, the City Council passed an ordinance to create a water rate board to oversee rates, and it has hired a customer advocate to represent the interests of residents during those formal rate proceedings.

According to [bond filings](#), "Pursuant to the Philadelphia Home Rule Charter (the "Charter"), the City's Water Department (the "Water Department") has the power and duty to operate, maintain, repair and improve the City's water system (the "Water System") and the City's wastewater system (the "Wastewater System" and together with the Water System, the "Water and Wastewater Systems" or the "System"). The Water Department, which began water service in the 1800s, supplies water and wastewater services to customers within the City and has one wholesale water contract and ten wholesale wastewater contracts with entities outside the City. Under the General Ordinance, the Water and Wastewater Systems are treated as one combined utility for the purpose of revenue bond financing. ... The City established the Water Department to operate, maintain, repair and improve the Water and Wastewater Systems. The Charter requires that rates and charges for supplying water and for wastewater treatment be fixed and regulated in accordance with standards established by City Council. .... The Water Department is one of the City's operating departments and is overseen by the Office of the Managing Director."

Thank you for your consideration,  
Mary Grant

--

Mary Grant (she/her)  
Public Water for All Campaign Director  
Food & Water Watch

<https://www.metroplanning.org/news/10245/The-missing-component-in-water-service-regionalization-debates-equity>

## The missing component in water service regionalization debates: equity

### What are some of the opportunities for, and threats to, racial equity when water systems regionalize?

By Justin Keller and Sarah J. Howe, MPC Research Assistant with support from Justin Williams, MPC Policy Manager

December 6, 2021

Regionalization is a common recommendation for water systems seeking to improve economic and operational efficiency in delivering an essential resource: water. While a robust debate continues over its merits and weaknesses, there has been little attention paid to the potentially racially disparate impacts of water service regionalization.

In this blog post, we offer preliminary thoughts on the equity implications of water service regionalization. After providing an overview of regionalization and the apparent omission of racial equity from that conversation, we outline four specific equity considerations that should be addressed in future regionalization work – Affordability, Community Representation, Operational Outcomes, and Exposure to Risk.

**Simply put, we cannot assume that regionalization benefits communities with high percentages of low-income residents and people of color in the same way that it benefits more affluent white communities.**

We want to stress that we see these four issues as conversation-starters: we do not believe we've stumbled on the final word in racial equity in regionalization. Instead, we hope to call attention to a gap in this literature and push this dialogue forward. [We invite your thoughts!](#)

### What is water service regionalization?

Water service regionalization is the process by which multiple individual water systems consolidate operations, maintenance, and/or financial management. These range in complexity and scope, but even small-scale regionalization – such as service sharing and joint procurement – [can be an effective means for municipalities to improve](#) operational efficiency. On the other end of the spectrum, full-scale consolidation requires complex coordination between municipalities, structural change in terms of how the water system is managed, and, often, the construction of new infrastructure.

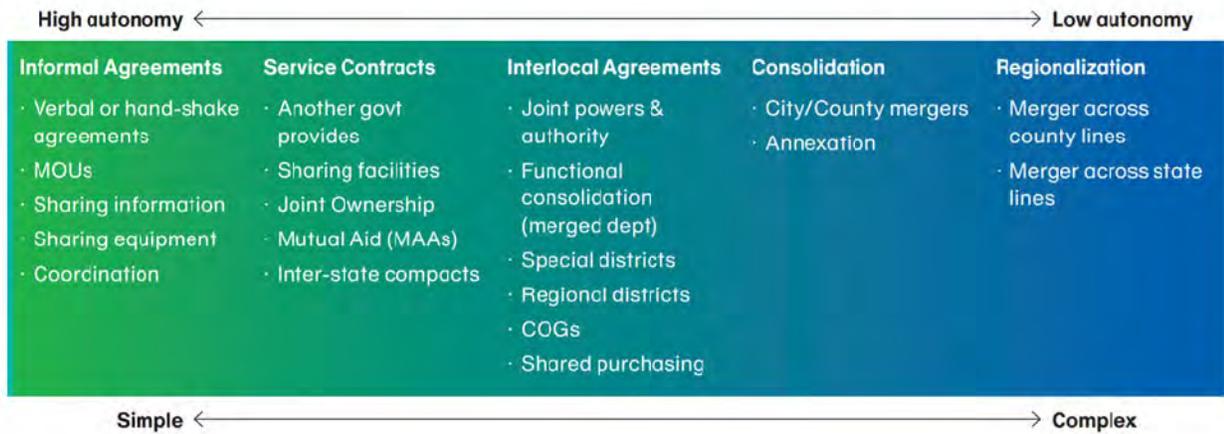


image by MPC and Daylight adapted from [Shared Services in Public Health Toolkit](#) (Mary Hilliker, et al. 2014)

Organizations like the [American Water Works Association](#), Environmental Policy Innovation Center, [U.S. Water Alliance](#), and the [University of North Carolina at Chapel Hill](#) have all endorsed regionalization efforts as a means of assisting struggling municipal systems – improving operational efficiency, achieving economies of scale, and giving greater financial stability and access to capital. The Metropolitan Planning Council, too, has had similar praise for service sharing in the [context of maintaining green stormwater infrastructure](#).

Regionalization has also been scrutinized by utility experts, citing that significant costs to create or join a regionalized utility aren't worth the potential benefits. And qualitative evidence has shown that, while government consolidation may work to foster or mend relationships, [municipalities are often forced to make compromises that limit potential benefits](#), and legislative roadblocks, intergovernmental negotiations, and municipal disputes can all impact the success of efforts to regionalize.

**Despite these robust conversations and debates, a racial equity lens is noticeably lacking from related research.**

Does water utility regionalization result in more or less equitable outcomes? Unfortunately, the research on this topic can't tell us much.

The absence of an explicit racial equity framework from this conversation is a bit surprising – regionalization has potentially transformative implications for municipal governance, water supply operations, and service provision. That is, after all, the point of advocating for regionalization: it is a strategy that can transform the very structure of water service provision. Any policy strategy with such wide-ranging effects surely deserves a systematic examination of racial equity:

- What are the impacts of regionalization on water bills?
- Do residents' local priorities meaningfully impact regional conversations?
- How do financial obligations to the regional utility impact local asset management?
- What are the risks of regionalization for municipalities? Who can bear them?

One may argue that these equity questions are implied in current literature...we think racial equity deserves more deliberate, explicit attention.

One may argue that these equity questions are implied in current literature surrounding the economic advantages of regionalization or consolidation. The argument goes like this: if utilities serving high

percentages of people of color can achieve operational or financial improvements through regionalization, then racial equity will have been advanced. Fair enough, there may be some implicit guidance to draw from the literature, and [one recent study begins to point in this direction](#). However, we think racial equity deserves more deliberate, explicit attention. Simply put, we cannot assume that regionalization benefits communities with high percentages of low-income residents and people of color in the same way that it benefits more affluent white communities. We need to thoroughly and explicitly understand how regionalization interacts with racial equity so that racial equity can be advanced rather than diminished while improving utility systems.

---

## Four considerations for racial equity and water service regionalization

So how can we think about regionalization and racial equity? Although answering that question will be a years-long process, we want to offer one modest starting point in this blog post.

For our purposes here, we are answering a basic question about racial equity: how might regionalization unintentionally create or reinforce racial disparities in water utility outcomes? In posing this question, we want to acknowledge that we only scratch the surface of the many nuanced conversations about racial equity. There is clearly much more that needs to be said on this topic.

This analysis focuses on the *concept* of regionalization and is not a critique of any particular utility or region. Additionally, this assessment focuses on the more complex types of regionalization, up to and including consolidation of physical assets. There is more rigorous work to be done to understand the racial equity implications of service sharing and joint procurement.

With those caveats in place, let's dive in.

**Affordability:** In cases where water systems are physically combined, the result in the short-term is less affordable water, not increased affordability. New treatment facilities, transmission mains, and other infrastructure often need to be built when systems consolidate their physical operations. The buy-in cost for the utility can be passed on to ratepayers in the form of a surcharge on bills. While this impact is not unique to low-income communities of color, it may disproportionately impact those already struggling to afford their water bill.



[image courtesy Anne McCormack](#)

As our research has shown, [the cost of water is rising faster than other household expenses](#). And it's regressive: as a percent of household income, water bills are highest for the lowest income earners. While cost savings may eventually materialize from water service regionalization, this can take years before the investment is paid off.

We acknowledge that there are cases where a system's water is unsafe, and changes need to be made to protect public safety. In this context, the cheapest alternative may be to physically consolidate operations with neighbors. For any alternative, though, there are ways that water systems can address affordability while also assuming new costs. (As part of a broader affordability strategy, for instance, utilities can elect to waive the surcharge for households meeting specific income requirements.) In a sense, that's the point here: we need to center equity in all conversations regarding how to address water infrastructure needs. Otherwise, we may be authorizing heavy burdens for low-income residents.

**Community Representation:** Given the history of systemic racism in the United States – manifesting as disinvestment and under-development in Black and Brown communities – [it matters who is at the table for decision-making](#) and their position in terms of voting power. An individual water system must carefully balance local infrastructure needs with the ability to pay. Water infrastructure must be maintained, and much of it needs to be replaced. But raising rates too high can burden existing customers and dissuade new development.

Municipalities can engage community members to arrive at a rate that supports an agreed-upon level of service, but this is harder for the governing body which oversees a regional utility. All systems must set rates to pay for the cost of operating the infrastructure (and purchase water, if applicable). In a regionalized system, these costs are apportioned among members, and municipalities must set rates accordingly or simply divert a larger portion of existing rates to the regional body. Depending on the governance structure, a community can be outvoted with no recourse but to pay, which might mean deferred maintenance of local infrastructure and more costly emergency repairs down the road.

**Operational Outcomes:** In most cases, joining a regionalized utility is equivalent to changing water sources. Little changes in terms of local infrastructure. Perhaps treatment facilities are no longer needed or pipes constructed to receive water from a new source. But joining a regional utility does not generally result in new local infrastructure – the reservoirs, pumps, pipes, meters, and other stuff required to deliver water from the source to tap. We have not seen any examples where local infrastructure becomes jointly owned by all of a regional utility's members. This means, if an individual water system had old, leaky infrastructure before, joining a regional utility will not change this.

Any cost-savings related to economies of scale and operational efficiency can take years to realize, as previously mentioned. During this time, asset management needs may be delayed while the financial obligations of regionalization are met. Given that [infrastructure condition is often worse](#) in Black and Brown communities, [race is a strong nationwide indicator](#) of water quality violations, and [lead service lines are more prevalent](#) in Illinois' communities of color, it is all but certain that Black and Brown communities will suffer more from deferred investments in local water infrastructure.

**Exposure to Risk:** Given all of this, communities of color have more to lose from water service regionalization. If a community enters into exploratory conversations and elects not to proceed, [the cost of initial investments \(e.g., analysis, preliminary design\) will not be recouped](#) and represent a lost opportunity to invest in other infrastructure priorities. If regionalization succeeds, ratepayers may bear an unsustainable burden and the municipality itself may be forced to make tradeoffs in terms of where customer rates get invested.

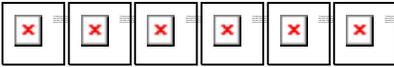
If indeed there are benefits to water service regionalization, without directly addressing the equity implications these exposures to risk may cause the low-income community of color to refrain from exploring the option or not even being invited to the table.

## Closing Thoughts

So where does this leave us? We know this blog post just begins to address the questions it raises about racial equity. We have intended to highlight important things to consider and what can go wrong when they're not. Past research and policy debates into the merits and weaknesses of water service regionalization, in our view, have lacked these vital components and must be expanded to consider the impacts to historically marginalized communities.

This is intended as a conversation starter. What racial equity considerations need to be centered in this conversation? Have you run across research that accounts for racial equity implications in regionalization? [Please share your thoughts via this survey.](#)

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## Shell, Brian C.

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Thursday, December 21, 2023 9:57 AM  
**To:** Shell, Brian C.  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** FW: A Regional Authority Could Lead to Massive Rate Hikes, Shutoffs and Privatization  
**Attachments:** CASE STUDIES - DETROIT AND TAMPA- SHUTOFFS AND PRIVATIZATION.pdf

FYI/A

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
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200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

*"To be a strong proponent and protector of our environment and the health and vitality of our communities" – DPW Vision Statement*

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---

**From:** Mary Grant <mgrant@fwwatch.org>  
**Sent:** Wednesday, November 1, 2023 10:43 AM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>; watergovernance@baltimorecountymd.gov; Henry, Bill (Comptroller) <WBH@baltimorecity.gov>; Cory McCray <cory.mccray@senate.state.md.us>; dana.stein@house.state.md.us; Mitchell, Jason (DPW) DISABLED <Jason.Mitchell@baltimorecity.gov>  
**Cc:** Griffin, Christine (Comptroller) <christine.griffin@baltimorecity.gov>; Kelleher, KC (Comptroller) <KC.Kelleher@baltimorecity.gov>; David Wheaton <dwheaton@naacpldf.org>; Antoinette Ryan-Johnson <cubprezz@cub-aft.org>; cmerkel@mvslaw.org; Todd Reynolds <treyolds@aftmd.org>; Condon, Christine <chcondon@baltsun.com>; Taylor DeVille <taylor.deville@thebaltimorebanner.com>; Alice Volpitta <avolpitta@bluewaterbaltimore.org>; Jomar Lloyd <jlloyd@fwwatch.org>; Stuart Katzenberg <skatzenberg@afscmemd.org>; City Council President <CouncilPresident@Baltimorecity.gov>; Cohen, Zeke (City Council) <Zeke.Cohen@baltimorecity.gov>; McCray, Danielle (City Council) <Danielle.McCray@baltimorecity.gov>; Dorsey, Ryan (City Council) <Ryan.Dorsey@baltimorecity.gov>; Conway, Mark (City Council) <Mark.Conway@baltimorecity.gov>; Schleifer, Isaac (City Council) <Isaac.Schleifer@baltimorecity.gov>; Middleton, Sharon (City Council) <Sharon.Middleton@baltimorecity.gov>; Torrence, James (City Council) <James.Torrence@baltimorecity.gov>; Burnett, Kristerfer (City Council) <Kristerfer.Burnett@baltimorecity.gov>; Bullock, John (City Council) <John.Bullock@baltimorecity.gov>; Porter, Phylcia R.L. (City Council)

<Phylcia.Porter@baltimorecity.gov>; Costello, Eric (City Council) <Eric.Costello@baltimorecity.gov>; Stokes, Robert (City Council) <Robert.Stokes@baltimorecity.gov>; Glover, Antonio (City Council) <Antonio.Glover@baltimorecity.gov>; Ramos, Odette (City Council) <Odette.Ramos@baltimorecity.gov>; Kenya Campbell <kcampbell@aftmd.org>; Jorge Aguilar <jaguilar@fwwatch.org>

**Subject:** A Regional Authority Could Lead to Massive Rate Hikes, Shutoffs and Privatization

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Good morning, Baltimore Regional Water Governance Task Force:

We urge you to do proper due diligence and estimate the rate impact on customers before deciding on a new governance model for our city's water and sewer system. **Do not rush into a regional authority.**

Ahead of this evening's final in-person Task Force meeting, the Baltimore Right to Water Coalition asks you to consider the **rate shock** that could come from establishing a regional authority.

We estimate that the total cost of the transaction with debt refinancing could be **\$1.7 billion to \$2 billion.** This could lead to massive rate hikes on regional customers.

We also prepared the attached case studies of the Great Lakes Water Authority in Detroit and Tampa Bay Water for your consideration, as these are the two main examples that the consultants focused on in their analysis. Notably:

- Following the lease of Detroit's assets to the Great Lakes Water Authority, **more than 140,000 Detroit households were shut off from water service for unaffordable water bills** from 2014 to 2020, disproportionately harming Black city residents and bringing international [criticism from the United Nations](#).
- **Tampa Bay Water has privatized multiple treatment plants**, including a major boondoggle of a desalination plant, which the authority ended up having to buy back.

**As a better solution for our regional challenges, we urge you to ask the State to improve the equity in how it funds water and sewer projects in Black communities.** A forthcoming study from the NAACP Legal Defense Fund identified that under the last governor's administration, Black communities were less likely to receive Clean Water SRF loans from Maryland. For example, Baltimore City requested more than \$300 million from the program in FY21, but received **ZERO** CWSRF dollars that year. A new regional entity will likely face the same systematic underfunding as the city of Baltimore has experienced, as the same trend was identified within the WSSC service area.

### **Estimated Transaction Costs for a Regional Authority in Baltimore**

The [WSP consultants](#) estimate the transaction costs of a regional authority to include:

- \$370 M to \$725 M if debt needs to be refinanced, depending legal analysis;
- \$1 M for general transition costs
- Plus unquantified pension plan contributions and employee transition costs
- And there is also no contemplation of a lease payment to the city for loss of its largest asset, which should be factored into a cost analysis.

Based on the lease in Detroit, the most similar case study to the situation in Baltimore, we add in these estimated costs:

- \$976 M for lease payments (NPV of \$50M a year over 40 years)
- \$343 M for pension contributions to the city's plan due to loss of workers paying in (\$42.9M a year for 8 years)

That would bring the total transaction cost with debt refinancing to **\$1.7B to \$2B.**

There are many unknowns that would need to be quantified before you decide on a model. A rush to judgment on a regional authority could saddle generations with massive rate hikes, shutoffs and privatization.

Thank you for your time and consideration.

## CASE STUDY: DETROIT AND GREAT LAKES WATER AUTHORITY MASS WATER SHUTOFFS

**Transaction Years:** 2014-2016

**Service population:** 3.9 million, or 38% of Michigan's population

- Suburban wholesale customers = 82%
- Detroit retail customers = 18%

**Transaction costs:** more than \$1.3 billion

- \$5.7M one-time employee termination buyouts
- \$344M pension contributions (\$43M a year for 8 years)
- \$975M lease payments (NPV of \$50M a year for 40 years)
- \$2M in training, bills, finance, bank fees and additional transition costs

**Key outcomes:**

- **Mass shutoffs:** [More than 140,000 Detroit households](#) were shut off from water service for unaffordable bills from 2014 to 2020, disproportionately harming Black city residents and bringing international [condemnation from the United Nations](#).
- **Employee retention:** 87% (i.e., the water and sewer system lost 13% of its workforce)
- **Racial inequity:** Substantial research demonstrates how the lease of Detroit's utility system to GLWA deepened regional water and sewer insecurity and racial inequities.
- **Inequitable compensation:** Detroit was not compensated equitably for loss of the asset and should have received [\\$5.4 billion](#).
- **Cost inequity:** City customers pay higher water and sewer rates because suburban users are charged wholesale rates, while city users pay retail rates. In addition, Detroit customers must pay 83 percent of improvement costs to the regional sewer system, even though only 30 percent of sewer lines are within the city.

**Process:** In 2014, an emergency manager appointed by former Gov. Rick Snyder sent Detroit into bankruptcy and used those proceedings to bypass the City Charter to lease its regional water and sewer systems without required voter approval. That year, an MOU was signed with a newly created Great Lakes Water Authority (GLWA), and GLWA took control of the regional assets in 2016. The process disenfranchised Detroit residents and left the city's majority Black population out of key decision making about the future of their water system.

**Board Structure:** Six-member board:

- 2 members appointed by Detroit mayor
- 3 members - one each - appointed from Wayne, Oakland and Macomb counties, and
- 1 member appointed by the governor

**Transaction Type:** 40-Year Lease but effectively an acquisition: "In acquiring the Leased Facilities, GLWA also acquired, and the City absolutely and irrevocably assigned, transferred and conveyed to GLWA, and GLWA purchased and acquired from the City, all of the City's right, title and interest in the regional and local retail revenues of each of the Water System and the Sewer System in existence on the Effective Date and through the end of the term of the Leases."

## CASE STUDY: TAMPA BAY WATER HOW AUTHORITIES CAN PRIVATIZE

**Years:** 1996 to 1998

**Service population:** 2.5 million

**Type:** Bulk water provider

**Transaction Type:** Sale of assets from West Coast Regional Water Supply Authority to Tampa Bay Water, another type of regional water authority, to provide bulk water to member jurisdictions:

- Tampa Water Department and other bulk buyers provide retail service to their residents

**Current privatization deals include:**

- **Surface water treatment plant**

Company: Veolia

Type: Design, build, operate, maintain, and manage agreement

Date: 2000

- **Desalination plant**

Company: American Water-Pridesa LLC

Type: 20-year operation, maintenance, and management agreement

Date: 2004

### **A Cautionary Privatization Tale in Tampa Bay, Fla.**

In 1999, Tampa Bay Water gave a conglomerate of Poseidon Water Resources and Stone & Webster a 30-year contract to build, own, and manage what was to be the largest desalination plant in the United States at the time.

**Bankrupt contractors:** Within a year, the engineering firm declared bankruptcy and dropped out of the project. In 2001, Poseidon Resources hired Covanta to finish the job, but a year later, Covanta too was in bankruptcy reorganization.

**Public ownership:** In 2002, Tampa Bay Water bought the partially finished plant for nearly \$9 million. While the takeover saved millions on financing, it failed to resolve the problems with the privately run project. In 2005, after the plant was shut down for repeated equipment failures, Tampa Bay Water hired American Water-Pridesa to fix the plant and experienced more delays.

**Cost overruns:** In 1999, Tampa Bay Water projected that the plant would be built in three years for up to \$110 million. In 2007, years later, the plant finally opened at a much higher cost of \$158 million — nearly 44 percent more than promised.

**Rate hikes:** Ratepayers were on the hook for higher costs. The desalinated water rates ballooned from a promised \$1.71 per 1,000 gallons to \$3.19 per 1,000 gallons by 2007, when the plant began operations. That's an 87 percent increase.

## MARYLAND CWSRF FUNDING

The Clean Water State Revolving Fund (CWSRF) is a federal-state partnership that provides low-cost financing for a wide range of water quality infrastructure projects. The CWSRF program is one of very few ways in which local municipalities have access to capital to fund major infrastructure investments in clean water. A 2022 report from the National Resource Defense Council reported that its review of a decade of CWSRF funding decisions revealed that, nationwide, municipalities with larger populations of color are statistically less likely to receive CWSRF assistance. Unfortunately, that trend continues in Maryland. In Fiscal Year 2021 the city of Baltimore applied for over \$300 million in CWSRF funds from the state of Maryland. Despite the city's history of problems with clean drinking water and being home to a significant portion of the state's Black population, it was given ZERO dollars of CWSRF funding.

Specifically, from 2020-2022 the Maryland Department of Environment, the state agency in charge of dispersing CWSRF funds, disproportionately underfunded Black communities. 1. Whiter jurisdictions received more total CWSRF funding; 2. Whiter jurisdictions received more CWSRF funding per capita; 3. Whiter jurisdictions received a larger share of their CWSRF proposals funded.

Until the State of Maryland changes how they allocate federal dollars to communities in Maryland, large communities of color will continue to suffer. Creating a new regional entity will not change how Maryland funds large black communities and therefore if a new entity is created they are likely to face the same systematic underfunding as the city of Baltimore.

**From:** [Water Governance](#)  
**To:** [Taylor DeVille](#); [Water Governance](#); [WaterGovernance@BaltimoreCity.gov](mailto:WaterGovernance@BaltimoreCity.gov); [Hammed-Owens, Bukola \(Mayor's Office\)](#)  
**Cc:** [Shell, Brian C.](#); [Mehdi, Minahil](#)  
**Subject:** RE: 2016 cost analysis report  
**Date:** Thursday, November 16, 2023 1:26:28 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

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Ms. DeVille,

I believe the 2016 Cost Analysis is the Cost of Service Study that was done by Baltimore City. I've added their mailbox onto this email thread so they can provide or respond.

Thank you  
-Baltimore County DPWT

---

**From:** Taylor DeVille <[taylor.deville@thebaltimorebanner.com](mailto:taylor.deville@thebaltimorebanner.com)>  
**Sent:** Thursday, November 9, 2023 3:07 PM  
**To:** Water Governance <[watergovernance@baltimorecountymd.gov](mailto:watergovernance@baltimorecountymd.gov)>  
**Subject:** Re: 2016 cost analysis report

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Hey again,

Don't mean to bug you about this, is the task force able to send the 2016 cost analysis report before government offices are closed tomorrow? Or could you advise where I can find it online?

Best,  
Taylor



---

**Taylor DeVille**

REPORTER, BALTIMORE COUNTY GOVERNMENT

[taylor.deville@thebaltimorebanner.com](mailto:taylor.deville@thebaltimorebanner.com)

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**From:** Taylor DeVille <[taylor.deville@thebaltimorebanner.com](mailto:taylor.deville@thebaltimorebanner.com)>  
**Sent:** Thursday, November 9, 2023 10:53 AM  
**To:** [watergovernance@baltimorecountymd.gov](mailto:watergovernance@baltimorecountymd.gov) <[watergovernance@baltimorecountymd.gov](mailto:watergovernance@baltimorecountymd.gov)>  
**Subject:** 2016 cost analysis report

Good morning,  
Hope you're well! Reaching out to see if the task force has the 2016 water cost analysis report that was produced by the city. Been struggling to get it.

Thank you!  
-Taylor



---

**Taylor DeVille**

REPORTER, BALTIMORE COUNTY GOVERNMENT

[taylor.deville@thebaltimorebanner.com](mailto:taylor.deville@thebaltimorebanner.com)

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## Shell, Brian C.

---

**From:** Water Governance <watergovernance@baltimorecountymd.gov>  
**Sent:** Thursday, November 16, 2023 1:22 PM  
**To:** Shell, Brian C.; Mehdi, Minahil  
**Cc:** Sameer Sidh; Hammed-Owens, Bukola (Mayor's Office)  
**Subject:** FW: Recommendations for Baltimore Water Regional Governance

---

**From:** Mary Grant <mgrant@fwwatch.org>  
**Sent:** Thursday, November 16, 2023 11:50 AM  
**To:** WaterGovernance@BaltimoreCity.gov; Water Governance <watergovernance@baltimorecountymd.gov>; Henry, Bill (Comptroller) <WBH@baltimorecity.gov>; cory.mccray@senate.state.md.us; Kishia.Powell@wsscwater.com; dana.stein@house.state.md.us; Mitchell, Jason (DPW) <Jason.Mitchell@baltimorecity.gov>  
**Cc:** Griffin, Christine (Comptroller) <christine.griffin@baltimorecity.gov>; Kelleher, KC (Comptroller) <KC.Kelleher@baltimorecity.gov>; David Wheaton <dwheaton@naacpldf.org>; Antoinette Ryan-Johnson <cubprezz@cub-aft.org>; cmerkel@mvslaw.org; Todd Reynolds <treynolds@aftmd.org>; Condon, Christine <chcondon@baltsun.com>; Taylor DeVille <taylor.deville@thebaltimorebanner.com>; Alice Volpitta <avolpitta@bluewaterbaltimore.org>; Jomar Lloyd <jlloyd@fwwatch.org>; Stuart Katzenberg <skatzenberg@afscmemd.org>; CouncilPresident@baltimorecity.gov; Zeke.Cohen@baltimorecity.gov; Danielle.McCray@baltimorecity.gov; Ryan.Dorsey@baltimorecity.gov; Mark.Conway@baltimorecity.gov; Isaac.Schleifer@baltimorecity.gov; Sharon.Middleton@baltimorecity.gov; James.Torrence@baltimorecity.gov; Kristerfer.Burnett@baltimorecity.gov; John.Bullock@baltimorecity.gov; Phylcia.Porter@baltimorecity.gov; Eric.Costello@baltimorecity.gov; Robert.Stokes@baltimorecity.gov; Antonio.Glover@baltimorecity.gov; Odette.Ramos@baltimorecity.gov; Kenya Campbell <kcampbell@aftmd.org>; Jorge Aguilar <jaguilar@fwwatch.org>  
**Subject:** Recommendations for Baltimore Water Regional Governance

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Good morning,

On behalf of our thousands of members and supporters in the Baltimore region, we ask that you recommend a governance change to provide substantive reforms to the intermunicipal agreements governing our water and sewer systems. We have outlined our recommendations below.

Further, we demand that you reject a regional water authority given that you have not even determined whether it is feasible or how it would impact residents, local businesses, or workers.

It is reckless to recommend a radical change in governance without any clue to the potential impact on water rates, worker pensions, legal liabilities, and the city's fiscal situation. At no point has the Task Force discussed how to make the City of Baltimore whole for the loss of its largest asset. The supposed benefits of a regional authority are all hypothetical without any data or studies to substantiate the claims. Where is the data to support those claims?

Moreover, based on the consultant's notes, a regional authority would require overturning Baltimore City's water privatization ban, which discredits any promise to not recommend privatization. Keep your word and reject an authority that would overturn our privatization ban.

Turning control over to a regional water authority could result in an estimated **\$1.7 to 2.5 billion in transaction costs** to refinance existing debt and cover lease payments and pension benefits. It could lead to:

- Massive water bill hikes
- Water shutoffs
- Water privatization
- Loss of public accountability
- Loss of potentially thousands of unionized positions within city and county government

Thank you for your time and consideration.

## **RECOMMENDATIONS OF THE BALTIMORE RIGHT TO WATER COALITION**

### **Model: C - Intermunicipal Agreements with Substantive Reforms**

#### **Suggested Reforms:**

1. **Rework the cost allocations based on racial and economic equity analyses and updated costing models.**
2. **Formalize intergovernmental coordination by establishing a City-County Water Committee**

#### **Purpose**

As authorized by state law (Md. Code, Local Gov't § 24-102), this City-County Water Committee should:

- Facilitate and review intermunicipal agreements;
- Arbitrate distributes between parties;
- Review and make recommendations for all capital improvement plans and timelines;
- Propose updates to water and sewer rates;
- Provide for financial oversight for the operations of regional facilities and compliance with the costing model;
- Provide oversight for compliance with consent decrees and all relevant federal, state and local laws for water quality and workforce safety;
- Review contractors' compliance for capital improvements and other projects; and
- Improve transparency in rate setting, cost allocations, improvement programs, workplace safety, etc.

#### **Powers**

The intermunicipal agreements should be structured to provide for:

- Proper funding for the intergovernmental committee through a determined cost allocation method;
- Summoning powers of the Committee to compel participation of the City and County public works and related officials;
- Requirements for transparency to ensure the collection and disclosure of information necessary or the functions of the committee;
- Requirements for a mutually agreeable third party to conduct periodic cost-of-service studies and other necessary reviews to inform the committee;
- All business conducted in accordance with the Open meetings Act, Title 3 of the General Provisions Article in State Code;
- Public disclosure requirements and public participation opportunities during committee meetings;

- Accountability measures to ensure City and County compliance with committee data and information requests;
- Provisions to compel the City and County to act on the recommendations of the committee except for recommendations that would:
  - conflict with bond covenants, consent decrees, collective bargaining contracts, or other legal obligations,
  - lead to loss of ratepayer and worker protections, including the provisions of the Water Accountability and Equity Act and the sewage backup assistance programs, or
  - lead to the privatization of the utility distribution, collection or treatment systems through any sale, lease, operations contract, management contract or similar outsourcing arrangement.

### **Membership Structure**

- Elected officials of jurisdictions served by regional facilities
- Baltimore City should hold a majority of the seats
- Baltimore Chief Customer Advocate should have a vote

### **Other Recommendations**

The State of Maryland should:

- Evaluate equity in distribution of State Revolving Fund dollars, including get more funding to disadvantaged communities;
- Redress past inequities in allocations to Baltimore City; and
- Work with labor unions to create job pathways and opportunities for local residents to fill staffing shortfalls.

The Maryland General Assembly should:

- Pass Sen. McCray’s legislation to provide grants to support wastewater treatment plant operations; and
- Pass legislation that makes it easier for disadvantaged communities to get funding for water and wastewater services.

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**Shell, Brian C.**

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**From:** Water Governance <watergovernance@baltimorecountymd.gov>  
**Sent:** Wednesday, December 20, 2023 7:28 AM  
**To:** Shell, Brian C.  
**Subject:** FW: consultant report

---

**From:** Water Governance <watergovernance@baltimorecountymd.gov>  
**Sent:** Wednesday, December 20, 2023 7:27 AM  
**To:** Taylor DeVille <taylor.deville@thebaltimorebanner.com>; Water Governance <watergovernance@baltimorecountymd.gov>  
**Cc:** Erica L Palmisano <epalmisano1@baltimorecountymd.gov>  
**Subject:** RE: consultant report

Ms. DeVille,

Apologies for the delayed response. The task force report was posted online, it can be viewed here: <https://www.baltimorecountymd.gov/boards-commissions/executive/water-governance-task-force>

---

**From:** Taylor DeVille <[taylor.deville@thebaltimorebanner.com](mailto:taylor.deville@thebaltimorebanner.com)>  
**Sent:** Wednesday, December 13, 2023 10:59 AM  
**To:** Water Governance <[watergovernance@baltimorecountymd.gov](mailto:watergovernance@baltimorecountymd.gov)>  
**Cc:** Erica L Palmisano <[epalmisano1@baltimorecountymd.gov](mailto:epalmisano1@baltimorecountymd.gov)>  
**Subject:** consultant report

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Good morning,

Could you advise where WSP's draft report will be posted, and whether a news release will be sent out when it is? Do you expect it will be posted today?

Thank you!  
-Taylor

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**Taylor DeVille**

Reporter, baltimore county government

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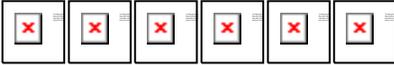
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## Shell, Brian C.

---

**From:** Water Governance <watergovernance@baltimorecountymd.gov>  
**Sent:** Wednesday, December 20, 2023 7:29 AM  
**To:** Shell, Brian C.  
**Subject:** FW: 21 organizations urge you to reject a regional water authority  
**Attachments:** 2023.12.15.SignOn-TaskForce.pdf

---

**From:** Mary Grant <mgrant@fwwatch.org>  
**Sent:** Friday, December 15, 2023 2:01 PM  
**To:** WaterGovernance@BaltimoreCity.gov; Water Governance <watergovernance@baltimorecountymd.gov>; Henry, Bill (Comptroller) <WBH@baltimorecity.gov>; cory.mccray@senate.state.md.us; Kishia.Powell@wsscwater.com; dana.stein@house.state.md.us; Mitchell, Jason (DPW) <Jason.Mitchell@baltimorecity.gov>  
**Cc:** Griffin, Christine (Comptroller) <christine.griffin@baltimorecity.gov>; Kelleher, KC (Comptroller) <KC.Kelleher@baltimorecity.gov>; David Wheaton <dwheaton@naacpldf.org>; Antoinette Ryan-Johnson <cubprezz@cub-aft.org>; cmerkel@mvslaw.org; Todd Reynolds <treynolds@aftmd.org>; Condon, Christine <chcondon@baltsun.com>; Taylor DeVille <taylor.deville@thebaltimorebanner.com>; Alice Volpitta <avolpitta@bluewaterbaltimore.org>; Jomar Lloyd <jlloyd@fwwatch.org>; Stuart Katzenberg <skatzenberg@afscmemd.org>; CouncilPresident@baltimorecity.gov; Zeke.Cohen@baltimorecity.gov; Danielle.McCray@baltimorecity.gov; Ryan.Dorsey@baltimorecity.gov; Mark.Conway@baltimorecity.gov; Isaac.Schleifer@baltimorecity.gov; Sharon.Middleton@baltimorecity.gov; James.Torrence@baltimorecity.gov; Kristerfer.Burnett@baltimorecity.gov; John.Bullock@baltimorecity.gov; Phylicia.Porter@baltimorecity.gov; Eric.Costello@baltimorecity.gov; Robert.Stokes@baltimorecity.gov; Antonio.Glover@baltimorecity.gov; Odette.Ramos@baltimorecity.gov; Kenya Campbell <kcampbell@aftmd.org>; Jorge Aguilar <jaguilar@fwwatch.org>  
**Subject:** 21 organizations urge you to reject a regional water authority

**CAUTION:** This message from [mgrant@fwwatch.org](mailto:mgrant@fwwatch.org) originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Good afternoon,

Please find the attached sign-on letter from 21 community-based, labor, environmental and social justice groups urging you to **reject** the recommendation from today's draft report of the Baltimore Regional Water Governance Task Force.

The draft report recommends that control of the water and sewer system transfer to a new authority board whose members would be appointed by Baltimore City, Baltimore County and the Governor.

The consultants have recommended an authority despite the serious concerns and objections raised by several Task Force members at the last meeting over the substantial unresolved problems with this approach, including the \$325M to \$735M in debt refinancing costs, the impact on workers and their pensions, and the need to overturn Baltimore City's charter provision that bans water privatization.

The letter urges you to protect local control of Baltimore's water and sewer system and to recommend reworking the intermunicipal agreements based on racial and economic equity analyses and updated cost models.

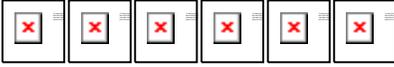
Thank you for your consideration,

--

Mary Grant (she/her)  
Public Water for All Campaign Director  
Food & Water Watch

P.S. I am also very concerned that the public comment deadline on the draft report is January 5. This gives the public only the holiday season to provide input. Please extend the deadline to allow for greater public input.

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# Opposition to Loss of Local Control of Baltimore's Water and Wastewater System

December 15, 2023

Dear Members of the Baltimore Regional Water Governance Task Force:

We, the undersigned 21 organizations, urge you to reject any proposal for a new regional water authority to run our water and wastewater system — the City's largest asset.

A new authority will open the door to future water privatization and likely lead to major rate hikes for Baltimore families. It would take control away from city elected officials, could cause harm for the thousands of unionized workers in city and county, and could deepen the regional water affordability crisis, which disproportionately affects Baltimore's communities of color and low-income residents.

Based on the figures provided by the task force and independent analysis, we estimate that the total cost of the transition of the water and sewer system to a regional water authority could be between \$1.7 billion to \$2.5 billion. That would cause rate shock for Baltimore families and local businesses who will ultimately pay the costs through higher water bills.

Because of the rushed process, the task force has been unable to conduct a comprehensive analysis of the equity, legal, and economic impacts of a regional authority. As the task force moves towards a final vote, vital questions remain unanswered about the consequences of such a monumental change to our water system.

For all these reasons, we are demanding that you reject any proposal to establish a regional water authority.

As a better solution for our regional challenges, we urge you to recommend improving the intermunicipal agreements and establishing a City-County Water Committee. A formal coordinated effort between the city and county should improve how we invest in and maintain our water and wastewater system, based on racial and economic equity analyses and updated cost models, and it should establish a long-term strategy to ensure safe, clean, and affordable water and wastewater services for the region.

Sincerely,

1199SEIU United Healthcare Workers East, Maryland/DC  
AFT-Maryland  
CASA  
Citizens for Community Improvement

City Union of Baltimore  
Clean Water Action  
Community Development Clinic, University of Baltimore School of Law  
Dan Meyers Photography  
Food & Water Watch  
Friends of Gwynns Falls Parkway  
Jews United for Justice  
Liberty Square Community Association  
Maryland Volunteer Lawyers Service  
Mt. Olivet Community Association  
NAACP Legal Defense Fund (LDF)  
Public Justice Center  
Reservoir Hill Association  
The Elephant Free School  
The People's Association of Oliver Community  
Westport Community Economic Development Corporation  
Woodbourne-McCabe Neighborhood Association

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, December 20, 2023 5:10 PM  
**To:** Mable Gordon; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: No transfer of Baltimore City water.

Dear Ms. Gordan,

Thank you for contacting the Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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**From:** Mable Gordon <mablegordon55@gmail.com>  
**Sent:** Tuesday, December 19, 2023 5:26 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** No transfer of Baltimore City water.

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Baltimore Citizens has been for years paying more for water coming into their homes than the county. This is not an equal charges. If God sends down the rain, then why should we be paying for it.

The storm drains need heavy nets installed, to avoid trash and debris from going down through the water lines. This is a health issue.

Ms. Gordon

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, December 20, 2023 5:09 PM  
**To:** Mary Russell; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Mary,

Thank you for contacting the Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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**From:** leovirgousa=netscape.net@mg.gospringboard.io <leovirgousa=netscape.net@mg.gospringboard.io> **On Behalf Of** Mary Russell  
**Sent:** Tuesday, December 19, 2023 4:56 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and

wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority, and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Mary Russell  
107 S. Clinton St.  
Baltimore MD, 21224-2341

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, December 20, 2023 5:07 PM  
**To:** KATHRYN Cooper-Nicholas; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Water

Dear Kathryn,

Thank you for contacting the Regional Water Governance Taskforce. Can you kindly provide more context to your email. Thanks.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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**From:** KATHRYN Cooper-Nicholas <kace1051@verizon.net>  
**Sent:** Tuesday, December 19, 2023 6:15 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Water

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I am in agreement.

Grace and Peace

Kathryn Cooper-Nicholas, *Founder*  
*Sisters Saving the City*

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, December 20, 2023 5:05 PM  
**To:** Lucinda Murphy; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Murphy,

Thank you for contacting the Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
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**From:** cindymurphy25=comcast.net@mg.gospringboard.io <cindymurphy25=comcast.net@mg.gospringboard.io> **On Behalf Of** Lucinda Murphy  
**Sent:** Tuesday, December 19, 2023 6:30 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and

wastewater services in the region.

Local, by which I mean Baltimore City, control of our water is very important to me. While our current Department of Public Works is not the most sophisticated organization it does a pretty good job. I am strongly opposed to any privatization of our water.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority, and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Lucinda Murphy  
3206 Batavia Avenue  
Baltimore MD, 21214-2607

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, December 20, 2023 5:04 PM  
**To:** Aeron Robb; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Robb,

Thank you for contacting the Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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**From:** antigonemydear@gmail.com@mg.gospringboard.io <antigonemydear@gmail.com@mg.gospringboard.io> **On Behalf Of** Aeron Robb  
**Sent:** Tuesday, December 19, 2023 7:50 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and

wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority, and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Aaeron Robb  
6130 Chinquapin Parkway  
Baltimore MD, 21239-1905

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, December 20, 2023 5:18 PM  
**To:** Amy Ciminnisi; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Amy,

Thank you for contacting the Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
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**From:** amy.ciminnisi=freewill.com@mg.gospringboard.io <amy.ciminnisi=freewill.com@mg.gospringboard.io> **On Behalf Of** Amy Ciminnisi  
**Sent:** Tuesday, December 19, 2023 1:49 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and

wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority, and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Amy Ciminnisi  
3622 Fords Ln  
Baltimore MD, 21215-2922

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, December 20, 2023 5:13 PM  
**To:** Paul Gentner; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Paul,

Thank you for contacting the Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
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**From:** pgentarch=comcast.net@mg.gospringboard.io <pgentarch=comcast.net@mg.gospringboard.io> **On Behalf Of** Paul Gentner  
**Sent:** Tuesday, December 19, 2023 5:04 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

Please reject the latest recommendation to create a regional water authority, which would strip away local control of our water and sewer system. Revise the intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater

services in the Baltimore region.

The formation of a regional authority will place Baltimore residents at risk of losing valuable protections such as the water affordability program. It will ban water shut-offs for vulnerable households. Do not allow Baltimore residents to absorb the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost for establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the City for loss of its largest asset. Costs would be recovered through water rate hikes on our Baltimore citizens. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

Creating a regional authority would open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

For example, when Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to water. Without conducting proper racial and economic equity studies, Baltimore residents could meet the same fate.

I urge you to reject a regional authority, and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Paul Gentner  
2028 Park Ave  
Baltimore MD, 21217-4816

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, December 20, 2023 5:18 PM  
**To:** Katherine Barrett Zywan; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Katherine,

Thank you for contacting the Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

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**From:** kbar720@aol.com@mg.gospringboard.io <kbar720@aol.com@mg.gospringboard.io> **On Behalf Of** Katherine Barrett Zywan  
**Sent:** Tuesday, December 19, 2023 3:45 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and

wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority, and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Katherine Barrett Zywan  
3914 Beech Ave  
Baltimore MD, 21211-2224

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, December 20, 2023 5:18 PM  
**To:** Michele Levy; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Michele,

Thank you for contacting the Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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**From:** micheleslevy@gmail.com@mg.gospringboard.io <micheleslevy@gmail.com@mg.gospringboard.io> **On Behalf Of** Michele Levy  
**Sent:** Tuesday, December 19, 2023 3:43 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and

wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority, and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Michele Levy  
3140 Remington Ave  
Baltimore MD, 21211-2801

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, December 20, 2023 5:18 PM  
**To:** Marc Payne; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Marc,

Thank you for contacting the Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
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**From:** mpayne699@gmail.com@mg.gospringboard.io <mpayne699@gmail.com@mg.gospringboard.io> **On Behalf Of** Marc Payne  
**Sent:** Tuesday, December 19, 2023 1:57 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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I urge you to reject a regional authority, and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Marc Payne  
4514 Arabia Ave  
Baltimore MD, 21214-3305

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, December 20, 2023 5:12 PM  
**To:** Lowell Larsson; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Proposed Regional Water Authority

Dear Lowell,

Thank you for contacting the Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
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---

**From:** Lowell Larsson <lowell.larsson@gmail.com>  
**Sent:** Tuesday, December 19, 2023 5:21 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Proposed Regional Water Authority

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Hello,

We all need clean, pure water. And we all want a water distribution system that works for the Baltimore City and Baltimore County residents that depend on it. However the rate hikes associated with establishing the proposed regional water authority are prohibitive and I do not support the plan to establish it. It is time to find an alternative.

Sincerely,  
Lowell Larsson  
417 E North Ave  
Baltimore, MD 21202

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, December 20, 2023 5:02 PM  
**To:** Pamela Oliver; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Pamela,

Thank you for contacting the Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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**From:** lcap21230@gmail.com@mg.gospringboard.io <lcap21230@gmail.com@mg.gospringboard.io> **On Behalf Of** Pamela Oliver  
**Sent:** Wednesday, December 20, 2023 4:32 AM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and

wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority, and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Pamela Oliver  
3033 Mallview Rd  
Baltimore MD, 21230-3319

## Shell, Brian C.

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, December 27, 2023 1:03 PM  
**To:** Wendy Olsson; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Olsson,

Thank you for contacting the Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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---

**From:** rwolsson1@gmail.com@mg.gospringboard.io <rwolsson1@gmail.com@mg.gospringboard.io> **On Behalf Of** Wendy Olsson  
**Sent:** Thursday, December 21, 2023 5:12 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements

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I urge you to reject a regional authority, and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Wendy Olsson  
2211 Sulgrave ave  
BALtimore MD, 21209-4403

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, December 27, 2023 1:04 PM  
**To:** Paul Eisenberg; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Eisenberg,

Thank you for contacting the Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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---

**From:** eisenber=indiana.edu@mg.gospringboard.io <eisenber=indiana.edu@mg.gospringboard.io> **On Behalf Of** Paul Eisenberg  
**Sent:** Thursday, December 21, 2023 7:39 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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I urge you to reject a regional authority, and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Paul Eisenberg  
6 upland road  
Baltimore MD, 21210-2250

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, January 3, 2024 4:15 PM  
**To:** Bonnie Weissberg; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Bonnie,

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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**From:** karbonnie1958@gmail.com@mg.gospringboard.io <karbonnie1958@gmail.com@mg.gospringboard.io> **On Behalf Of** Bonnie Weissberg  
**Sent:** Wednesday, December 27, 2023 6:58 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements

based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

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I urge you to reject a regional authority, and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Bonnie Weissberg  
1704 Mt Washington Ct, Apt. H  
Baltimore MD, 21209-4534

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, January 3, 2024 4:16 PM  
**To:** Tywana Taylor; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Tywana,

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
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Baltimore, MD 21202

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---

**From:** TAYLORTY1978@gmail.com@mg.gospringboard.io <TAYLORTY1978@gmail.com@mg.gospringboard.io> **On Behalf Of** Tywana Taylor  
**Sent:** Friday, December 29, 2023 12:50 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

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I urge you to reject a regional authority, and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Tywanna Taylor  
1117 Elbank Ave  
Baltimore MD, 21239-2205

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, January 3, 2024 4:16 PM  
**To:** Rianna Eckel; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Rianna,

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
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Baltimore, MD 21202

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---

**From:** rmeckel93@gmail.com@mg.gospringboard.io <rmeckel93@gmail.com@mg.gospringboard.io> **On Behalf Of** Rianna Eckel

**Sent:** Friday, December 29, 2023 5:47 PM

**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>

**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

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I urge you to reject a regional authority, and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Rianna Eckel  
2300 Hunter St  
Baltimore MD, 21218-5208

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, January 3, 2024 4:16 PM  
**To:** Chad Harris; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Chad,

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
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Baltimore, MD 21202

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**From:** ceharris16@gmail.com@mg.gospringboard.io <ceharris16@gmail.com@mg.gospringboard.io> **On Behalf Of** Chad Harris  
**Sent:** Monday, January 1, 2024 9:00 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority, and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Chad Harris  
5803 Roland Avenue  
Baltimore MD, 21210-1309

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, January 3, 2024 4:16 PM  
**To:** Rebecca Eller; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Rebecca,

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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---

**From:** rebecca.marie.eller@gmail.com@mg.gospringboard.io <rebecca.marie.eller@gmail.com@mg.gospringboard.io>  
**On Behalf Of** Rebecca Eller  
**Sent:** Wednesday, January 3, 2024 11:45 AM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements

based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Rebecca Eller  
12305 BelAir Rd  
Kingsville MD, 21087-1123

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, January 3, 2024 4:16 PM  
**To:** Helen Butler; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Helen,

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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**From:** bunnyblue.2=netzero.net@mg.gospringboard.io <bunnyblue.2=netzero.net@mg.gospringboard.io> **On Behalf Of** Helen Butler  
**Sent:** Wednesday, January 3, 2024 11:40 AM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements

based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Helen Butler  
3934 Brooklyn Ave  
Brooklyn MD, 21225-2124

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, January 3, 2024 4:16 PM  
**To:** Jean Johnson; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Jean,

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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---

**From:** jean=jeanjohnson.com@mg.gospringboard.io <jean=jeanjohnson.com@mg.gospringboard.io> **On Behalf Of** Jean Johnson  
**Sent:** Wednesday, January 3, 2024 11:56 AM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

Local control is always better than far off regional control. Do not allow this regional control to occur. We have too much to lose.

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households. Baltimore residents should not bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Jean Johnson  
3650 Keswick Rd  
Baltimore MD, 21211-2534

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, January 3, 2024 4:16 PM  
**To:** Isaac Gbane; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Issac,

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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**From:** isaacgbane@gmail.com@mg.gospringboard.io <isaacgbane@gmail.com@mg.gospringboard.io> **On Behalf Of** Isaac Gbane  
**Sent:** Wednesday, January 3, 2024 11:53 AM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements

based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

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What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Isaac Gbane  
32 Powderview Court  
Nottingham MD, 21236-4796

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, January 3, 2024 4:16 PM  
**To:** Amanda DeStefano; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Amanda,

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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---

**From:** amandacatherinedestef@gmail.com@mg.gospringboard.io  
<amandacatherinedestef@gmail.com@mg.gospringboard.io> **On Behalf Of** Amanda DeStefano  
**Sent:** Wednesday, January 3, 2024 12:16 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements

based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Amanda DeStefano  
2802 Lake Ave  
Baltimore MD, 21213-1218

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, January 3, 2024 4:17 PM  
**To:** Bonnie Weissberg; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Bonnie,

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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**From:** karbonnie1958@gmail.com@mg.gospringboard.io <karbonnie1958@gmail.com@mg.gospringboard.io> **On Behalf Of** Bonnie Weissberg  
**Sent:** Wednesday, January 3, 2024 11:51 AM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away Baltimore's control of our water and sewer system.

Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

A regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Bonnie Weissberg  
1704 Mt Washington Ct, Apt. H  
Baltimore MD, 21209-4534

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, January 3, 2024 4:17 PM  
**To:** Jordan Gregory; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Jordan,

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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**From:** jordangregory34@gmail.com@mg.gospringboard.io <jordangregory34@gmail.com@mg.gospringboard.io> **On Behalf Of** Jordan Gregory  
**Sent:** Wednesday, January 3, 2024 12:20 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements

based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Jordan Gregory  
1647 Langford Rd  
Baltimore MD, 21207-4960

## Shell, Brian C.

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, January 3, 2024 4:17 PM  
**To:** Kathryn Nicholas; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Kathryn,

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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**From:** kace1051=verizon.net@mg.gospringboard.io <kace1051=verizon.net@mg.gospringboard.io> **On Behalf Of** Kathryn Nicholas  
**Sent:** Wednesday, January 3, 2024 11:53 AM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements

based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

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When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Kathryn Nicholas  
3600 Dennlyn Rd  
Baltimore MD, 21215-7419

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, January 3, 2024 4:17 PM  
**To:** Suzanne Lebovit; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Suzanne,

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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**From:** zanne32143@yahoo.com@mg.gospringboard.io <zanne32143@yahoo.com@mg.gospringboard.io> **On Behalf Of** Suzanne Lebovit  
**Sent:** Wednesday, January 3, 2024 12:09 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements

based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

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What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Suzanne Lebovit  
803 Lake Ave  
Baltimore MD, 21212-3138

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, January 3, 2024 4:17 PM  
**To:** Stephanie Compton; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Stephanie,

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

*"To be a strong proponent and protector of our environment and the health and vitality of our communities" – DPW Vision Statement*

[Website](#) | [Twitter](#) | [Facebook](#) | [NextDoor](#) | [Youtube](#)

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**From:** stephjenea@gmail.com@mg.gospringboard.io <stephjenea@gmail.com@mg.gospringboard.io> **On Behalf Of** Stephanie Compton  
**Sent:** Wednesday, January 3, 2024 1:16 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements

based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Stephanie Compton  
814 Washington blvd  
Baltimore MD, 21230-2344

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, January 3, 2024 4:17 PM  
**To:** Kayla Owens; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Kayla,

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
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**From:** kayla.owens2001@yahoo.com@mg.gospringboard.io <kayla.owens2001@yahoo.com@mg.gospringboard.io> **On Behalf Of** Kayla Owens  
**Sent:** Wednesday, January 3, 2024 12:01 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip

away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

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I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Kayla Owens  
2003 fitzwarren place apt 102  
Baltimore MD, 21209-4960

## Rahman, Mohammed (DPW)

---

**From:** helleryall@yahoo.com@mg.gospringboard.io on behalf of Deuce Rogers  
<helleryall@yahoo.com>  
**Sent:** Wednesday, January 3, 2024 5:18 PM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

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By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

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I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Deuce Rogers  
2118 Powder Horn Drive  
Fort Washington MD, 20744-2671

## Rahman, Mohammed (DPW)

---

**From:** eileeboylan@gmail.com@mg.gospringboard.io on behalf of Eileen Boylan <eileeboylan@gmail.com>  
**Sent:** Wednesday, January 3, 2024 5:16 PM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

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When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Eileen Boylan  
2601 Madison Avenue  
BALTIMORE MD, 21217-5121

## Rahman, Mohammed (DPW)

---

**From:** vieth\_kenny=comcast.net@mg.gospringboard.io on behalf of Kenny Vieth  
<vieth\_kenny@comcast.net>  
**Sent:** Wednesday, January 3, 2024 5:04 PM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

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I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Kenny Vieth  
1911 Bank Street  
Baltimore MD, 21231-2511

## Rahman, Mohammed (DPW)

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**From:** pammwigin@gmail.com@mg.gospringboard.io on behalf of Pamm Wiggin  
<pammwigin@gmail.com>  
**Sent:** Wednesday, January 3, 2024 8:48 PM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

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When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Pamm Wiggin  
223 East Northern Parkway  
Baltimore MD, 21212-2962

## Rahman, Mohammed (DPW)

---

**From:** motionlessinwhite616@gmail.com@mg.gospringboard.io on behalf of Sara Dollen <motionlessinwhite616@gmail.com>  
**Sent:** Thursday, January 4, 2024 10:19 AM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

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When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Sara Dollen  
5814 Huckburn Ct  
Laurel MD, 20707-5441

## Rahman, Mohammed (DPW)

---

**From:** smjstein@yahoo.com@mg.gospringboard.io on behalf of Sr. Mary Jo Stein <smjstein@yahoo.com>  
**Sent:** Wednesday, January 3, 2024 3:44 PM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

Water is a basic human right. I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

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When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Sr. Mary Jo Stein  
900 S Caton Ave  
Baltimore MD, 21229-5201

## Rahman, Mohammed (DPW)

---

**From:** zanne32143@yahoo.com@mg.gospringboard.io on behalf of Suzanne Lebovit <zanne32143@yahoo.com>  
**Sent:** Wednesday, January 3, 2024 9:48 PM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

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When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

we have already seen the awful things that happen to municipalities living just beyond fracking territory, where people have no say in the water supply. you  
At least Baltimore has maintained its own water supply, not always well or efficiently by at least with some transparency.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Suzanne Lebovit

803 Lake Ave  
Baltimore MD, 21212-3138

**Shell, Brian C.**

---

**From:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Wednesday, January 3, 2024 4:16 PM  
**To:** Harley Stokes; Baltimore Regional Water Governance Task Force  
**Cc:** Rahman, Mohammed (DPW)  
**Subject:** RE: Reject regional water authority, protect local control

Dear Harley,

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all members for consideration.

With Regards,



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Mohammed Rahman  
Chief Business Strategy Officer  
(Acting)

Office: 410-396-3310  
Direct: 410-396-7443  
Mobile: (410) 458-9333  
Department of Public Works  
200 N. Holliday Street, 6th Floor  
Baltimore, MD 21202

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**From:** harley.stokes@gmail.com@mg.gospringboard.io <harley.stokes@gmail.com@mg.gospringboard.io> **On Behalf Of** Harley Stokes  
**Sent:** Wednesday, January 3, 2024 11:38 AM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements

based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Harley Stokes  
2117 Moyer Street  
Baltimore MD, 21231-1655

## Rahman, Mohammed (DPW)

---

**From:** annecawilson@gmail.com@mg.gospringboard.io on behalf of Anne Wilson  
<annecawilson@gmail.com>  
**Sent:** Thursday, January 4, 2024 3:23 PM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

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I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Anne Wilson  
221 Stony Run Lane, Apt H-2  
Baltimore MD, 21210-3054

## Rahman, Mohammed (DPW)

---

**From:** beverlybancroft@gmail.com@mg.gospringboard.io on behalf of Beverly Davis <beverlybancroft@gmail.com>  
**Sent:** Thursday, January 4, 2024 4:41 PM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

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When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Beverly Davis  
704 Saint George's Rd  
Baltimore MD, 21210-1407

## Rahman, Mohammed (DPW)

---

**From:** bbhammer=verizon.net@mg.gospringboard.io on behalf of Beverly Hammer <bbhammer@verizon.net>  
**Sent:** Thursday, January 4, 2024 7:45 PM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

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I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Beverly Hammer  
802 Stoneleigh Road  
Baltimore MD, 21212-1631

## Rahman, Mohammed (DPW)

---

**From:** bondfiore@yahoo.com@mg.gospringboard.io on behalf of Courtney Fiore <bondfiore@yahoo.com>  
**Sent:** Thursday, January 4, 2024 3:12 PM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Courtney Fiore  
13803 Princess Anne Way  
Phoenix MD, 21131-1521

## Rahman, Mohammed (DPW)

---

**From:** ellene4pj@yahoo.com@mg.gospringboard.io on behalf of Ellen E Barfield <ellene4pj@yahoo.com>  
**Sent:** Thursday, January 4, 2024 3:27 PM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** NO to regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I really VERY STRONGLY urge you to REJECT the terrible recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be forced to bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter. Sadly vulture capitalists seek public assets to steal and strip. The REASON Baltimore has a privatization ban is to prevent that.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections would VERY LIKELY meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Ellen E Barfield  
814 Powers St  
Baltimore MD, 21211-2510

## Rahman, Mohammed (DPW)

---

**From:** now4better@aol.com@mg.gospringboard.io on behalf of John Scheinman <now4better@aol.com>  
**Sent:** Thursday, January 4, 2024 3:25 PM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

John Scheinman  
3811 Canterbury Rd.  
Baltimore MD, 21218-2340

MARY L. WASHINGTON, PH.D  
*Legislative District 43*  
Baltimore City and Baltimore County



*Annapolis Office*  
James Senate Office Building  
11 Bladen Street, Room 102  
Annapolis, Maryland 21401  
410-841-3145 · 301-858-3145  
800-492-7122 Ext. 3145  
Mary.Washington@senate.state.md.us

Committee on Education, Energy,  
and Environment

*Subcommittees*

Chair, Education  
Environment

*Joint Committees*

Chair, on Administrative, Executive,  
and Legislative Review

The Chesapeake and Atlantic Coastal  
Bays Critical Areas

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

January 4, 2024

William Henry  
Comptroller, Baltimore City  
City Hall, Room 204  
100 North Holliday St.,  
Baltimore, MD 21202

Dear Mr. William Henry,

Thank you for your leadership and for the work of all the members serving on the Baltimore Water Regional Governance Task Force. As you may know, I represent the 43rd district, which includes constituents living in Baltimore City and Baltimore County. Additionally, I am a member of the Senate Committee on Education, Energy, and the Environment. The work of our Committee addresses a range of issues related to Maryland's drinking water supply, quality, and management. And to that end, our Committee and the Maryland General Assembly take seriously our charge to ensure the resilience and security of each of our state's water supply and treatment systems in partnership with county and municipal governments. In both of these capacities, I offer comments on your draft report released on December 15, 2023.

The report illustrates that the City of Baltimore, through the Department of Public Works, supplies water to its households and property owners as well as those in the surrounding counties: Baltimore, Howard, Harford, Carroll, and Anne Arundel. Additionally it notes that it is one of our state's largest and oldest water and sewer systems. Nearly two million people across the region depend on this system to provide clean, accessible, and affordable water. Members and others recognized that given that this system is over 100 years old, issues related to aging infrastructure must remain top

of mind for all. Once again thank you for engaging in this type of thoughtful study. Serious deliberation is needed to inform solutions that best serve the interests of all account holders and address pipes at the end of their service life and wastewater discharge affecting regional water quality while ensuring affordability and access for all current users.

I look forward to the final report and appreciate the opportunity to contribute to this important document. A major component of the task force's charge was to explore a range of funding and governance models given the needs and multi-jurisdictional nature of the service area. The draft report recommends a regional water authority and identifies threshold issues that must be achieved in order to ensure that authority is fiscally and legally viable. It is suggested in the consultant's report and other statements that how these criteria will be met will be addressed as part of the transition to the authority. While the recommendation of the consultant is still under consideration by the task force, I hope that the following questions will be addressed during your deliberations and in the final report:

1. How would a regional authority affect racial and economic equity? The draft report indicates that an equity analysis would be conducted during the transition period but that equity analysis would then not be used to identify the form of governance that is most equitable.
2. What will the effect of a regional authority be on low-income residents? Will rates increase due to the transition cost? What measures will be taken to ensure the most vulnerable residents do not suffer due to unaffordable water rates?
3. What would be the fiscal impact of a lease of the water and sewer assets to a regional authority for both Baltimore City and Baltimore County? Does a regional authority make fiscal sense? The water and sewer systems are major assets that, if transferred out of their respective jurisdictions, could have negative fiscal impacts related to downgraded credit ratings, asset undervaluation, and inadequate risk transference.
4. How would a lease to a regional authority adhere to the Baltimore City Charter provision that prohibited water privatization and was codified by a voter referendum in 2018? Is this proposal legally viable, and would it countermand the will of the voting public?
5. How would a lease to a regional authority affect the workforce and their pensions? Would transferring the workforce to a new authority weaken the fiscal

health of existing pension plans in the City and County? All jurisdictions should keep their promises to their current and former workers.

6. What would be the total transaction cost of the lease to the authority, and how would that impact water rates for residents and local businesses in the City and County? The draft report identifies \$5 million to \$15 million in transition costs, \$325 million to \$735 million in potential debt refinancing, and unknown costs for pension and workforce transitions. It does not contemplate lease payments for the assets to the City and County.

I look forward to hearing answers to these questions at your next meeting. I appreciate your partnership in improving the Baltimore water and sewer systems.

Sincerely,



Senator Mary Washington

CC: Members of the Baltimore Regional Water Governance Task Force  
Governor Wes Moore  
Baltimore City Mayor Brandon Scott  
County Executive Johnny Olszewski  
County Executive Calvin Ball, Baltimore Metropolitan Council Chair  
Senate President Bill Ferguson  
House Speaker Adrienne Jones  
Senator Jill Carter, Baltimore City Delegation Chair  
Delegate Stephanie Smith, Baltimore City Delegation Chair  
Senator Charles Sydnor, Baltimore County Delegation Chair  
Delegate Eric Ebersole, Baltimore County Delegation Chair

## Rahman, Mohammed (DPW)

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**From:** karenrist14@gmail.com@mg.gospringboard.io on behalf of Margaret Karen Rist <karenrist14@gmail.com>  
**Sent:** Thursday, January 4, 2024 6:31 PM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

Secure Baltimore's control of its precious water supply and REJECT the recommendation to create a regional water authority, which would strip away local control of our water and sewer system. Rather, rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households. Baltimore residents should not be required to bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter. This alone should stop any and all pursuits of a regional authority!!! Control of our water is not for sale!

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Margaret Karen Rist  
601 Windwood Road  
Baltimore MD, 21212-2110

## Rahman, Mohammed (DPW)

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**From:** mcb5883=comcast.net@mg.gospringboard.io on behalf of Mary Catherine Bunting <mcb5883@comcast.net>  
**Sent:** Thursday, January 4, 2024 4:06 PM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Mary Catherine Bunting  
6506 Darnall Rd  
Towson MD 21204 MD, 21204-6423

## Rahman, Mohammed (DPW)

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**From:** dustynight=msn.com@mg.gospringboard.io on behalf of MELVA STOKES  
<dustynight@msn.com>  
**Sent:** Thursday, January 4, 2024 9:12 AM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource. I know personally of those struggling to pay their water bills and utilities. They could be called the working poor just trying to survive.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

IN THE 22 YEARS I've owned a home, my water bill has skyrocketed from a quarterly payment of \$150 - \$170, now to being sometimes that much monthly. And recently away from home for an extended period of time, for 0 usage my bill was still \$69 due to fees. Water is needed to sustain life. We should not have to pay astronomical prices for it.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

MELVA STOKES  
3722 Greenmount Avenue  
Baltimore MD, 21218-1843

## Rahman, Mohammed (DPW)

---

**From:** eisenber=indiana.edu@mg.gospringboard.io on behalf of Paul Eisenberg  
<eisenber@indiana.edu>  
**Sent:** Thursday, January 4, 2024 6:17 PM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Paul Eisenberg  
6 upland road  
Baltimore MD, 21210-2250

## Rahman, Mohammed (DPW)

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**From:** vrheggins4223@gmail.com@mg.gospringboard.io on behalf of Victor Heggins <vrheggins4223@gmail.com>  
**Sent:** Thursday, January 4, 2024 1:57 PM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Victor Heggins  
4223 Wynfield Drive  
Owings Mills MD, 21117-6171

## Rahman, Mohammed (DPW)

---

**From:** hondaman2000@hotmail.com@mg.gospringboard.io on behalf of Wayne Carson <hondaman2000@hotmail.com>  
**Sent:** Thursday, January 4, 2024 6:22 PM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Wayne Carson  
2909 White Ave  
Baltimore MD, 21214-1746

**Shell, Brian C.**

---

**From:** Hammed-Owens, Bukola (DPW) <Bukola.Hammed-Owens@baltimorecity.gov> on behalf of Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Monday, January 8, 2024 1:33 PM  
**To:** Anna Levine  
**Cc:** watergovernance@baltimorecountymd.gov  
**Subject:** RE: Reject regional water authority, protect local control

Dear stakeholder:

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all Task Force members for consideration.

Sincerely,  
Baltimore Regional Water Governance Taskforce

---

**From:** anna.levine.vt@gmail.com@mg.gospringboard.io <anna.levine.vt@gmail.com@mg.gospringboard.io> **On Behalf Of** Anna Levine  
**Sent:** Friday, January 5, 2024 5:48 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households. Baltimore residents should not bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Anna Levine  
2509 Maryland Ave Apt 1  
Baltimore MD, 21218-4589

**Shell, Brian C.**

---

**From:** Hammed-Owens, Bukola (DPW) <Bukola.Hammed-Owens@baltimorecity.gov> on behalf of Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Monday, January 8, 2024 1:29 PM  
**To:** Barbara Samuels  
**Cc:** watergovernance@baltimorecountymd.gov  
**Subject:** RE: Comment on Baltimore Regional Water Task Force Draft Report

Dear stakeholder:

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all Taks Force members for consideration.

Sincerely,  
Baltimore Regional Water Governance Taskforce

---

**From:** Barbara Samuels <bsamuels72@gmail.com>  
**Sent:** Friday, January 5, 2024 5:02 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Comment on Baltimore Regional Water Task Force Draft Report

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Please find and accept for the record the attached comments on the Draft Report.

Barbara Samuels

January 5,2024

Honorable Bill Henry, Chair  
Baltimore Regional Water Governance Task Force

[WaterGovernance@BaltimoreCity.gov](mailto:WaterGovernance@BaltimoreCity.gov)

[Baltimore Regional Water Governance Task Force - Baltimore County \(baltimorecountymd.gov\)](http://BaltimoreRegionalWaterGovernanceTaskForce-BaltimoreCounty(baltimorecountymd.gov))

Dear Chairperson Henry and Members of the Task Force:

I am a resident of Baltimore City and write to comment on the Draft Report and Recommendations of the Baltimore Regional Water Governance Task Force (the Draft Report) and ask that they be made part of the record. While not part of any organization submitting comments, I have read the Draft Report (as well as the preceding 2021 consultant report). I generally share the concerns raised by those organizations and won't repeat them here.

I appreciate the work of the Task Force members and consultants to date. However, it is clear that the Draft Report and its recommendations are incomplete. The Draft Report has yet to resolve a host of critical technical, legal and financial issues identified in the Report, including those deemed "Threshold" issues, and fails entirely to address other fundamental issues. Therefore, any recommendation to the General Assembly would be very premature. Instead of rushing to judgment simply to satisfy an arbitrary and overly ambitious target date set by the General Assembly, the Task Force should instead: **1) Reject the consultant's recommendation for Option E, a regional Special District; 2) Table any recommendations pending further work on Threshold issues, including an Equity Analysis; 2) Advise the General Assembly that due diligence requires the Task Force to conduct further research, analysis, community consultation and careful deliberation.** Next year's General Assembly Session is soon enough.

To do otherwise is to give the impression that there was a predetermined decision made to transfer control of Baltimore City's largest asset --- its water/sewer system --- to a regional entity. By definition, "threshold" issues must be analyzed and resolved (to the extent possible) at the outset, *before* making any substantive recommendations that influence the future direction. The Draft Report admits these issues are unresolved and simply suggests they should be deferred to "implementation" or "transition," apparently in order to meet the a deadline keyed to the start of the General Assembly's session. This is not a sound decision-making process and will be unacceptable to Baltimore City residents who passed the Charter Amendment just a few years ago. <sup>1</sup>

As Task Force member Senator Cory McCray aptly stated in regard to another matter, Baltimore has long been a vulnerable target for hasty decisions and "resource removal" without offering

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<sup>1</sup> The Draft Report was not released to the public until December 15, 2023, in the middle of the holidays, with public comments due by January 5, 2024. A public comment period of 13 day s(at best) is not an adequate opportunity for public input, especially regarding such a complex and weighty decision.

real solutions for the challenges faced by the City.<sup>2</sup> The remainder of my comments will focus on this larger issue and historical context.

**The Draft Report fails to deal with a fundamental issue: The requirement, imposed on the City by a 1924 state law, that the City provide water and sewer services to the County *at cost and on demand*.** When this obligation was first imposed in 1924 the County was a rural jurisdiction of some 70,000 people, without governmental capacity and reliant on the City and/or State to provide essential government services. With a population ten time greater, the burden imposed on the City () to provide services to a limited area of the County was not deemed significant.<sup>3</sup> (Additionally, the City was initially authorized to charge 5% over cost. However, the Act of 1945, still in effect today, eliminated the 5% provision). However, by 1970 While flight and the flight of business and tax base was well underway. The County already accounted for all growth in water/sewer demand. City officials were questioning the fiscal constraint and inequity imposed by this mandate which forced the City to was enable and subsidize the growth of the County (without any reciprocity).<sup>4</sup>

**The fairness and accuracy of the Cost Allocation Method adopted in 1972 and 1974 should be scrutinized and resolved as a Threshold before any decision on governance.** The Draft Report recognizes the ambiguity regarding the definition and calculation of costs that exists in the law and these agreements<sup>5</sup> This is a major issue that impacts the City now and the choice of options going forward. Yet, the Draft Report just obliquely mentions the need to update the CAM as an issue to be deferred to implementation.

**The Task Force should, but does not, consider as an alternative option to the General Assembly a repeal of the antiquated and inequitable provisions of state law that bar the City from receiving a reasonable profit on delivery of its water/sewer services to Baltimore County (and other jurisdictions).** Both reports discuss the 1972 cost allocation agreement, and the disputes and other difficulties that have arisen regarding this undefined term, but both accept without question this inequitable burden as written in stone. Neither analyzes the part this fiscal and operational burden have played in causing the business problems that lead to the

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<sup>2</sup> Cory McCray, Commentary, Proposed Transportation Cuts Will Hurt Baltimore, Baltimore Banner, Jan.4,2024.

<sup>3</sup> Janet L. Hoffman, Baltimore City Council Fiscal Advisor, Letter of August 20, 1970 to The Rev. Theodore M. Hesburgh, Chairman, U.S. Commission on Civil Rights, Transcript of USCRC Commission Hearing on Suburban Development, Baltimore County, August 17-19, at p. 1006.

<sup>4</sup> See supra at pp, 15-51, Testimony of Janet Hoffman, Councilman Alexander Stark, School Board member Sam Daniels, and Judge Joseph Howard. Other city owned and subsidized services and facilities used by County residents cited in the testimony include: Friendship Airport (now Thurgood Marshall BWI) then owned by the City; enrollment of County children in City schools; sports and cultural facilities such Memorial Stadium;; the Zoo and cultural facilities such as museums and the symphony, and the Convention Center.

<sup>5</sup> The CAM is highly technical, but to cite one stark example of the unfairness of the existing cost allocation practices that should jump out to a lay person: Baltimore City, through its water enterprise account, shares in the cost of building roads and expensive bridges on state and county roads in Baltimore County (e.g. recent years the bridge on Papermill Road and the brand new Phoenix and Warren bridges). The only justification offered is that roads and bridges cross city-owned watershed land. But what other landowner in the County is assessed a share of the cost of roads and bridges that cross their land?

creation of this Task Force or whether those problems could be addressed by additional revenue --- rather than a change in governance. i.e. control. To be sure, the water billing issues experienced by DPW have been a huge source of frustration to everyone. *But it does not follow that a change in governance is required* unless one believes that the City DPW is intrinsically incapable of modernizing and correcting the billing problems and upgrading aging infrastructure --- regardless of whether additional revenue is provided.

I am generally a proponent of regionalization as a means to assure a healthy city at the heart of a prospering region. But the risk here is that we undertake regionalization in reverse --- continuing to remove assets and resources from the City to the benefit of the suburbs. We should not hurriedly start down the radical path of forcing the City to transfer ownership or control of its largest asset, perhaps without so much as compensation for sunk costs or fair market value, just to meet an artificial deadline.

Thank you for consideration of these comments.

Barbara Samuels  
960 Fell Street, Apt 301  
Baltimore, Maryland 21231  
443/695-2657  
bsamuels72@gmail.com

cc: Senator Bill Ferguson

## Rahman, Mohammed (DPW)

---

**From:** batswans=verizon.net@mg.gospringboard.io on behalf of Barbara Swanson <batswans@verizon.net>  
**Sent:** Friday, January 5, 2024 9:35 AM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Barbara Swanson  
1828 Loch Shiel Rd  
Towson MD, 21286-8918

## Shell, Brian C.

---

**From:** Water Governance <watergovernance@baltimorecountymd.gov>  
**Sent:** Friday, January 5, 2024 5:20 PM  
**To:** Shell, Brian C.  
**Cc:** Lauren Buckler; Sameer Sidh  
**Subject:** FW: Public Comment - Water Task Force's Draft Report

FYI.

---

**From:** Courtland Merkel <cmerkel@mvslaw.org>  
**Sent:** Friday, January 5, 2024 5:11 PM  
**To:** Water Governance <watergovernance@baltimorecountymd.gov>; WaterGovernance@BaltimoreCity.gov  
**Subject:** Public Comment - Water Task Force's Draft Report

**CAUTION:** This message from [cmerkel@mvslaw.org](mailto:cmerkel@mvslaw.org) originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Dear Members of the Baltimore Water Regional Governance Task Force,

I respectfully write in opposition to the recommendation by the Task Force for a regional authority. My name is Courtland Merkel. I am a Staff Attorney for the Housing and Consumer Project at the Maryland Volunteer Lawyers Service (MVLS).

A rushed recommendation will only be harmful to both the county and the city. The draft report has omitted many details that were important for the Task Force Members during their last public meeting. I offer one area where the report is lacking.

- **The draft report acknowledges the initiatives that the city has made to address water service and affordability with the implementation of discount programs. However, the report falls short in recommending how a regional authority will transfer over these hard fought victories.**
  - The report mentions the continuation of the Water For All Program under a new regional authority. However, it glosses over how the discount program would be transferred to a whole new regional system. Water for All is a program with over 10 thousand recipients, which caps their water bill at 3%, a portion of their income that has been deemed affordable by the United Nations. It is vital that such a program remain in place for people in and out of the city.
  - Further, the draft report recommendation does not mention the continuation of the PromisePay payment plan program which offers affordable and flexible payment options for unpaid water bills.
- **The draft report also does not address how a switch to a regional authority will affect rights and protections to consumers that were gained in the Water Accountability and Equity Act.**
  - The draft report does not mention the continuation or an alternative to the Office of Water-Customer Advocacy, nor if any of its duties will follow into a regional authority.
  - The draft report does not have any mention of an alternative for the appeal process for customers that are dissatisfied with a result of DPW's billing dispute investigations.

- o The draft report also did not mention if a switch to a regional authority would see the continuance of the Committee for Office Oversight.

For these reasons I respectfully urge that the task force reject a regional authority governance model and instead focus on improving and building upon the intermunicipal agreements through a creation of a joint advisory council that can offer greater oversight, transparency, and intergovernmental coordination.

Kind regards,

Courtland Merkel, Esq.  
(He/Him)

Housing and Consumer Staff Attorney  
Maryland Volunteer Lawyers Service (MVLS)  
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[http://secure-web.cisco.com/1BvV8W1sL0J6BIYAYRpJk6YIoDs6SBFTvZSPVkegEwXznSyN8axXfVGy7uSm46SdNNPiKpLSAJV5Vq9-16Q03E9rvhzHT4zI9rDGRlyf9mTbaRYG\\_4rHIMMrv6VzJEGZmhR8qmky0AEMLEOtFMs51VW0QIzW\\_J5SRQWjqxkhtEpsI k66RNCugizOUwbAsu-LSQIaJmR7jhjcw-6pdIE4wxglr7diPwhy0YkO1UxbBj6FV5I-hogBs5Qc98kSei4MinKJIONhO1V1roEIDaxvKyoF5-y\\_LLpkyh\\_Sa4RYhMDPKIdW06SwwoftxQxrjO5-X7IV843V-teDtUiYrVzn2mXxa-UDMxUzuNoIrf-dZFlcEo1ejfK8VRkY6nUN9leK-bDOhkhth4p1fBnWaPWX7jxJDWeaENwzlGumj49OLHNid85-P4sps-jvAwV3Arlgj\\_hraq\\_9rSMU9dNWfMV\\_-kg/http%3A%2F%2Fwww.mvlslaw.org%2Fdonate](http://secure-web.cisco.com/1BvV8W1sL0J6BIYAYRpJk6YIoDs6SBFTvZSPVkegEwXznSyN8axXfVGy7uSm46SdNNPiKpLSAJV5Vq9-16Q03E9rvhzHT4zI9rDGRlyf9mTbaRYG_4rHIMMrv6VzJEGZmhR8qmky0AEMLEOtFMs51VW0QIzW_J5SRQWjqxkhtEpsI k66RNCugizOUwbAsu-LSQIaJmR7jhjcw-6pdIE4wxglr7diPwhy0YkO1UxbBj6FV5I-hogBs5Qc98kSei4MinKJIONhO1V1roEIDaxvKyoF5-y_LLpkyh_Sa4RYhMDPKIdW06SwwoftxQxrjO5-X7IV843V-teDtUiYrVzn2mXxa-UDMxUzuNoIrf-dZFlcEo1ejfK8VRkY6nUN9leK-bDOhkhth4p1fBnWaPWX7jxJDWeaENwzlGumj49OLHNid85-P4sps-jvAwV3Arlgj_hraq_9rSMU9dNWfMV_-kg/http%3A%2F%2Fwww.mvlslaw.org%2Fdonate)

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January 5, 2024

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**RE: Public Comment for Draft Baltimore Regional Water Governance Task Force Report.**

To Whom It May Concern:

On behalf of the NAACP Legal Defense and Educational Fund, Inc. (LDF), we submit the following comments in response to the December 15, 2023, draft Baltimore Regional Water Governance Task Force Report. Baltimore City's water system provides water and wastewater services to approximately 1.8 million people in the greater Baltimore region,<sup>1</sup> many of whom are Black and low-income. The Baltimore Water Governance Task Force was created by the Maryland General Assembly to propose new governance models for Baltimore's water system and to inform forthcoming state legislation to modernize the governance of the Baltimore region's water and wastewater utilities. The draft report recommends that Baltimore move to a regional authority governance model, yet does not address whether a regional authority would have any effect on rate increases, whether Baltimore City would be compensated for losing its largest asset, or how regionalizing the system would affect current Baltimore City Department of Public Works workers. Importantly, efforts to regionalize water systems in other jurisdictions have hurt Black communities by raising water rates, limiting public accountability, and leading to mass water shutoffs if there are no specific shutoff protections included. LDF urges that the Task Force do a racial and economic equity assessment before finalizing its recommendation to regionalize Baltimore's water and wastewater systems.

Founded in 1940 by Thurgood Marshall, LDF is the nation's oldest civil rights law organization. LDF was launched at a time when America's aspirations for equality and due process of law were stifled by widespread state-sponsored racial inequality. For more than 80 years, LDF has relied on the Constitution and federal and state civil rights laws to pursue equality and justice

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<sup>1</sup> Baltimore Department of Public Works, *Baltimore DPW: The Region's Water Supplier*, Updated 2018, <https://publicworks.baltimorecity.gov/drinkingwater>

for Black Americans and other people of color. LDF's mission has always been transformative: to achieve racial justice, equality, and an inclusive society. Currently, LDF is litigating a class action lawsuit in the Northern District of Ohio against the City of Cleveland on behalf of the city's Black residents who are disproportionately affected by the city water department's practices. The lawsuit, which brings claims under the Fair Housing Act, challenges the racially discriminatory and unfair policies of the Cleveland Water Department which not only leave Black residents without the basic necessity of water, but can also lead to the loss of their homes.<sup>2</sup> In 2019, LDF published a report on the disproportionate racial impact of America's water affordability crisis, *Water/Color: A Study of Race And The Water Affordability Crisis In America's Cities*.<sup>3</sup> The report outlines how low-income families of color are being forced out of their homes due to rapidly rising water prices.<sup>4</sup> In 2023, LDF published a follow up report, *Water/Color: An Update on Water Crises Facing Black Communities*.<sup>5</sup>

As chronicled in both our 2019 and 2023 reports, Baltimore City has dealt with a long history of racism, segregation, and economic disinvestment which have resulted in a failing water infrastructure system. The increasing infrastructure costs and decreasing federal funding have led to a 500% increase in Baltimore water bills over the last two decades.<sup>6</sup> As LDF found in 2019, Baltimore's water affordability crisis has and will continue to have a disproportionate and detrimental impact on the city's Black neighborhoods.<sup>7</sup> In 2020, water bills in Baltimore exceeded two percent of Black median income (which is the affordability threshold for water) in 131 of 200 census tracts—108 of which were majority-Black.<sup>8</sup> Currently, 50 percent of Baltimore residents are billed more than the international standard for affordable water service.<sup>9</sup>

At the same time, deteriorating infrastructure has caused ongoing water and wastewater issues. In 2021, Baltimore's Department of Public Works (DPW) was forced to pay millions in settlement cost after testers found numerous violations of the federal Clean Water Act and infractions of state water pollution laws in Baltimore's water.<sup>10</sup> In 2022, E. coli contaminants and

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<sup>2</sup> Press Release, NAACP Legal Defense and Educational Fund, *LDF Files Lawsuit Against the City of Cleveland to Address Discriminatory Water Liens and Shutoffs*, Dec. 18, 2019, <https://www.naacpldf.org/press-release/ldf-files-lawsuit-against-the-city-of-cleveland-to-address-discriminatory-water-liens-and-shutoffs/>

<sup>3</sup> NAACP Legal Defense and Educational Fund, *Water/Color: A Study of Race & the Affordability Crisis in American Cities*, June 2019, [https://www.naacpldf.org/wp-content/uploads/Water\\_Report\\_FULL\\_5\\_31\\_19\\_FINAL\\_OPT.pdf](https://www.naacpldf.org/wp-content/uploads/Water_Report_FULL_5_31_19_FINAL_OPT.pdf)

<sup>4</sup> Id.

<sup>5</sup> NAACP Legal Defense and Educational Fund, *Water/Color: An Update on Water Crises Facing Black Communities*, December 2023, [https://tminstituteldf.org/wp-content/uploads/2023/12/LDF-TMI-Water-Brief-2023\\_1030\\_digital2.pdf](https://tminstituteldf.org/wp-content/uploads/2023/12/LDF-TMI-Water-Brief-2023_1030_digital2.pdf)

<sup>6</sup> Id.

<sup>7</sup> NAACP Legal Defense and Educational Fund, *Water/Color: A Study of Race & the Affordability Crisis in American Cities*, June 2019, [https://www.naacpldf.org/wp-content/uploads/Water\\_Report\\_FULL\\_5\\_31\\_19\\_FINAL\\_OPT.pdf](https://www.naacpldf.org/wp-content/uploads/Water_Report_FULL_5_31_19_FINAL_OPT.pdf)

<sup>8</sup> Id.

<sup>9</sup> Id.

<sup>10</sup> Emily Hofstaedter, *Baltimore City to Pay Historic Fine Over Pollution from Wastewater Facilities in Settlement*, WYPR, (November 2, 2021), <https://www.wypr.org/wypr-news/2023-11-02/baltimore-city-to-pay-historic-fine-over-pollution-from-wastewater-facilities-in-settlement>

total coliform were found in water samples in West Baltimore.<sup>11</sup> In March 2023, a gas-fed fire caused an explosion at the Back River Treatment Plant, which is run by Synagro, a private company.<sup>12</sup> The Baltimore wastewater treatment system also faces several challenges resulting from the aging system. Black communities in Baltimore face more frequent sewage backups and have inferior sewage infrastructure compared to predominantly white communities.<sup>13</sup> Using data from 311, the city's system for non-emergency reports, including reports of sewage backups, the top five neighborhoods experiencing the most raw sewage backups from 2021-2022 were primarily Black communities.<sup>14</sup> Loch Raven, a community in Baltimore which is 87% Black, had the most issues, with 525 reported backups.<sup>15</sup>

While the draft Task Force report recommends regionalization, regionalizing Baltimore's water system would not solve these problems and could exacerbate the harms suffered by Black Baltimore residents. As detailed below, regionalization could cause water rate hikes for low-income households, a decrease in Black political power, and weaken the financial stability of Baltimore City.

First, regionalization could harm low-income households in Baltimore, which are disproportionately Black, by further increasing Baltimore's substantial water rates. Research shows that when systems regionalize, residents pay more for water.<sup>16</sup> When Detroit regionalized their water and wastewater systems, water rates increased, and residents ended up paying more for the same water than when the city owned and operated the water system. This rate increase led to mass shutoffs in Detroit which disproportionately, if not almost exclusively, impacted Detroit's Black residents.<sup>17</sup> Between 2014 and 2019, more than 141,000 households in Detroit had their water service disconnected for non-payment.<sup>18</sup> If Baltimore's water system does regionalize, many residents will likely end up paying even more unaffordable water rates, which will further disproportionately impact Black neighborhoods.

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<sup>11</sup> Adam Willis, *Aging Water Infrastructure at the Root of Baltimore E. coli Contamination*, *City Officials Say*, Baltimore Banner, (September 29, 2022), <https://www.thebaltimorebanner.com/politics-power/local-government/aging-water-infrastructure-at-the-root-of-baltimore-e-coli-contamination-city-officials-say-OWQ4VB3FKREYBBLQPYN6DRBGA4/>

<sup>12</sup> Cadence Quaranta, *Operations Suspended at Wastewater Treatment Plant Building Damaged in Explosion*, Baltimore Banner, (March 17, 2023), <https://www.thebaltimorebanner.com/community/climate-environment/operations-suspended-at-wastewater-treatment-plant-facility-damaged-in-explosion-PYEXWF4TXFDQXIKF32ZQ5GE2JQ/>

<sup>13</sup> NAACP Legal Defense and Educational Fund, *Water/Color: An Update on Water Crises Facing Black Communities*, December 2023, [https://tminstituteldf.org/wp-content/uploads/2023/12/LDF-TMI-Water-Brief-2023\\_1030\\_digital2.pdf](https://tminstituteldf.org/wp-content/uploads/2023/12/LDF-TMI-Water-Brief-2023_1030_digital2.pdf)

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> Janice A. Beecher and Jason A. Kalmbach, *2010 Great Lakes Water Rate Survey*, Institute of Public Utilities at Michigan State University, (February 1, 2011), <https://www.glc.org/wp-content/uploads/2016/10/2010-GLWRS-Survey-Final-Report.pdf>

<sup>17</sup> Kathleen Martin, *Federal Judge Hears Motion for Injunction Against End of Water Shutoff Moratorium in Detroit*, WWSWS News, (January 25, 2023), <https://www.wsws.org/en/articles/2023/01/25/myre-j25.html>

<sup>18</sup> *Id.*

Regionalization could also eliminate programs designed to mitigate the water affordability crisis. Baltimore has already taken several steps to address the water affordability crisis for low-income households in the city. Following years of advocacy by the Baltimore Right to Water Coalition, of which LDF is a member, the Baltimore City Council passed the Water Accountability and Equity Act (“WAEA”) in 2019.<sup>19</sup> The WAEA (a) created a new water affordability program for households at or below 200% of the Federal Poverty Guidelines; (b) extended program eligibility to tenants; (c) established a new Office of Water-Customer Advocacy and Appeals within DPW; and (d) delineated a formal dispute resolution process for water and wastewater billing disputes and disputes concerning the new water affordability program.<sup>20</sup> The city has started to implement the WAEA Act by creating the Water 4 All affordable water program,<sup>21</sup> and a new Customers Advocate’s Office at DPW has begun investigating water billing disputes and crediting accounts for over paid water bills. If the water system regionalizes, these critically important programs could cease to exist or be subject to major changes that would decrease assistance.

Regionalization can also lead to a loss in local control of the water system by changing the governance structure of the water and wastewater system, disempowering the majority Black residents of Baltimore City. Before 2013, the Detroit water system was run by the city of Detroit. After Detroit declared bankruptcy in 2013, the Governor of Michigan appointed an emergency manager who assumed control over the decision-making of the Detroit Water and Sewer Department (DWSD). In 2014, the state-appointed emergency manager leased the DWSD to the new Great Lakes Water Authority (GLWA).<sup>22</sup> The DWSD system was formally regionalized in 2014 when a 40-year lease agreement was approved by the emergency manager and the GLWA took over operations and management of the system.<sup>23</sup> While Detroit retained nominal ownership of the system, all major decisions are now made by the six-member water authority board, only two of whom are from the Detroit. Detroit thus lost decision-making authority over critical issues such as rate setting and project prioritization.<sup>24</sup> As such, the process of regionalization disenfranchised Detroit residents and removed control of key decision-making from the city’s majority Black population. Baltimore risks the same fate.

While we oppose regionalization, if the Task Force does recommend a regional authority model, the city of Baltimore should have a majority of seats on any regional authority to effectively represent the needs of its residents. The draft report stated that the new regional authority would have a “11-member Board of Directors with appointees from the City of Baltimore, Baltimore

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<sup>19</sup> Emily Poor, *Water Accountability and Equity Act – A Summary*, Maryland ProBono Resource Center, Dec. 2019, <https://probonomd.org/water-accountability-and-equity-act-a-summary/>

<sup>20</sup> *Id.*

<sup>21</sup> Lowell Melser, *Baltimore Launches Water Discount Program to Help Eligible Residents Pay Bills*, NBC News, (February 8, 2022), <https://www.wbaltv.com/article/baltimore-water-discount-program-water-4-all/39013587#>

<sup>22</sup> Haas Institute at the University of Berkeley et al. “Water Equity and Security in Detroit’s Water and Sewer District.” January 2019, Available at [https://haasinstitute.berkeley.edu/sites/default/files/detroit\\_water\\_equity\\_full\\_report\\_jan\\_11\\_2019.pdf](https://haasinstitute.berkeley.edu/sites/default/files/detroit_water_equity_full_report_jan_11_2019.pdf).

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

County, and the Governor of Maryland.” If Baltimore’s water and wastewater systems were to regionalize, the city of Baltimore must be given a majority of seats on whatever new board is enacted so that the city does not lose decision making authority over critical issues such as rate setting and project prioritization. Baltimore banned privatization of the water and wastewater system in 2018 so all of Baltimore’s residents are serviced by the city’s DPW.<sup>25</sup> It is critical that Baltimore maintains control over the water and wastewater systems so that all major decisions are in the best interest of the residents it serves.

Finally, regionalization could weaken the financial stability of Baltimore City. Regionalizing Baltimore’s water system could remove \$5.4 billion in capital assets<sup>26</sup>—which represents 47% of the city’s total capital assets—from city control. Yet the draft report makes no mention of how the city of Baltimore will be compensated for leasing its largest asset to a new entity, and there has been no effort to examine the economic feasibility of the city losing its largest asset. Failure to study the economic impact a regional governance model would have on the city could have devastating consequences for Black residents in a majority Black city. Removing such a large asset from the city could impact the bond ratings, future credit ratings, and have implications on future financial health of the city.<sup>27</sup>

At minimum, if regionalization were to take place, the city of Baltimore deserves an equitable lease payment. Detroit receives a \$50 million a year lease payment for leasing its water and wastewater system to GWLA—yet University of California—Berkeley researchers said that the \$50 million a year in lease payments is underestimated compared to the actual value of their water and wastewater systems.<sup>28</sup> Yet even this inadequate lease payment is harmful: because the lease payment is paid by GWLA customers, it translates into increased water rates for Detroit residents. The Task Force has yet to address what an equitable lease payment would be for the city of Baltimore or if the cost would be passed down to the customer and increase already unaffordable water rates in Baltimore.

By statute, the Task Force is charged with assessing different governance models to ensure that the water and wastewater systems serving the Baltimore region are safe, efficient, equitable,

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<sup>25</sup> Thomas Hanna, *Baltimore Joins Global Movement, Becoming the First Major U.S. City to Ban Water Privatization*, In These Times, Nov. 12, 2018, <https://inthesetimes.com/article/baltimore-global-movement-water-privatization-2018>

<sup>26</sup> Baltimore City, MD, *Wastewater Utility Fund Financial Statements, June 30, 2021*, (February 15, 2022) at 4, [file:///C:/Users/dwheaton/Downloads/sewer%20\(1\).pdf](file:///C:/Users/dwheaton/Downloads/sewer%20(1).pdf); Baltimore City, MD, *Water Utility Fund Financial Statements, June 30, 2021*, (February 15, 2022) at 4, <file:///C:/Users/dwheaton/Downloads/water.pdf>

<sup>27</sup> Moody’s Investor Services, *Rating Methodology: US Cities and Counties Methodology*, (November 2, 2022), <https://ratings.moodys.com/api/rmc-documents/386953>

<sup>28</sup> Haas Institute at the University of Berkeley et al. *Water Equity and Security in Detroit’s Water and Sewer District*, January 2019, [https://haasinstitute.berkeley.edu/sites/default/files/detroit\\_water\\_equity\\_full\\_report\\_jan\\_11\\_2019.pdf](https://haasinstitute.berkeley.edu/sites/default/files/detroit_water_equity_full_report_jan_11_2019.pdf).

and affordable. Yet the draft report recommends a regional authority governance model without doing the proper analysis to determine if this governance model is the best thing for the city of Baltimore and its residents.<sup>29</sup> Research and history show that regionalization can lead to unaffordable water rates<sup>30</sup> and loss of control over a major city asset,<sup>31</sup> without showing any benefits of better water quality or increased services for residents. There are still several questions that need to be answered by the Task Force before it can adopt the draft report recommending a regional authority governance model for the Baltimore water and wastewater systems. These questions include:

1. How would a regional authority affect racial and economic equity? The draft report indicates that an equity analysis would be conducted while doing a final feasibility study but that equity analysis would then not be used to identify the form of governance that is most equitable.
2. What will the effect of a regional authority be on low-income residents? Will rates increase due to the transition cost? What measures will be taken to ensure that the most vulnerable residents do not suffer due to unaffordable water rates?
3. What would be the fiscal impact of a lease of the water and sewer assets to a regional authority for both Baltimore City and Baltimore County? Does a regional authority make fiscal sense? The water and sewer systems are major assets that if transferred out of their respective jurisdictions could potentially have negative fiscal impacts related to downgraded credit ratings, asset undervaluation, and inadequate risk transference.
4. What would be the total transaction cost of the lease to the authority, and how would that impact water rates for residents and local businesses in the City and County? The draft report identifies \$5 million to \$15 million in transition costs, \$325 million to \$735 million in potential debt refinancing costs, and unknown costs for pension and workforce transitions. It does not contemplate lease payments for the assets to the City and County.
5. Would a regional authority model lead to improved water quality in Baltimore or the surrounding areas?

We urge the Task Force to do a racial and economic equity assessment before taking any steps to regionalize Baltimore's water and wastewater systems. This is an incredibly important decision that will affect 1.8 million residents, many of whom are Black and low-income. Baltimore is already working to address a water affordability crisis which has had a disproportionate and

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<sup>29</sup> WSP, *Alternative Governance Model Assessment and Recommendations for the Baltimore Region's Water and Wastewater Utilities: A Draft Report to the Baltimore Regional Water Governance Task Force*, (December 15, 2023), [https://resources.baltimorecountymd.gov/Documents/Public\\_Works/water-governance/draftconsultantreport.pdf](https://resources.baltimorecountymd.gov/Documents/Public_Works/water-governance/draftconsultantreport.pdf)

<sup>30</sup> Janice A. Beecher and Jason A. Kalmbach, *2010 Great Lakes Water Rate Survey*, Institute of Public Utilities at Michigan State University, (February 1, 2011), <https://www.glc.org/wp-content/uploads/2016/10/2010-GLWRS-Survey-Final-Report.pdf>

<sup>31</sup> Haas Institute at the University of Berkeley et al. *Water Equity and Security in Detroit's Water and Sewer District*, January 2019, [https://haasinstitute.berkeley.edu/sites/default/files/detroit\\_water\\_equity\\_full\\_report\\_jan\\_11\\_2019.pdf](https://haasinstitute.berkeley.edu/sites/default/files/detroit_water_equity_full_report_jan_11_2019.pdf)

detrimental impact on the City's Black neighborhoods.<sup>32</sup> Hastily rushing to establish a new governance model without doing critical analyses on how a new model will affect Black and low-income residents risks disproportionately harming Black residents in Baltimore.

Thank you for the opportunity to comment. If you have any questions, please contact David Wheaton, Economic Justice Policy Fellow, at [dwheaton@naacpldf.org](mailto:dwheaton@naacpldf.org), or Amalea Smirniotopoulos, Senior Policy Counsel and Co-Manager of the Equal Protection Initiative, at [asmirniotopoulos@naacpldf.org](mailto:asmirniotopoulos@naacpldf.org).

Sincerely,

*David Wheaton*

---

David Wheaton, Economic Justice Policy Fellow  
Amalea Smirniotopoulos, Senior Policy Counsel & Co-Manager of the Equal Protection Initiative  
NAACP Legal Defense and Educational Fund, Inc. (LDF)  
700 14<sup>th</sup> Street NW, Suite 600  
Washington, D.C. 20005

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<sup>32</sup> NAACP Legal Defense and Educational Fund, *Water/Color: A Study of Race & the Affordability Crisis in American Cities*, June 2019, [https://www.naacpldf.org/wp-content/uploads/Water\\_Report\\_FULL\\_5\\_31\\_19\\_FINAL\\_OPT.pdf](https://www.naacpldf.org/wp-content/uploads/Water_Report_FULL_5_31_19_FINAL_OPT.pdf)

## Rahman, Mohammed (DPW)

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**From:** deborah21209@yahoo.com@mg.gospringboard.io on behalf of Deborah Cunningham <deborah21209@yahoo.com>  
**Sent:** Friday, January 5, 2024 7:01 AM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Deborah Cunningham  
2524 Rellim Road  
Baltimore MD, 21209-4125

**Shell, Brian C.**

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**From:** Hammed-Owens, Bukola (DPW) <Bukola.Hammed-Owens@baltimorecity.gov> on behalf of Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Monday, January 8, 2024 1:32 PM  
**To:** Diane Topper  
**Cc:** watergovernance@baltimorecountymd.gov  
**Subject:** RE: Reject regional water authority, protect local control

Dear stakeholder:

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all Task Force members for consideration.

Sincerely,  
Baltimore Regional Water Governance Taskforce

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**From:** dtopper2=verizon.net@mg.gospringboard.io <dtopper2=verizon.net@mg.gospringboard.io> **On Behalf Of** Diane Topper  
**Sent:** Friday, January 5, 2024 4:43 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Diane Topper  
505 Wilton Rd  
Towson MD, 21286-7613



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[foodandwaterwatch.org](http://foodandwaterwatch.org)

## Reject a Regional Authority and Improve the Intermunicipal Agreements Comments on Draft Consultant's Report

January 5, 2024

Dear Members of the Baltimore Regional Water Governance Task Force,

On behalf of Food & Water Watch, and our 26,000 members and supporters in Baltimore City and Baltimore County, we urge you to reject the draft report's recommendation of a regional authority. Instead, we ask you to recommend improving the intermunicipal agreements and creating a joint City-County Water Advisory Committee.

**The creation of a new water authority poses significant risks and harms for residents and workers.** Turning control over to a regional water authority could result in **\$2 billion in transaction costs** to refinance existing debt, cover lease payments, and provide for workers' retirements. It could lead to massive water bill hikes, water shutoffs, water privatization, loss of public accountability, and loss of potentially thousands of unionized positions within city and county government.

**The draft report fails to demonstrate that a regional authority is even feasible, much less that it would be the best model.** The draft report recommends a regional authority "on its merits," but it offers no material evidence to justify that position. The draft report appears to serve as a mere rationalization of a predetermined outcome. It is not a fact-based analysis of alternatives or the conclusion of a deliberative process. Moreover, the consultants conflate various authority structures and contracting types throughout its assessment and include several incorrect assumptions, rendering its conclusion highly flawed.

**The draft report recommends pushing every single substantial issue to a transition period to an authority.** Task Force members and the consultants have raised serious "threshold" issues, and you have not had time to address many other considerations at all. Many of these issues are the very questions that must be answered *first* in order to determine if an authority is worthwhile to pursue. Several Task Force members raised this concern at the fifth meeting, but the draft report fails to incorporate their feedback. Given the information and time available, it is unreasonable to recommend an authority, and it would be irresponsible to suggest spending millions of dollars to move to establish an authority that may not be legally or financially viable.

**A racial and economic equity analysis must be done on the alternative governance models to determine the most equitable model.** The draft report recommends that an equity assessment be performed during the transition to a new authority to understand how the authority would impact vulnerable residents and explore ways to mitigate those harms, but that is contrary to the logical order. A racial and economic equity analysis should be performed *first* to inform a decision about what model would most equitably serve the region to avoid harming vulnerable residents.

**For these reasons, you should recommend improving the intermunicipal agreements and creating of a City-County Advisory Committee — and reject a regional water authority.** The consultants have identified several improvements to the intermunicipal agreements that can be made immediately, and as one Task Force member said, they *should* be made immediately. The consultants also outlined a similar advisory committee as we recommend. However, their draft report includes this as part of a transition period to a new authority, but that long-term recommendation is unsubstantiated and hasty.

**The future of our water and sewer system is far too important for a rash recommendation of a radical change in governance.** Our water and sewer utility provide services that are essential for public health and wellbeing, and while we support efforts to improve its functioning and expand productive collaboration between the city and county, we urge you to not rush into recommending a major change. You were given inadequate time for review, stakeholder engagement, and public participation. As you know, the process thus far has had limited public input and even limited discussion among the Task Force members. Even the draft report was from the consultants, without prior review from the Task Force members, and the public will not have opportunity to review and comment on any report from the actual Task Force.

**A joint advisory committee is a reasonable recommendation that could provide additional opportunity for study, deliberation, public engagement, and oversight of regional system operations.** The committee can formalize intermunicipal coordination and craft policies to address identified shortfalls *without* opening up residents and workers to the significant harm possible under a major governance change. The city and county already have the authority under state law to form such a regional council of governments. Similar commissions exist around the country, including in [Charlotte, NC](#) and [Toledo, OH](#).

Again, we urge you to reject a regional water authority, as it could present serious risks and harms to residents and workers. Instead, we urge you to use your final report as an opportunity to offer meaningful improvements to the intermunicipal agreements and to urge the creation of a joint advisory council to provide greater oversight, transparency, and intergovernmental coordination.

Thank you for your time and consideration,

Mary Grant  
Public Water for All Campaign Director  
Food & Water Watch

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## APPENDIX A: PROBLEMS WITH A REGIONAL WATER AUTHORITY IN BALTIMORE

### **A regional water authority would lead to loss of local democratic control.**

A regional authority would take away decision making from the City's majority Black elected officials. The draft report recommends that control transfer to a new board of directors appointed by the city, county, and Governor. Because these board members are unelected officials, Baltimore City's majority Black population would lose ballot box accountability over the people who make the big decisions about rates and services. While there are certainly flaws with the archaic Board of Estimates, elected officials still directly control the decision making.

### **A regional water authority could deepen racial inequities.**

The Task Force should question the findings of this draft report because it did not incorporate a racial equity lens. An equity analysis does not inform the recommendation. The consultants recommend pushing an equity assessment to a transition period to a regional authority. It was stated that there was insufficient time to do an equity analysis before the Task Force report is due to the legislature, but if that is the case, then there is insufficient time to properly evaluate alternative models and it is unreasonable to make a recommendation for a major change.

For years, city residents have raised concerns that they are subsidizing the growth and water bills of county residents. Per-capita capital costs and per-capita usage rates are higher in the county, and one key finding from the Task Force process was to confirm what city residents have long known: city residents pay higher water and sewer bills than county residents pay for the equivalent service. To what extent will a new authority continue this inequity and force city residents to subsidize growth in the County?

There is [substantial academic research](#) about how the creation of a regional water authority in Detroit resulted in inequitable cost allocations and deepened regional water insecurity and racial inequities. A change in governance will not alter the underlying reality of poverty and financial hardship facing many Baltimore City residents, and rather, that underlying reality means that Baltimore City residents, particularly its low-income Black families and seniors, are especially vulnerable to a governance change that seizes control of their utility away from elected officials.

Baltimore's water and sewer system faces many difficulties and challenges, but the hard truth is that there will be no quick fix or silver bullet. This process must proceed with caution and care, rooted in the region's complex histories of redlining and disinvestment in Black communities.

### **A regional water authority could lead to mass water shutoffs.**

Baltimore has not shut off any household from water service over unaffordable bills since 2017. The Water Accountability and Equity Act codified water shutoff protections for vulnerable households, including those with seniors, infants, and individuals with serious medical conditions. A regional water authority would overturn the internal policies and it could be

established in such a way that it would not have to abide by local laws. It could lead to mass water shutoffs of vulnerable households in Baltimore.

This is no idle threat. Hundreds of thousands of Detroit residents had their water shutoff after a regional authority took over their treatment systems, disproportionately harming Black residents. The draft report suggests that this issue should be addressed during the transition and that the authority develop a program to protect against disconnections. Programs already exist; an authority would jeopardize them.

Other residential protections could be at risk under a regional authority:

- The Water4All water affordability program income water affordability program – this is administered through the Mayor’s Office of Children and Family Services and involves nascent partnerships with the City Housing Authority. Officials have indicated that data sharing is far easier within City government than with other governmental jurisdictions. The creation of a regional water authority outside city government could undermine the administration of the program and undercut enrollment efforts.
- The Office of the Customer Advocacy and Appeals, which already serves the county customers as well as city customers; and
- Baltimore City’s Sewage Onsite Support Program and Expedited Reimbursement Program.

The loss of these protections would cause substantial harm to the residents.

### **A regional authority could be expensive to stand up and lead to massive water rate hikes.**

The draft report identifies water affordability as another “threshold issue” to address during the transition to an authority, but a regional authority itself could deepen the affordability crisis facing the region, while undermining existing programs that address it.

The Task Force members and consultants have identified potentially large transaction costs associated with a regional authority, including:

- \$370 million to \$725 million in refinancing costs, if debt needs to be defeased;
- \$15 million in general transition costs; and
- Unquantified pension plan contributions and employee transition costs.

The draft report does not contemplate a lease payment to the city nor does it provide an estimated cost of transitioning the workforce, which should be factored into a cost analysis. Based on the lease in Detroit, the most similar case study to Baltimore, we add in these estimated costs:

- \$976 million for lease payments (NPV of \$50M a year over 40 years)

- \$343 million for pension contributions to the city’s plan due to loss of workers paying in (\$42.9 million a year for 8 years)

That would bring the total transaction cost with debt refinancing to **around \$2 billion.** These transaction costs would be recovered through rate hikes on households and local businesses, deepening the existing water affordability crisis that disproportionately harms Black households. A [study](#) from utility affordability expert Roger Colton found that water bills are already unaffordable for low-income households in every part of the city.

### **A regional authority would harm workers.**

The workers would lose their existing collective bargaining agreements, and new agreements would have to be negotiated with the new authority. The new authority board would be inoculated from public pressure eroding workers’ bargaining position.

Workers’ pensions are also considered a “threshold issue” to be resolved during the transition. This can create fear among current workers and retirees, and the process could end up in workers losing retirement benefits that they negotiated and perhaps accepted lower wages in exchange for. This would be in bad faith from the city and county.

The transfer to a new authority would lead to job loss and create a hostile work environment. It will likely lead to more vacancies and lost institutional knowledge. The report claims without any substantiation or explanation at all that an authority would improve management and operations through greater employee retention and institutional knowledge transfer, worker recruitment, and lower vacancy rates. That is wrong.

The process of creating a new regional authority is highly disruptive and can lead to job loss, as workers leave due to the hostile environment and job insecurity. Detroit lost nearly 15 percent of its water workers who did not take jobs with a regional authority. Local unions have already testified that Baltimore’s water workers are fearful of this process and looking to find other employment.

The best way to attract and retain a qualified workforce is to offer better compensation packages. A regional authority does not facilitate pay raises, and there is no reason why the city and county cannot offer them directly on their own. They should.

### **A regional authority could cause fiscal harm for the local governments.**

If a new water authority takes over the water and sewer system through a capital asset lease, a key decision will be whether the city and county are compensated for the loss of these assets, and if so, how will the new authority recover that cost. Baltimore City owns the water and sewer treatment systems, and the water and sewer systems are the city’s largest capital assets. In 2021, the water and wastewater systems had combined total capital asset value of about \$5.5 billion — more than \$2 billion more than the capital asset value of the rest of the entire city government (\$3.2 billion).

At no point has the Task Force had time to discuss how the city and county will be compensated for loss of their assets. Lease payments are standard in these arrangements. If the city is not compensated for the loss of assets, the transfer could cause substantial harm to the city and its majority Black population. If the new authority does pay for the assets, then it must recover that cost through rate hikes on customers, deepening the water affordability crisis that disproportionately impacts Black households.

**A regional authority can open the door to future water privatization and could entail privatization in and of itself.**

Baltimore City residents overwhelmingly declared the water and sewer system to be an inalienable asset of the city, when more than three-quarters of voters approved Ballot Question E in 2018. The draft report identifies this charter provision as a key legal “threshold issue” to be addressed as it prohibits asset leases. It proposes amending the charter to overturn this protection to allow a lease. This opens the door to water privatization.

Moreover, if the new authority is established as a private nonprofit, a lease to the authority would be privatization in and of itself. Even if the authority is established as governmental entity, unelected officials would oversee the new authority and have broad decision-making powers including control of contracts. This would facilitate future privatizations in absence of the Charter protection.

**The draft report relies on exaggerated claims to rationalize a regional authority.**

The Baltimore water and sewer system is already a regionally connected system, so the claims about greater economies of scale under an authority in the draft report are exaggerated. While the merits and risks of water system regionalization are often debated at a national level, it is critical to mark a distinction here: the process of creating a regional authority in Baltimore would not be to regionalize the water and sewer system but to regionalize the governance of an already regional system. Regionalization and its purported benefits typically refer to the physical interconnection of small systems into a regional entity or multiple municipalities coming together to build a joint water supply or treatment project. The Baltimore area water and wastewater system is already physically consolidated.

“Greater economies of scale” is the claim most often used in the draft report to rationalize the recommendation of a new regional authority, but there is no mention of any consolidation of physical utility assets or any increase in customers, which are the typical drivers of those greater economies. It would not increase the total customer base in the region. The draft report also contains no cost estimates for any of hypothetical savings nor does it indicate if those hypothetical savings would offset the transaction costs.

In addition, a regional authority for just the treatment plants (called the “wholesale structure” in the draft report) would reduce economies of scale by separating out key functions — the treatment plants from the distribution and collection systems. Both examples explored by the consultants, in Tampa Bay and Detroit, were of this structure.

There is also no contemplation about the loss of economies of scale within the Department of Public Works or the loss of *intragovernmental* coordination. Notably, the City's stormwater utility is currently housed in the City's Bureau of Water and Wastewater and could lose economies of scale, adding costs for activities that are currently consolidated under that division: engineering and construction, asset management, compliance, strategy and performance, and maintenance. Will new equipment or vehicles need to be purchased and staff need to be hired if the water and sewer system are separated into a new regional entity? What will the cost be to the stormwater fund, and how would that impact stormwater fees?

**Much more due diligence is necessary to protect everyone served by the water and sewer system.**

The state legislature gave you an unreasonable task. The Task Force has insufficient time and information to properly assess alternative governing models – and more importantly to assess the conversion to new model. Many issues with an authority arise from the *change* in governance.

At a minimum, adequate due diligence would merit the following:

- Comprehensive rate analyses under each alternative governance scenario;
- Fiscal impact analyses for the City, County, the stormwater systems of City and County, and the water and sewer utility systems;
- Racial equity impact assessments;
- Economic equity impact assessments;
- Environmental impact and environmental justice analyses;
- Legal analyses, including an assessment of legal consequences for local ratepayer and labor protections established by local jurisdictions, for the existing federal consent decrees, and for any outstanding lawsuits;
- Alternatives analysis of options other than a governance change to address the underlying problems, such as how to address staffing shortfalls and equity in allocation of state and federal funding to the water and sewer system; and
- A more robust and meaningful stakeholder and public input process.

The draft report includes several of these studies as tasks to be completed by work groups on the road to a new authority. But, that is contrary to the logical order. The decision to move to a new authority must be informed by those analyses.

## APPENDIX B: THREE MAJOR UNRESOLVED QUESTIONS ABOUT A REGIONAL AUTHORITY

The draft report offers no clarity about the scope or structure of the authority or even what powers it would have. What is it even recommending? You must define these terms to have a common understanding of what you are evaluating and thus recommending. Moreover, the consultants conflate various structures and contracting types throughout its assessment of the regional authority model, rendering it rather incoherent.

### 1. **Turnkey or wholesale structure: What assets would be involved in the transfer to an authority?**

Task Force members indicated they did not have enough information to evaluate structure at the fifth meeting. This decision greatly impacts the assessment of alternatives, so the consultants should have differentiated this within the alternatives assessment analysis.

- **Turnkey**, as described by the consultants, would involve the entire water and wastewater systems in the city and county, including the treatment plants and distribution and collection systems. In this case, the authority would provide direct service to customers.
- **Wholesale**, as described by the consultants, would involve only the treatment plants and related regional infrastructure. In this case, the authority would provide wholesale, or bulk treatment, service to the City and County, and the City and County would then directly serve customers. In many ways, this structure resembles the wholesale service purchase agreement structure (Model D) that the Task Force already voted against.

The consultants' assessment assumes a turnkey model will be chosen, as most of the evaluation criteria would apply *only* to this model. For example, a wholesale authority would not affect customer billings and collections, which the consultants claim would somehow improve under an authority because "an authority would in order to become financially sound be focused on optimizing the billing and collection processes." That is an unsupported assumption on its own, as are much of the supposed benefits of an authority, but regardless, it clearly demonstrates that the consultants have used the turnkey structure for its assessment of an authority.

However, both case studies of a regional authority in the consultant's draft report have the wholesale structure: the Great Lakes Water Authority in Detroit and Tampa Bay Water are both wholesale providers. It is questionable that the consultants assumed a turnkey for the merit assessment while providing in-depth case studies of wholesale authorities.

### 2. **Contract type: Would the transaction occur as an asset lease or an operations contract, and to what extent could that contracting model be able to transfer rate-setting authority, budgetary control, and liabilities and risks to the new authority?**

The consultant's analysis assumes the authority will take over the assets through an asset lease in its assessment of alternatives, but at least one Task Force member had assumed the transaction

would not move the assets off of the City’s books and involve more of an operations or management contract. The difference in contract type substantially changes the analysis of alternatives.

- **An asset lease**, such as in the Detroit case study, or **concession deal**, would move the assets off of the books of the City and County and would allow the new authority to be directly responsible for rate-setting, budgeting, and financing. It generally would entail a greater degree of transfer of both control and risks than an operations contract.

An asset lease would grant the new authority almost full control of the assets, as assumed in the consultant’s assessment of alternatives, but it also undermines the promise that the city would retain ownership of its water and wastewater assets. For all practical purposes, this is considered an acquisition over the term of the lease and the assets would move to the authority’s balance sheet. The authority would need to compensate both the city and county for the loss of their assets.

- **A management or operations contract** would outsource the management and operations to a new joint managing authority. The City and County would retain budgeting and financing responsibilities for their respective assets. The joint managing authority would receive payment from the City and County for its services. Liability and risk transfer is limited. The changes in utility structure would be more limited, and this model opens the city and county to greater potential for contracting disputes. While it would not likely pose legal challenges for ratepayer protections established by city ordinance, it would still entail loss of local control and pose serious harm for workers.

**3. Authority type: Will the authority be a governmental entity or an independent private entity, and will that keep the promise to not privatize?**

The Task Force has promised not to privatize the system, but according to the draft report, a lease to a regional authority would require overturning Baltimore City’s water privatization ban, rendering that promise hollow.

Task force members also do not have a common understanding of what privatization even is. At least one Task Force member has proposed a lease to a private nonprofit entity claiming it would not be privatization, while another member rightly called that out as privatization.

**A lease to a nongovernmental entity would be privatization.**

In its consensus study report on [Water Privatization in the United States](#), the National Research Council provides the following widely accepted definition:

The term “privatization” covers a wide spectrum of water utility operations, management, and ownership arrangements. The four major classes of privatization options can be characterized as (1) private provision of various services and supplies such as laboratory work, meter reading, and supplying chemicals; (2) private contracting for

water utility plant operation and maintenance (both 1 and 2 are often referred to as “outsourcing”); (3) negotiating a contract with a private firm for the design, construction, and operation of new facilities (this option is referred to as design, build, and operate, or DBO); and (4) outright sale of water utility assets to a private company.

A lease or management contract with a nonprofit private entity would clearly fall under that definition of privatization.

**The state constitution appears to forbid the city and county from creating a new governmental water authority that crosses local jurisdictional boundaries.**

If transaction involves a lease to governmental authority, how would that governmental authority be created under law? There is no existing state law that authorizes the City and County to create a new water authority, and the state constitution indicates that they do not have the power to pass laws that apply outside their local jurisdictions.

**MD Constitution Art. XI-A, with relevant excerpts below:**

Section 3: “From and after the adoption of a charter by the City of Baltimore, or any County of this State, as hereinbefore provided, the Mayor of Baltimore and City Council of the City of Baltimore or the County Council of said County, subject to the Constitution and Public General Laws of this State, **shall have full power to enact local laws of said City or County...**”

Section 4. “**Any law so drawn as to apply to two or more of the geographical sub-divisions of this State shall not be deemed a Local Law, within the meaning of this Act.** The term "geographical sub-division" herein used shall be taken to mean the City of Baltimore or any of the Counties of this State.”

As an example, in 2000, the City created the Baltimore Parking Authority, Inc., a quasi-public non-profit corporation, to manage city-owned parking assets. The Park Authority operates within city limits and receives an annual grant from the city to cover its operations, while the city issues bonds to finance projects. The parking authority owns no real property, and all parking assets remain on the city’s balance sheets. The Board of Estimates must approve its budget. The Baltimore Parking Authority was established by City Ordinance ([00-71](#)) as authorized by state law (State Parking Authorities Act, Article 41, Title 14, Subtitle 3 of the Maryland Code).

## APPENDIX C: CASE STUDIES

**DETROIT AND GREAT LAKES WATER AUTHORITY  
MASS WATER SHUTOFFS**

**Service population:** 3.9 million, or 38% of Michigan's population

- Suburban wholesale customers = 82%
- Detroit retail customers = 18%

**Transaction costs:** more than \$1.3 billion

- \$5.7M one-time employee termination buyouts
- \$344M pension contributions (\$43M a year for 8 years)
- \$975M lease payments (NPV of \$50M a year for 40 years)
- \$2M in training, bills, finance, bank fees and additional transition costs

**Key outcomes:**

- **Mass shutoffs:** [More than 140,000 Detroit households](#) were shut off from water service for unaffordable bills from 2014 to 2020, disproportionately harming Black city residents and bringing international [condemnation from the United Nations](#).
- **Employee retention:** 87% (i.e., the water and sewer system lost 13% of its workforce)
- **Racial Inequity:** Substantial research demonstrates how the lease of Detroit's utility system to GLWA deepened regional water and sewer insecurity and racial inequities.
- **Inequitable compensation:** Detroit was not compensated equitably for loss of the asset and should have received [\\$5.4 billion](#).
- **Cost inequity:** City customers pay higher water and sewer rates because suburban users are charged wholesale rates, while city users pay retail rates. In addition, Detroit customers must pay 83 percent of improvement costs to the regional sewer system, even though only 30 percent of sewer lines are within the city.

**Process:** In 2014, an emergency manager appointed by former Gov. Rick Snyder sent Detroit into bankruptcy and used those proceedings to bypass the City Charter to lease its regional water and sewer systems without required voter approval. That year, an MOU was signed with a newly created Great Lakes Water Authority (GLWA), and GLWA took control of the regional assets in 2016. The process disenfranchised Detroit residents and left the city's majority Black population out of key decision making about the future of their water system.

**Transaction Type:** 40-Year Lease but effectively an acquisition: "In acquiring the Leased Facilities, GLWA also acquired, and the City absolutely and irrevocably assigned, transferred and conveyed to GLWA, and GLWA purchased and acquired from the City, all of the City's right, title and interest in the regional and local retail revenues of each of the Water System and the Sewer System in existence on the Effective Date and through the end of the term of the Leases."

## TAMPA BAY WATER HOW AUTHORITIES CAN PRIVATIZE

**Service population:** 2.5 million

**Type:** Bulk water provider

**Transaction Type:** Sale of assets from West Coast Regional Water Supply Authority to Tampa Bay Water, another type of regional water authority, to provide bulk water to member jurisdictions. Tampa Water Department and other bulk buyers provide retail service to their residents

### **Current privatization deals include:**

- **Surface water treatment plant**

Company: Veolia

Type: Design, build, operate, maintain, and manage agreement

Date: 2000

- **Desalination plant**

Company: American Water-Pridesa LLC

Type: 20-year operation, maintenance, and management agreement

Date: 2004

### **A Cautionary Privatization Tale in Tampa Bay, Fla.**

In 1999, Tampa Bay Water gave a conglomerate of Poseidon Water Resources and Stone & Webster a 30-year contract to build, own, and manage what was to be the largest desalination plant in the United States at the time.

**Bankrupt contractors:** Within a year, the engineering firm declared bankruptcy and dropped out of the project. In 2001, Poseidon Resources hired Covanta to finish the job, but a year later, Covanta too was in bankruptcy reorganization.

**Public ownership:** In 2002, Tampa Bay Water bought the partially finished plant for nearly \$9 million. While the takeover saved millions on financing, it failed to resolve the problems with the privately run project. In 2005, after the plant was shut down for repeated equipment failures, Tampa Bay Water hired American Water-Pridesa to fix the plant and experienced more delays.

**Cost overruns:** In 1999, Tampa Bay Water projected that the plant would be built in three years for up to \$110 million. In 2007, years later, the plant finally opened at a much higher cost of \$158 million — nearly 44 percent more than promised.

**Rate hikes:** Ratepayers were on the hook for higher costs. The desalinated water rates ballooned from a promised \$1.71 per 1,000 gallons to \$3.19 per 1,000 gallons by 2007, when the plant began operations. That's an 87 percent increase.

## APPENDIX D: RECOMMENDATIONS OF THE BALTIMORE RIGHT TO WATER COALITION

### **Model: C - Intermunicipal Agreements with Substantive Reforms**

#### **Suggested Reforms:**

- 1. Rework the cost allocations based on racial and economic equity analyses and updated costing models, including equitable allocations of the costs to accommodate new growth in the County.**
- 2. Formalize intergovernmental coordination by establishing a City-County Water Committee**

#### **Purpose**

As authorized by state law (Md. Code, Local Gov't § 24-102), this City-County Water Committee should:

- Facilitate and review intermunicipal agreements;
- Arbitrate disputes between parties;
- Review and make recommendations for all capital improvement plans and timelines;
- Propose updates to water and sewer rates;
- Provide for financial oversight for the operations of regional facilities and compliance with the costing model;
- Provide oversight for compliance with consent decrees and all relevant federal, state and local laws for water quality and workforce safety;
- Review contractors' compliance for capital improvements and other projects; and
- Improve transparency in rate setting, cost allocations, improvement programs, workplace safety, etc.

#### **Powers**

The intermunicipal agreements should be structured to provide for:

- Proper funding for the intergovernmental committee through a determined cost allocation method;
- Summoning powers of the Committee to compel participation of the City and County public works and related officials;
- Requirements for transparency to ensure the collection and disclosure of information necessary for the functions of the committee;
- Requirements for a mutually agreeable third party to conduct periodic cost-of-service studies and other necessary reviews to inform the committee;
- All business conducted in accordance with the Open Meetings Act, Title 3 of the General Provisions Article in State Code;
- Public disclosure requirements and public participation opportunities during committee meetings;
- Accountability measures to ensure City and County compliance with committee data and information requests;

- Provisions to compel the City and County to act on the recommendations of the committee except for recommendations that would:
  - conflict with bond covenants, consent decrees, collective bargaining contracts, or other legal obligations,
  - lead to loss of ratepayer and worker protections, including the provisions of the Water Accountability and Equity Act and the sewage backup assistance programs, or
  - lead to the privatization of the utility distribution, collection or treatment systems through any sale, lease, operations contract, management contract or similar outsourcing arrangement.

### **Membership Structure**

- Baltimore City should hold a majority of the seats

### **Other Recommendations**

The State of Maryland should:

- Evaluate equity in distribution of State Revolving Fund dollars, including get more funding to disadvantaged communities;
- Redress past inequities in allocations to Baltimore City; and
- Work with labor unions to create job pathways and opportunities for local residents to fill staffing shortfalls.

The Maryland General Assembly should:

- Pass Sen. McCray's legislation to provide grants to support wastewater treatment plant operations; and
- Pass legislation that makes it easier for disadvantaged communities to get funding for water and wastewater services.

**Shell, Brian C.**

---

**From:** Hammed-Owens, Bukola (DPW) <Bukola.Hammed-Owens@baltimorecity.gov> on behalf of Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Monday, January 8, 2024 1:25 PM  
**To:** Gail Evans; watergovernance@baltimorecountymd.gov  
**Subject:** RE: Reject regional water authority, protect local control

Dear stakeholder:

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all Taks Force members for consideration.

Sincerely,  
Baltimore Regional Water Governance Taskforce

---

**From:** gailebig40=yahoo.com@mg.gospringboard.io <gailebig40=yahoo.com@mg.gospringboard.io> **On Behalf Of** Gail Evans  
**Sent:** Friday, January 5, 2024 1:09 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because

it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Gail Evans  
1804 Charmuth Garth  
Timonium MD, 21093-5207

## Rahman, Mohammed (DPW)

---

**From:** gmn1953@yahoo.com@mg.gospringboard.io on behalf of Gary Nelson <gmn1953@yahoo.com>  
**Sent:** Friday, January 5, 2024 10:07 AM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Gary Nelson  
1636 gwynns falls parkway  
balt MD, 21217-2044

**Shell, Brian C.**

---

**From:** Hammed-Owens, Bukola (DPW) <Bukola.Hammed-Owens@baltimorecity.gov> on behalf of Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Monday, January 8, 2024 1:33 PM  
**To:** Helene Guillemard  
**Cc:** watergovernance@baltimorecountymd.gov  
**Subject:** RE: Reject regional water authority, protect local control

Dear stakeholder:

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all Task Force members for consideration.

Sincerely,  
Baltimore Regional Water Governance Taskforce

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**From:** fasting4impeachment2019@gmail.com@mg.gospringboard.io  
<fasting4impeachment2019@gmail.com@mg.gospringboard.io> **On Behalf Of** Helene Guillemard  
**Sent:** Friday, January 5, 2024 7:00 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

Please reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system.

Instead, please rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households. Baltimore residents should not bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

**WE WILL NOT GO BACKWARDS:** we will not tolerate the worsening of racial and social inequality.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Helene Guillemard  
3400 N. Charles Street  
Baltimore MD, 21218-2608

## Michael Swygert

---

**From:** Jaime Lee <jlee@ubalt.edu>  
**Sent:** Friday, January 5, 2024 1:12 PM  
**To:** Water Governance; WaterGovernance@BaltimoreCity.gov  
**Cc:** WBH@baltimorecity.gov; cory.mccray@senate.state.md.us;  
Kishia.Powell@wsscwater.com; dana.stein@house.state.md.us  
**Subject:** Comment to the Draft Regional Water Governance Task Force Report

**CAUTION:** This message from jlee@ubalt.edu originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

**I respectfully urge the Task Force to oppose the push towards a regional authority, and to redirect the focus to the urgent work of improving DPW's services and intermunicipal agreement.** My name is Jaime Alison Lee and I am a Professor of Law at the University of Baltimore and a member of the Baltimore Right to Water Coalition.

Broken systems can only be fixed through thoughtful, concrete, long-range plans and actions. I offer a case in point: two major improvements now in progress at DPW were begun years ago and today are showing meaningful progress.

The Water For All program now offers affordable water rates to low-income Baltimoreans, and the Office of the Water Customer Advocate has begun to address customer disputes and to help develop fairer, more efficient procedures. Both are attracting national attention for their innovative approaches to solving common water access challenges. But positive, lasting improvements to organizational systems cannot be made when the organization itself is threatened with restructuring.

The Task Force raised many serious questions about the concept of a regional authority that were not answered by the consultants. These include significant legal, financial, legislative, and political challenges, as well as putting DPW's workforce at risk. The public's limited time and resources could be spent trying to overcome these many hurdles - despite no evidence that improved services would actually result, even after waiting the years needed to set up a new structure. Or, that energy could be put towards immediately improving DPW's services themselves, in concrete, measurable ways. I respectfully recommend the latter. DPW's customers deserve real solutions, now.

Thank you.

Jaime Alison Lee  
Professor of Law; Director, Community Development Clinic; Associate Dean for Experiential Education  
University of Baltimore School of Law / (410) 837-5390 / [jlee@ubalt.edu](mailto:jlee@ubalt.edu)  
Mail: [1420 North Charles St., Baltimore, MD 21201](#) / Street: [1401 North Charles St., Baltimore, MD 21201](#)  
View my research: [http://papers.ssrn.com/sol3/cf\\_dev/AbsByAuth.cfm?per\\_id=1422159](http://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=1422159)

## Rahman, Mohammed (DPW)

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**From:** klmm2021@gmail.com@mg.gospringboard.io on behalf of Kalliopie Lewellyn-Moon <klmm2021@gmail.com>  
**Sent:** Friday, January 5, 2024 8:15 AM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

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I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Kalliopie Lewellyn-Moon  
1515 Alconbury Rd.  
Essex MD, 21221-4003

**Shell, Brian C.**

---

**From:** Hammed-Owens, Bukola (DPW) <Bukola.Hammed-Owens@baltimorecity.gov> on behalf of Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Monday, January 8, 2024 1:26 PM  
**To:** Linda Indyke; watergovernance@baltimorecountymd.gov  
**Subject:** RE: Reject regional water authority, protect local control

Dear stakeholder:

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all Taks Force members for consideration.

Sincerely,  
Baltimore Regional Water Governance Taskforce

---

**From:** lmi3620221=msn.com@mg.gospringboard.io <lmi3620221=msn.com@mg.gospringboard.io> **On Behalf Of** Linda Indyke  
**Sent:** Friday, January 5, 2024 3:33 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Linda Indyke  
13801 York Rd. #E7  
Cockeysville MD, 21030-1837

## Rahman, Mohammed (DPW)

---

**From:** paul.d1b0s@gmail.com@mg.gospringboard.io on behalf of Paul Dibos  
<paul.d1b0s@gmail.com>  
**Sent:** Friday, January 5, 2024 3:00 AM  
**To:** Baltimore Regional Water Governance Task Force  
**Subject:** Reject regional water authority, protect local control

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I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Paul Dibos  
2813 Saint Paul St.  
Baltimore MD, 21218-4312

**Shell, Brian C.**

---

**From:** Hammed-Owens, Bukola (DPW) <Bukola.Hammed-Owens@baltimorecity.gov> on behalf of Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Monday, January 8, 2024 1:40 PM  
**To:** Aaeron Robb; Baltimore Regional Water Governance Task Force  
**Cc:** watergovernance@baltimorecountymd.gov  
**Subject:** RE: Reject regional water authority, protect local control

Dear stakeholder:

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all Task Force members for consideration.

Sincerely,  
Baltimore Regional Water Governance Taskforce

---

**From:** antigonemydear@gmail.com@mg.gospringboard.io <antigonemydear@gmail.com@mg.gospringboard.io> **On Behalf Of** Aaeron Robb  
**Sent:** Saturday, January 6, 2024 1:42 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Aaeron Robb  
6130 Chinquapin Parkway  
Baltimore MD, 21239-1905

**Shell, Brian C.**

---

**From:** Hammed-Owens, Bukola (DPW) <Bukola.Hammed-Owens@baltimorecity.gov> on behalf of Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Monday, January 8, 2024 1:35 PM  
**To:** Andrew Wolfe  
**Cc:** watergovernance@baltimorecountymd.gov  
**Subject:** RE: Reject regional water authority, protect local control

Dear stakeholder:

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all Task Force members for consideration.

Sincerely,  
Baltimore Regional Water Governance Taskforce

---

**From:** wolfeama@gmail.com@mg.gospringboard.io <wolfeama@gmail.com@mg.gospringboard.io> **On Behalf Of** Andrew Wolfe  
**Sent:** Saturday, January 6, 2024 8:22 AM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

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I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Andrew Wolfe  
4 Longwood Road  
Baltimore MD, 21210-2118

## Shell, Brian C.

---

**From:** Hammed-Owens, Bukola (DPW) <Bukola.Hammed-Owens@baltimorecity.gov> on behalf of Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Monday, January 8, 2024 1:41 PM  
**To:** Bridgette Eaton; Baltimore Regional Water Governance Task Force  
**Cc:** watergovernance@baltimorecountymd.gov  
**Subject:** RE: Reject regional water authority, protect local control

Dear stakeholder:

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all Task Force members for consideration.

Sincerely,  
Baltimore Regional Water Governance Taskforce

---

**From:** ladybridgette26@gmail.com@mg.gospringboard.io <ladybridgette26@gmail.com@mg.gospringboard.io> **On Behalf Of** Bridgette Eaton  
**Sent:** Saturday, January 6, 2024 5:38 PM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Bridgette Eaton  
6616 Bonnie Ridge Drive  
Baltimore MD, 21209-1938

**Shell, Brian C.**

---

**From:** Hammed-Owens, Bukola (DPW) <Bukola.Hammed-Owens@baltimorecity.gov> on behalf of Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Monday, January 8, 2024 1:39 PM  
**To:** Dave Bucklin  
**Cc:** watergovernance@baltimorecountymd.gov  
**Subject:** RE: Reject regional water authority, protect local control

Dear stakeholder:

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all Task Force members for consideration.

Sincerely,  
Baltimore Regional Water Governance Taskforce

---

**From:** alisonlorek@hotmail.com@mg.gospringboard.io <alisonlorek@hotmail.com@mg.gospringboard.io> **On Behalf Of** Dave Bucklin  
**Sent:** Saturday, January 6, 2024 9:48 AM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Dave Bucklin  
613 S Streeper St  
Baltimore MD, 21224-3831

**Shell, Brian C.**

---

**From:** Hammed-Owens, Bukola (DPW) <Bukola.Hammed-Owens@baltimorecity.gov> on behalf of Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Sent:** Monday, January 8, 2024 1:42 PM  
**To:** Andrew Hinz; Baltimore Regional Water Governance Task Force  
**Cc:** watergovernance@baltimorecountymd.gov  
**Subject:** RE: Reject regional water authority, protect local control

Dear stakeholder:

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all Task Force members for consideration.

Sincerely,  
Baltimore Regional Water Governance Taskforce

---

**From:** ahinz61=outlook.com@mg.gospringboard.io <ahinz61=outlook.com@mg.gospringboard.io> **On Behalf Of** Andrew Hinz  
**Sent:** Sunday, January 7, 2024 8:52 AM  
**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>  
**Subject:** Reject regional water authority, protect local control

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I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Andrew Hinz  
1427 Park Avenue  
Baltimore MD, 21217-4231



**District Council No. 51**  
**4700 Boston Way**  
**Lanham, MD 20706**  
**(301) 918-0182**  
**(301) 918-3177 Fax**

## ONE VOICE

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 Metal Polishers  
 Metalizers  
 Bridge Painters  
 Riggers  
 Tank Painters  
 Marine Painters  
 Containment Workers  
 Lead Abatement Workers  
 Sand Blasters  
 Water Blasters  
 Sign Painters  
 Paint Makers

## ONE AGENDA

Affiliated Local Unions  
 Local Union 1  
 Local Union 368  
 Local Union 474  
 Local Union 890  
 Local Union 963  
 Local Union 1100  
 Local Union 1846  
 Local Union 1937

Over 100 Years Serving  
 Maryland  
 Virginia  
 Washington, DC



# INTERNATIONAL UNION OF PAINTERS AND ALLIED TRADES, AFL-CIO DISTRICT COUNCIL NO. 51

Brian Courtien  
 Business Manager/Secretary Treasurer  
 IUPAT District Council #51  
 518 S. Broadway  
 Baltimore, Maryland 21231  
[bcourtien@dc51.com](mailto:bcourtien@dc51.com)  
 301-440-8371

January 8, 2024

To: Baltimore Water Taskforce

Subject: Request for Implementation of Responsible Contractor Language & Apprenticeship Utilization Language

Dear Members of the Baltimore Water Taskforce, I hope this letter finds you well. I am writing on behalf of the International Union of Painters & Allied Trades, it's over 1200 members, and our signatory employers for the consideration to implement responsible contractor language & apprenticeship utilization language, in the Baltimore region's water and wastewater utilities water projects.

As a concerned citizen and advocate for fair labor practices, I believe that these measures are crucial for ensuring the well-being of workers, success of the projects, and help ensure residents efficiently, equitably and sustainably receive high-quality services. Responsible contractor language is essential to promote fair competition and ensure that contractors meet certain standards in terms of labor practices, safety protocols, and environmental sustainability. By including responsible contractor language in the project contracts, you can ensure that contractors prioritize the welfare of their workers and adhere to ethical business practices. This will not only benefit the workers but also contribute to the overall success and reputation of the Baltimore region water infrastructure.

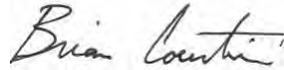
Additionally, I strongly urge the inclusion of apprenticeship utilization language in all Baltimore region water infrastructure projects. Apprenticeships provide valuable training and employment opportunities for individuals looking to enter the construction industry. By requiring contractors to utilize apprentices, you can help address the skills gap in the workforce, promote the development of a highly skilled and diverse workforce, and provide career pathways to the residents within our communities. This will not only benefit the individuals participating in apprenticeships but also contribute to the long-term growth and sustainability of the construction industry in the Baltimore region.

I understand that implementing these measures may require additional resources and coordination. However, I firmly believe that the long-term benefits outweigh the initial challenges. By prioritizing responsible contractor language & apprenticeship utilization language you can create a positive and sustainable environment for the workers and ensure the success of the Baltimore region water infrastructure.

Thank you for considering our request. I am confident that by implementing these measures, you will not only improve the working conditions for the workers but also enhance the overall quality and efficiency of the projects. I am available for further discussion or to provide any additional information that may be required.

Enclosed please find sample language for your consideration.

Sincerely and fraternally,

A handwritten signature in cursive script that reads "Brian Courtien".

Brian Courtien  
IUPAT DC 51  
Business Manager/Secretary Treasurer

# Sample Language:

Framework of language is from the Engineers Joint Contract Documents Committee (EJCDC).

## QUALIFICATIONS OF BIDDERS

1. To demonstrate Bidder's qualifications to perform the Work, after submitting its Bid and within [number] days of Owner's request, Bidder must submit the following information:
  - 1.1. Written evidence establishing its qualifications such as financial data, previous experience, and present commitments.
  - 1.2. A written statement that Bidder is authorized to do business in the state where the Project is located, or a written certification that Bidder will obtain such authority prior to the Effective Date of the Contract.
  - 1.3. Bidder's state or other contractor license number, if applicable.
  - 1.4. Subcontractor and Supplier qualification information.
  - 1.5. Other required information regarding qualifications.
  
2. Bidder is to submit the following information with its Bid to demonstrate Bidder's qualifications to perform the Work:
  - 2.1. Written evidence establishing its qualifications such as financial data, previous experience, and present commitments.
  - 2.2. A written statement that Bidder is authorized to do business in the state where the Project is located, or a written certification that Bidder will obtain such authority prior to the Effective Date of the Contract.
  - 2.3. Bidder's state or other contractor license number, if applicable.
  - 2.4. Subcontractor and Supplier qualification information.
    - 2.4.1. Any contractors or subcontractors completing construction work that includes surface preparation involving abrasive blasting and or power tool cleaning, the coating of any substrate on such project must be required to have at least 25% of the workforce on site who has completed a certification in corrosion prevention through the SSPC Coating Application Specialist Certification (CAS) or AMPP Coating Application Specialist Certification (CAS). The 25% of the certified workforce must hold a valid CAS Full Status Certification at the time any work is to begin on site and must not be expired.
  - 2.5. Other required information regarding qualifications.
    - 2.5.1. Any contractors or subcontractors shall have a registered apprenticeship program with the Maryland Apprenticeship Training Program, Division of Workforce Development and Adult Learning.
      - 2.5.1.1. A contractor or subcontractor engaged in public work is not required to use an apprentice in a craft or type of work performed in a jurisdiction recognized by the State Apprenticeship Council as not having apprentices in that craft or type of work.
    - 2.5.2. Contractor agrees to employ registered apprentices for a minimum of 20% of the total labor hours worked on site. These apprentices

shall be registered with Maryland Apprenticeship Training Program, Division of Workforce Development and Adult Learning and shall be actively participating in a recognized apprenticeship program.

2.5.3. The Contractor shall provide evidence of the apprentices' registration and regular progress in their apprenticeship programs upon request by (Water Authority/Owner/Agency). Failure to meet the specified apprenticeship requirement may result in penalties or other consequences as outlined in the contract. Contractors or subcontractors shall

3. A Bidder's failure to submit required qualification information within the times indicated may disqualify Bidder from receiving an award of the Contract.
4. No requirement in the above section is to submit information that will prejudice the right of Owner to seek additional pertinent information regarding Bidder's qualifications.

#### **EVALUATION OF BIDS AND AWARD OF CONTRACT (EJCDC)**

1. Owner reserves the right to reject any or all Bids, including without limitation, nonconforming, nonresponsive, unbalanced, or conditional Bids. Owner also reserves the right to waive all minor Bid informalities not involving price, time, or changes in the Work.
2. Owner will reject the Bid of any Bidder that the Owner finds, after reasonable inquiry and evaluation, to not be responsible.
3. If Bidder purports to add terms or conditions to its Bid, takes exception to any provision of the Bidding Documents, or attempts to alter the contents of the Contract Documents for purposes of the Bid, whether in the Bid itself or in a separate communication to Owner or Engineer, then Owner will reject the Bid as nonresponsive.
4. Owner awards the contract for the Work, such award will be to the responsible Bidder submitting the lowest responsive Bid.
5. Evaluation of Bids
  - 5.1. In evaluating Bids, Owner will consider whether the Bids comply with the prescribed requirements, and such alternates, unit prices, and other data, as may be requested in the Bid Form or prior to the Notice of Award.
  - 5.2. In the comparison of Bids, alternates will be applied in the same order of priority as listed in the Bid Form. To determine the Bid prices for purposes of comparison, Owner will announce to all bidders a "Base Bid plus alternates" budget after receiving all Bids, but prior to opening them. For comparison purposes alternates will be accepted, following the order of priority established in the Bid Form, until doing so would cause the budget to be exceeded. After determination of the Successful Bidder based on this comparative process and on the responsiveness, responsibility, and other factors set forth in these Instructions, the award may be made to said Successful Bidder on its base Bid and any combination of its additive alternate Bids for which Owner determines funds will be available at the time of award.
  - 5.3. For determination of the apparent low Bidder(s) when sectional bids are submitted, Bids will be compared on the basis of the aggregate of the Bids

- for separate sections and the Bids for combined sections that result in the lowest total amount for all of the Work.
- 5.4. For the determination of the apparent low Bidder when unit price bids are submitted, Bids will be compared on the basis of the total of the products of the estimated quantity of each item and unit price Bid for that item, together with any lump sum items.
  - 5.5. For the determination of the apparent low Bidder when cost-plus-fee bids are submitted, Bids will be compared on the basis of the Guaranteed Maximum Price set forth by Bidder on the Bid Form.
  6. In evaluating whether a Bidder is responsible, Owner will consider the qualifications of the Bidder and may consider the qualifications and experience of Subcontractors and Suppliers proposed for those portions of the Work for which the identity of Subcontractors and Suppliers must be submitted as provided in the Bidding Documents.
  7. Owner may conduct such investigations as Owner deems necessary to establish the responsibility, qualifications, and financial ability of Bidders and any proposed Subcontractors or Supplier
  8. The contract will be awarded to the lowest responsive and responsible Bidder as determined at the discretion of the Owner. The following procedures shall be followed by the Owner to implement the award:
    - 8.1. If two Bidders submit the same bid amount, the Owner reserves the right to select one Bidder by flip of a coin, which shall be conducted in the presence of both Bidders and shall be final.
    - 8.2. Bidder for a contract shall be considered responsive if the Bidders bid responds to the Contract Documents in all material respects and contains no irregularities or deviations from the Contract Documents which would affect the amount of the bid or otherwise give the Bidder a competitive advantage.
    - 8.3. The bid shall be rejected as non-responsive if the Bond provided is executed by a Surety that is not licensed in the State of the Project. In determining whether a Bidder is responsible, factors to be considered include, without limitation:
      - 8.3.1. The experience of the Bidder;
      - 8.3.2. The financial condition of the Bidder;
      - 8.3.3. The conduct and performance of the Bidder on previous contracts, which shall include, without limitation compliance with the DBE requirements and prevailing wage laws;
      - 8.3.4. The facilities of the Bidder;
      - 8.3.5. The management skills of the Bidder;
      - 8.3.6. The ability of the Bidder to execute the contract properly;
      - 8.3.7. The dollar amount of the bidder's bid.
      - 8.3.8. The work, supplies, and material covered by the bidder's bid.
      - 8.3.9. Whether the bidder workforce is drawn mainly from area residents.
      - 8.3.10. The number of years the bidder has been actively engaged as a contractor in the construction industry.
      - 8.3.11. The bidder's familiarity and experience with constructing the public improvement for which a bid has been submitted.
      - 8.3.12. The bidder's recent experience record in the construction industry, including the original contract price for each construction job undertaken by the bidder, the amount of any change orders or cost overruns on each job and the reason for the change orders or cost overruns.
      - 8.3.13. The bidder's record for complying with and meeting completion deadlines on construction projects.

- 8.3.14. The bidder's ability to secure an acceptable performance bond.
  - 8.3.15. Whether any claims have been made against performance bonds secured by the bidder on other construction projects.
  - 8.3.16. The bidder's compliance record with unemployment and workers' compensation laws.
  - 8.3.17. The bidder's compliance record with the Fair Labor Standards Act.
  - 8.3.18. The bidder's compliance record with federal and state wage and hour laws.
  - 8.3.19. The bidder's registration with a state accredited apprenticeship program.
- 8.4. The Owner shall obtain from the lowest responsive Bidder any information the Owner deems appropriate to the consideration of factors showing responsibility. If the lowest responsive Bidder is responsible, the contract shall be awarded to such Bidder unless all bids are rejected.
- 8.5. If the lowest responsive Bidder is not responsible, and all bids are not rejected, the Owner shall follow the procedure set forth in the above paragraph (8), with each next lowest responsive Bidder until the contract is awarded, all bids are rejected or all responsive Bidders are determined to be not responsible.

**From:** [Hammed-Owens, Bukola \(DPW\)](#)  
**To:** [Shell, Brian C.](#)  
**Cc:** [Water Governance](#)  
**Subject:** Fw: Reject regional water authority, protect local control  
**Date:** Thursday, January 11, 2024 1:25:32 PM  
**Attachments:** [Outlook-je12rokh.png](#)  
[Outlook-1ylcarcn.png](#)

---

FYA

In faithful service,

BR~



Brandon M. Scott  
Mayor



Richard J. Luna  
Interim Director

Bukola Rashedat (B.R.) Hammed-Owens  
Senior Advisor, Office of Special Projects  
Direct: 443-986-0273  
Department of Public Works  
200 Holliday Street, 5<sup>th</sup> Floor  
Baltimore, MD 21202

*"To be a strong proponent and protector of our environment and the health and vitality of our communities" – DPW Vision Statement*

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---

**From:** Hammed-Owens, Bukola (DPW) on behalf of Baltimore Regional Water Governance Task Force

**Sent:** Thursday, January 11, 2024 1:23 PM

**To:** Jacqueline Macmillan <jackie.macmillan2@gmail.com>; Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>

**Subject:** RE: Reject regional water authority, protect local control

Dear stakeholder:

Thank you for contacting the Baltimore Regional Water Governance Taskforce. We will make sure this email is circulated to all Task Force members for consideration.

Sincerely,  
Baltimore Regional Water Governance Taskforce

---

**From:** jackie.macmillan2@gmail.com@mg.gospringboard.io

<jackie.macmillan2@gmail.com@mg.gospringboard.io> **On Behalf Of** Jacqueline Macmillan

**Sent:** Wednesday, January 10, 2024 3:14 PM

**To:** Baltimore Regional Water Governance Task Force <WaterGovernance@baltimorecity.gov>

**Subject:** Reject regional water authority, protect local control

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Dear Baltimore Regional Water Governance Task Force,

I urge you to reject the recommendation to create a regional water authority, which would strip away local control of our water and sewer system, and instead to rework intermunicipal agreements based on racial and economic equity analyses to ensure safe, clean, and affordable water and wastewater services in the region.

By pushing for the formation of a regional authority, you put Baltimore residents at risk of losing hard-won protections such as the water affordability program and ban on water shut-offs for vulnerable households.. Baltimore residents should not be bear the cost of transitioning to an authority that strips them of democratic control over a vital resource.

The cost of establishing an authority could be \$1.7 billion to \$2.5 billion to refinance existing debt, transition the workforce and pensions, and compensate the city for loss of its largest asset. This would be recovered through water rate hikes on Baltimoreans. Baltimore already has an affordability crisis with a disproportionate and detrimental impact on the City's Black neighborhoods.

What's more, creating a regional authority would also open the door to water privatization because it requires overturning the ban on water privatization in the Baltimore City Charter.

When Detroit transitioned to a state-imposed regional authority, water shut offs caused hundreds of thousands of residents to lose access to their water. Without conducting proper racial and economic equity studies, Baltimore residents who benefit from these protections could meet the same fate.

I urge you to reject a regional authority and instead recommend reworking the intermunicipal agreements to protect Baltimore's water.

Sincerely,

Jacqueline Macmillan  
3811 Canterbury Road  
Baltimore MD, 21218-2340

January 12, 2024

Honorable Bill Henry, Chair  
Baltimore Regional Water Governance Task Force

[WaterGovernance@BaltimoreCity.gov](mailto:WaterGovernance@BaltimoreCity.gov)

[Baltimore Regional Water Governance Task Force - Baltimore County \(baltimorecountymd.gov\)](https://www.baltimorecountymd.gov)

Dear Chairperson Henry and Members of the Task Force:

Thank you for the opportunity to comment on the draft recommendations circulated to Task Force members prior to the last meeting. I believe these recommendations are a definite improvement on those drafted by the consultants. I generally agree with the proposal to recommend a variation on Option C and the stated reasoning. I write to address four salient points where I think the recommendations could be further improved or strengthened.

**1. The Task Force should specifically recommend that the threshold Equity Analysis include an analysis of racial equity centering on the 100 year old relationship between the City and County and the 1924 state water and sewer law, subsequent agreements and customs:** In addition to the lack of an equity analysis to guide the recommendations to the General Assembly, the consultants consideration of equity and the deliberations so far have taken a too narrow view of "equity" focused primarily on the availability of ratepayer relief (i.e. extension of Water4All to Baltimore County residents). While this is a very important operational issue, it is something that can and should be addressed regardless of the governance model chosen. The Task Force recommendations should call for a thorough Equity Analysis that includes the following *before* any substantive recommendations are made:

- The historical context underlying the provisions of state law and the 1972 agreements that bind the City to use its water assets to supply water to the County 'at cost and on demand.'
- A clear conclusion quantifying the extent to City residents pay more for water than County ratepayers and shoulder a heavier burden to maintain the system. The consultants' report starts to dig into this question, but then punts without quantifying the disparity.

**2. The threshold financial and legal analysis should also reexamine the 100 year old state imposed obligation to supply water "at cost and on demand," and assess whether it has imposed revenue and cost constraints that caused the operational problems that prompting creation of the Task Force.**

- The consultants' report fails to consider whether the long term financial viability of the water system has been undermined by a mandate under which the City is required to supply undefined amounts of water on demand to an every increasing population outside the City, at an undefined measure of "cost," and further to maintain repair and modernize the aging infrastructure. Yet despite this mandate, the City has had no say over patterns

of land use that drive demand and service costs, does not decide rates charged customers in the County, and is barred from earning even a reasonable return on its investments and labor.

- The consultants treat 'at cost and on demand' as an immutable given, and never consider whether the City has been set up to fail under these extremely challenging constraints. Instead, their draft report and recommendation skips ahead to what looks a preordained conclusion that a regional governance structure is necessary due to alleged City mismanagement. They assumes without evidence, that the failures can be corrected by shifting control to a regional entity.
- The Task Force should recommend to the General Assembly that after 100 years, the time has come to reexamine the 1924 'at cost and on demand' statutory language as part of the essential due diligence for a decision on governance reforms, and if legally necessary, replaced with authority for the City to earn a reasonable return on its sale of water to Baltimore County and other jurisdictions.

**3. At minimum, the Task Force should recommend an analysis of the 1972 and 1974 cost sharing agreements and whether they are adequate and equitable, and if not, whether they should be re-negotiated.** There are at least several indicators that the cost sharing formula was inequitable from the start, is outdated, and is currently underfunding the system:

- The 1972 and 1974 agreements have not been modified or updated in response to repeated complaints by the City that the share paid by the County has not met even the County's "at cost" obligation.
- To raise revenue, the City finds it necessary to charge City customer more for water than County customers are paying pursuant to rates set by the County.
- Despite this higher burden imposed on City customers, the revenue available seems inadequate to allow DPW to pay competitive wages to maintain staffing levels and retain skilled employees.

**4. To the extent that Option E remains on the table, the Task Force recommendations should make it clear that any legal or operational transfer of control over the City's water assets must provide City taxpayers and rate payers with just compensation.**

- To be clear, the Task Force and General Assembly should honor the City Charter amendment passed by voters. A transfer of control to a regional entity, as well as an outright sale, would disrespect the intent of the voters.
- The draft report discusses Option E at length but addresses neither the legal implications it raises of a de facto taking of the City's property, nor the racial equity issues.
- The Task Force recommendations should clarify that any transfer of assets or control to a regional entity without just compensation should be off the table, legally and morally. Just compensation should reflect the investment of City taxpayers and rate payers in building and maintaining the system and its current fair market value.
- Relatedly, the Task Force recommendations should make clear that any transfer of assets or control potentially requiring the City to incur hundreds of millions of dollars in costs, including costs to refinance debt, is unacceptable.

Thank you in advance for your consideration of these comments.

Sincerely,

Barbara A. Samuels  
960 Fell Street, Apt. 301  
Baltimore, Maryland 21231  
443/695-2657  
bsamuels72@gmail.com

## Shell, Brian C.

---

**From:** Water Governance <watergovernance@baltimorecountymd.gov>  
**Sent:** Thursday, January 18, 2024 12:11 PM  
**To:** Shell, Brian C.  
**Cc:** Sameer Sidh; Lauren Buckler  
**Subject:** FW: Comments on the Draft Task Force Recommendation  
**Attachments:** RWGTF Recommendation Draft-Comments.docx

FYI.

---

**From:** Bob Andryszak <randryszak@rkk.com>  
**Sent:** Thursday, January 18, 2024 11:13 AM  
**To:** Water Governance <watergovernance@baltimorecountymd.gov>  
**Subject:** Comments on the Draft Task Force Recommendation

**CAUTION:** This message from [randryszak@rkk.com](mailto:randryszak@rkk.com) originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Please find my comments on the RWGTF Recommendation Draft attached.

Thank you

---

**ROBERT J. ANDRYSZAK, P.E.**  
Manager, Wastewater



700 East Pratt Street, Suite 500  
Baltimore, MD 21202

410.728.2900 P | 410.462.9206 D | 443.286.5965 C  
[http://secure-web.cisco.com/1uz6bT3QRLRg\\_vbm4-QCV\\_A-EsK39ulEqSDm1xiktE4YJodXqV45GaEoVknRWGvzA336apU9EWCv-FFDWqGxmB9XaKxVXxcoeyFbG6f9NMle\\_B37jPHrCqcYzoSw\\_NCF1Cf5Rk2l-CiHAQRN-y0csVUPQHLDRIrDvhIDJbF9wUnQ-elic2IFQHWvyCMfZBGQhi0SX-ihm94zm34EJMj3Vjdtllog7yP7qslDcOCJUwlts7v6JnTySa-ufFeWTwG6p1p5b9BjcCqCJ6FXeJqPEYrxGwKlzx2urOSKzZ11MHxrqROnMFFe7StKENc\\_7\\_xvTVw\\_bSTjEluJP\\_pgYIY-Gcv\\_-OOBKH-0P-AMPt5Tms92ZPSP5MbhiQQqOkTHOJxlcM0PfNhQa7vIH0UrGtBDdBh3mCGzymFbj61yxyjgWyDAnSEkEI2houujYtcXGRdyStYTrYZTTGf9eC5\\_4mZmmqfLg/http%3A%2F%2Fwww.rkk.com](http://secure-web.cisco.com/1uz6bT3QRLRg_vbm4-QCV_A-EsK39ulEqSDm1xiktE4YJodXqV45GaEoVknRWGvzA336apU9EWCv-FFDWqGxmB9XaKxVXxcoeyFbG6f9NMle_B37jPHrCqcYzoSw_NCF1Cf5Rk2l-CiHAQRN-y0csVUPQHLDRIrDvhIDJbF9wUnQ-elic2IFQHWvyCMfZBGQhi0SX-ihm94zm34EJMj3Vjdtllog7yP7qslDcOCJUwlts7v6JnTySa-ufFeWTwG6p1p5b9BjcCqCJ6FXeJqPEYrxGwKlzx2urOSKzZ11MHxrqROnMFFe7StKENc_7_xvTVw_bSTjEluJP_pgYIY-Gcv_-OOBKH-0P-AMPt5Tms92ZPSP5MbhiQQqOkTHOJxlcM0PfNhQa7vIH0UrGtBDdBh3mCGzymFbj61yxyjgWyDAnSEkEI2houujYtcXGRdyStYTrYZTTGf9eC5_4mZmmqfLg/http%3A%2F%2Fwww.rkk.com)

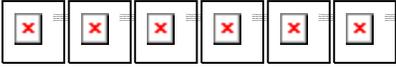
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## Comments on RWGTF Recommendation Draft

By Robert Andryszak, PE<sup>1</sup>

January 17, 2024

1. The Task Force is exercising due diligence and minimizing the risk of unintended consequences by recommending the Phase I - Phase II approach to improve the governance of Baltimore's water system in lieu of adopting the consultant's recommendation to implement Model E. The threshold issues were not sufficiently evaluated, nor resolved, by the consultant in its December 15, 2023 Draft Report.
2. There should be an emphasis on the urgency to implement the Phase I-Short Term recommendations. Also, it may be beneficial to include the Maryland Department of the Environment on the Advisory Committee. To emphasize this urgency and MDE inclusion, it is suggested to modify two sentences in Phase 1 of the RWGTF draft as highlighted below:
  - FIRST PARAGRAPH, SECOND SENTENCE: "The Water (W/WW/SW) Department **should be formed immediately** to allow for a singular focus, and necessary resources, to effectively manage operations, ..."
  - SECOND PARAGRAPH, FIRST SENTENCE: "Next, we recommend **to immediately** establish a "City-County -MDE Water Advisory Committee" to ensure that the current operation...."
3. It is suggested to clarify when the working group would determine the composition of the Authority's Board. It is suggested to change the sentence in the **Phase II – Long Term** recommendations which now reads: "**While the working group may or may not choose to specify the exact composition of the Authority's Board, we recommend....**" It is suggested to change the sentence to read as "After the threshold issues, and all other major issues that may arise, are resolved and the formation of a Water Authority is determined to be in the Baltimore region's best interests, then the working group may or may not choose to specify the exact composition of the Authority's Board...."
4. If the "Baltimore Regional Water Governance Board" is ultimately formed in lieu of Model E, it is essential that the State empower it to function autonomously, to fund it to attract highly qualified members, and to charge it to act in the best interests of the region.

\*\*\*End of Comments\*\*\*

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<sup>1</sup> From 1974 to the present, Bob Andryszak has led the engineering efforts on several significant projects at Back River and Patapsco WWTPs. His comments come from the perspective of having interacted closely with the City's management, engineering, and operations staffs as they addressed the issues associated with the ever-increasing complexity and quantity of equipment and its computerization that are necessary to achieve modern water quality standards.

**Shell, Brian C.**

---

**From:** Water Governance <watergovernance@baltimorecountymd.gov>  
**Sent:** Friday, January 19, 2024 11:17 AM  
**To:** Shell, Brian C.  
**Cc:** Lauren Buckler; Sameer Sidh  
**Subject:** FW: Water Task Force - coalition recommendations  
**Attachments:** Coalition recommendations for task force - 2024-01-19.docx

FYI

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**From:** Mary Grant <mgrant@fwwatch.org>  
**Sent:** Friday, January 19, 2024 10:54 AM  
**To:** WaterGovernance@BaltimoreCity.gov; Water Governance <watergovernance@baltimorecountymd.gov>  
**Cc:** WBH@baltimorecity.gov; McCray, Cory Senator <cory.mccray@senate.state.md.us>; Kishia.Powell@wsscwater.com; dana.stein@house.state.md.us; Jaime Lee <jlee@ubalt.edu>; David Wheaton <dwheaton@naacpldf.org>; cmerkel@mvslaw.org; Todd Reynolds <treynolds@aftmd.org>; Antoinette Ryan-Johnson <cubprezz@cub-aft.org>; Jomar Lloyd <jlloyd@fwwatch.org>; Jorge Aguilar <jaguilar@fwwatch.org>  
**Subject:** Water Task Force - coalition recommendations

**CAUTION:** This message from [mgrant@fwwatch.org](mailto:mgrant@fwwatch.org) originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Good morning,

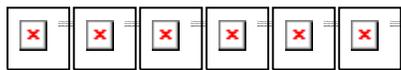
Please find the attached set of alternative recommendations from the Baltimore Right to Water Coalition for your consideration.

Thank you for your time and consideration,

Mary

--  
Mary Grant (she/her)  
Public Water for All Campaign Director  
Food & Water Watch

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# RWGTF Recommendation - Coalition Draft

1) In the short-term, we recommend reworking intermunicipal agreements based on an equity analysis and the creation of a “City-County Water Advisory Committee.”

2) For the long term, the Task Force does not have time to perform the requisite due diligence to recommend a substantial change in governance (an equity study, debt service research, pension & benefits research, stormwater research, etc.) before the report deadline at the end of January. As such, we recommend that additional due diligence be done by a subsequent working group over the course of the next few years, with the results informing the best possible way for us to improve regional coordination and planning of drinking water, wastewater and stormwater planning in the face of climate change. We also recommend that both the City Council and County Council explore the creation of new Water Departments for each respective jurisdiction, separating out water, sewer and stormwater responsibilities from their Departments of Public Utilities.

## **Phase I - Short Term (implementation begins immediately)**

***First, we recommend reworking the intermunicipal agreements.***

Specific operational issues which would also be addressed in the short term include:

Transparency: Perform a cost-of-service study to provide ratepayers with a clear understanding of how their water bills translate to the requirements of operating the system

Equity: Perform a joint equity assessment to evaluate the impact that the existing intermunicipal agreements has on employees, customers, stakeholders, and the environment, and recommend policy and project modifications to promote community well-being

Intermunicipal Agreement Improvements: Document standard annual procedures and milestone deadlines for developing annual cost sharing allocations and prepare a Contract Administration Memorandum to document procedures for use

***Next, we recommend establishing a “City-County Water Advisory Committee” to ensure that the current operation is accountable to all ratepayers of the system.*** Members would be selected by the Mayor of Baltimore City, and confirmed by the City Council, and Baltimore County Executive, and confirmed by the County Council, with the committee’s scope of work including, but not limited to, engagement in long-term planning, drought response, capacity planning, CIP prioritization, customer service & support and water & sewer billing issues. A majority of members and chair of the committee should be appointed by Baltimore City.

## **Phase II - Long Term (2024 through 2026)**

***(A) We recommend the creation of a new work group to explore ways to improve regional water planning in the face of climate change.***

***We recommend that in the upcoming legislative session, the General Assembly should provide financial support for this working group.*** Funding should include the allocation of resources for legal counsel, since neither the City nor County’s law departments can advise such an interjurisdictional entity.

***We recommend that this workgroup explore the creation of a "Baltimore Regional Water Commission."***

As suggested by Task Force Member Summers, this body would be made up of elected officials from the City, Counties and State with the necessary expertise needed to oversee and coordinate regional planning for the water, wastewater and stormwater infrastructure across the region. The system ownership, loans, and employees with the City and Counties should be retained by those respective jurisdictions. The Commission would not oversee day-to-day management and operations of the individual utilities but provide for regional planning on issues of mutual concern.

To be successful, this would require both the City and Counties to agree and commit to submitting water, wastewater and stormwater entities to the oversight of the Commission and making modifications to the way they manage and operate the systems based on the Commission's recommendations and directives. Like a compact commission, the "Baltimore Regional Water Commission" would be granted authority and funding in both State law and local ordinances to hire new staff for the Water Commission to coordinate the planning and oversight of the water, wastewater and stormwater systems. The Commission would establish rules and/or regulations that would be followed by the City and Counties and would help the City/Counties that contribute water from their land area or benefit from the regional infrastructure system. ***While the working group may or may not choose to specify the exact composition of the Commission, we recommend that a simple majority of the Board be chosen by City officials, to respect the City's ownership of the water & wastewater treatment system.***

***We recommend that this new Commission have a particular focus on sustainable water use and stormwater management best practices, given the climate change's two-sided sword of both droughts and extreme rainfall events.*** The consultants found substantially higher water use in Baltimore County than in the City, highlighting the potential to promote sustainable water user practices, particularly as it relates to outdoor uses, as part of drought planning.

The Commission's oversight authority could include addressing drought planning, water conservation and climate resiliency; providing support to expand equity-based programs, such as Water4All affordability program, PromisePay, and the Sewage Backup Reimbursement Program, across the region; and making sure that the jurisdictions' stormwater management programs are protective of water quality in the reservoirs and do not overwhelm the sewage collection system, causing sewage overflows.

The City and Counties would have to follow the directives and mandates of the Commission to the extent that they would not conflict with bond covenants, consent decrees, collective bargaining contracts, or other legal obligations; lead to loss of ratepayer and worker protections, including the provisions of the Water Accountability and Equity Act and the sewage backup assistance programs; or lead to the privatization of the utility distribution, collection or treatment systems through any sale, lease, operations contract, management contract or similar outsourcing arrangement.

***(B) We recommend future consideration by Baltimore City Council and City voters, as proposed by Task Force Member Powell, returning<sup>1</sup> the existing Water & Wastewater bureau to a standalone Water (W/WW/SW) Department.***

This would allow for a singular focus, and necessary resources, to effectively manage operations, maintenance, capital investment and service delivery for the existing regional water and wastewater utility responsible for both retail and wholesale services and the stormwater system. Advantages include reducing the chain of command for decision making, and elevating the ranks of W&WW managers, to justify salaries consistent more easily with attracting and retaining the best personnel. There is precedent for this, in that the existing departments of Transportation and General Services were both previously bureaus inside Public Works. Additionally, there is also precedent set by other municipal regional water utilities having the same

scope and scale of the City of Baltimore's regional water utility, such as NYCDEP, Atlanta DWM, Philadelphia Water, San Francisco PUC, Miami-Dade Water & Sewer, and New Orleans SWB, which has a Mayor appointed/led board and an executive director.

This could require a charter change as the charter grants DPW control of the water/sewer/stormwater system (Relevant sections of the Baltimore City Charter include Article VII § 33 and § 34). A debate should be had by the City Council about its merits and risks. Risks include loss of interdepartmental coordination between DPW and the Water Department. For example, Councilmember Dorsey has raised concerns that the separation of the Department of Transportation from DPW has eroded coordination between water line repairs and road repairs. If approved by the City Council, the question should be submitted to voters for approval or rejection. The Department of Transportation was [approved by voters](#) in 2004 (Res. 04-056, ratified Nov. 2, 2004).

With the creation of a new Department of Drinking Water, Wastewater, and Stormwater, we recommend a provision to elevate the Office of Equity and the Office of Customer Advocacy and Appeals within the new Department to grant it more independence and influence over Department policies.

***(C) We recommend future consideration by the Baltimore County Council of the creation of a separate Water (W/WW/SW) Department.***

For similar reasons as listed above for the City, we recommend that the County Council explore separating out its Bureau of Utilities into a separate County Water Department.

## Shell, Brian C.

---

**From:** Water Governance <watergovernance@baltimorecountymd.gov>  
**Sent:** Tuesday, January 23, 2024 12:52 PM  
**To:** Shell, Brian C.  
**Subject:** FW: Water concerns

-----Original Message-----

From: Elizabeth Blaylock <elizabethblaylock25@gmail.com>  
Sent: Monday, January 22, 2024 8:23 PM  
To: Water Governance <watergovernance@baltimorecountymd.gov>; Justin Silberman <jsilberman@baltimorecountymd.gov>  
Subject: Water concerns

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I purchased my house in Reisterstown almost three years ago after living in Baltimore county my entire life. Since moving in there have been so many water concerns and outages it is ridiculous. This is a basic need. I know the city is in the middle of replacing things because they are old, but even that has been a mess. They hand deliver notes, which many did not receive then they don't do it when they said they would with zero notice (and no rain). I am a tax paying resident who pays her water bill. I expect to get this essential service without constant interruptions and breakages. Currently we are without water with no restoration of service available after at least an hour of the city knowing there is a problem. That is a huge concern as I have a newborn baby with health concerns. Every day there are water pressure issues not to mention multiple nights with scheduled no water. When I call to complain there are never any answers or solutions. I certainly hope someone will listen and help.

Elizabeth Blaylock  
Sent from my iPhone  
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[www.baltimorecountymd.gov](http://www.baltimorecountymd.gov) <<https://www.baltimorecountymd.gov>>

## Shell, Brian C.

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**From:** Water Governance <watergovernance@baltimorecountymd.gov>  
**Sent:** Thursday, January 25, 2024 9:54 AM  
**To:** Shell, Brian C.  
**Subject:** FW: Reject County's Edits to Rush into New Regional Governance Structure  
**Attachments:** Coalition recommendations for task force - 2024-01-19.docx

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**From:** Mary Grant <mgrant@fwwatch.org>  
**Sent:** Thursday, January 25, 2024 9:24 AM  
**To:** WaterGovernance@BaltimoreCity.gov; Water Governance <watergovernance@baltimorecountymd.gov>; Henry, Bill (Comptroller) <WBH@baltimorecity.gov>; cory.mccray@senate.state.md.us; Kishia.Powell@wsscwater.com; dana.stein@house.state.md.us; Mitchell, Jason (DPW) <Jason.Mitchell@baltimorecity.gov>  
**Cc:** Griffin, Christine (Comptroller) <christine.griffin@baltimorecity.gov>; Kelleher, KC (Comptroller) <KC.Kelleher@baltimorecity.gov>; David Wheaton <dwheaton@naacpldf.org>; Antoinette Ryan-Johnson <cubprezz@cub-aft.org>; cmerkel@mvslaw.org; Todd Reynolds <treynolds@aftmd.org>; Condon, Christine <chcondon@baltsun.com>; Sam Bermas-Dawes <sbdawes@wypr.org>; Taylor DeVille <taylor.deville@thebaltimorebanner.com>; Alice Volpitta <avolpitta@bluewaterbaltimore.org>; Jomar Lloyd <jlloyd@fwwatch.org>; Stuart Katzenberg <skatzenberg@afscmemd.org>; CouncilPresident@baltimorecity.gov; Zeke.Cohen@baltimorecity.gov; Danielle.McCray@baltimorecity.gov; Ryan.Dorsey@baltimorecity.gov; Mark.Conway@baltimorecity.gov; Isaac.Schleifer@baltimorecity.gov; Sharon.Middleton@baltimorecity.gov; James.Torrence@baltimorecity.gov; Kristerfer.Burnett@baltimorecity.gov; John.Bullock@baltimorecity.gov; Phylcia.Porter@baltimorecity.gov; Eric.Costello@baltimorecity.gov; Robert.Stokes@baltimorecity.gov; Antonio.Glover@baltimorecity.gov; Odette.Ramos@baltimorecity.gov; Kenya Campbell <kcampbell@aftmd.org>; Jorge Aguilar <jaguilar@fwwatch.org>  
**Subject:** Reject County's Edits to Rush into New Regional Governance Structure

**CAUTION:** This message from [mgrant@fwwatch.org](mailto:mgrant@fwwatch.org) originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Dear Members of the Baltimore Regional Water Governance Task Force,

At tonight's final meeting, on behalf of the Baltimore Right to Water Coalition, we ask you to reject the edits from the County delegation recommending a new regional governance structure regardless of the outcome of the due diligence process and the possible harm a change in control would cause residents and workers.

In the latest [draft recommendations](#), the County members made substantial changes to the long-term recommendations to push for a new regional governance entity. These edits and comments were said to be from the County Executive's task force members Buckler, Reid, and Summers, as well as Del. Stein. This abrupt rewrite does not appear to have been subject to comment or review of other task force members, and it dismisses the major concerns brought up throughout the Task Force process.

The County also seeks to strip away language recognizing the City's ownership of the assets, while specifically calling for the state legislature to control the scope of the work group, bypassing local control of the process.

Any change in governance *should not* proceed if due diligence determines it would harm residents and workers. It is reckless to recommend a profound change without any understanding of what will even be proposed or the impacts of that proposal. The County proposal undercuts the baseline protections that were contemplated in the earlier draft. This aggressive rewrite by County officials resembles much of the

recommendations suggested by the consultants about a regional water authority — the very language that the majority of the task force found problematic and unconvincing.

There is still no evidence that a regional governance model for Baltimore’s water system would improve performance, but rather, the Task Force has identified several substantial legal, economic, and even process dangers of a major change in governance.

It is unreasonable for County officials to zealously motion to recommend a new regional governance structure for the Baltimore water and wastewater systems. A change in governance of Baltimore’s water system would not solve critical problems that exist and could exacerbate the harms suffered by Black Baltimore residents.

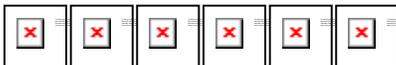
Worse yet, it reaffirms the fear that County officials are pushing to take control of the system regardless of the impacts to the Baltimore City’s families or even to their County residents and workers.

**Again, we ask you to REJECT the County’s proposed edits.**

Our alternative edit of your proposal is attached again for your review.

Thank you for your time and consideration

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# RWGTF Recommendation - Coalition Draft

1) In the short-term, we recommend reworking intermunicipal agreements based on an equity analysis and the creation of a “City-County Water Advisory Committee.”

2) For the long term, the Task Force does not have time to perform the requisite due diligence to recommend a substantial change in governance (an equity study, debt service research, pension & benefits research, stormwater research, etc.) before the report deadline at the end of January. As such, we recommend that additional due diligence be done by a subsequent working group over the course of the next few years, with the results informing the best possible way for us to improve regional coordination and planning of drinking water, wastewater and stormwater planning in the face of climate change. We also recommend that both the City Council and County Council explore the creation of new Water Departments for each respective jurisdiction, separating out water, sewer and stormwater responsibilities from their Departments of Public Utilities.

## **Phase I - Short Term (implementation begins immediately)**

***First, we recommend reworking the intermunicipal agreements.***

Specific operational issues which would also be addressed in the short term include:

Transparency: Perform a cost-of-service study to provide ratepayers with a clear understanding of how their water bills translate to the requirements of operating the system

Equity: Perform a joint equity assessment to evaluate the impact that the existing intermunicipal agreements has on employees, customers, stakeholders, and the environment, and recommend policy and project modifications to promote community well-being

Intermunicipal Agreement Improvements: Document standard annual procedures and milestone deadlines for developing annual cost sharing allocations and prepare a Contract Administration Memorandum to document procedures for use

***Next, we recommend establishing a “City-County Water Advisory Committee” to ensure that the current operation is accountable to all ratepayers of the system.*** Members would be selected by the Mayor of Baltimore City, and confirmed by the City Council, and Baltimore County Executive, and confirmed by the County Council, with the committee’s scope of work including, but not limited to, engagement in long-term planning, drought response, capacity planning, CIP prioritization, customer service & support and water & sewer billing issues. A majority of members and chair of the committee should be appointed by Baltimore City.

## **Phase II - Long Term (2024 through 2026)**

***(A) We recommend the creation of a new work group to explore ways to improve regional water planning in the face of climate change.***

***We recommend that in the upcoming legislative session, the General Assembly should provide financial support for this working group.*** Funding should include the allocation of resources for legal counsel, since neither the City nor County’s law departments can advise such an interjurisdictional entity.

***We recommend that this workgroup explore the creation of a "Baltimore Regional Water Commission."***

As suggested by Task Force Member Summers, this body would be made up of elected officials from the City, Counties and State with the necessary expertise needed to oversee and coordinate regional planning for the water, wastewater and stormwater infrastructure across the region. The system ownership, loans, and employees with the City and Counties should be retained by those respective jurisdictions. The Commission would not oversee day-to-day management and operations of the individual utilities but provide for regional planning on issues of mutual concern.

To be successful, this would require both the City and Counties to agree and commit to submitting water, wastewater and stormwater entities to the oversight of the Commission and making modifications to the way they manage and operate the systems based on the Commission's recommendations and directives. Like a compact commission, the "Baltimore Regional Water Commission" would be granted authority and funding in both State law and local ordinances to hire new staff for the Water Commission to coordinate the planning and oversight of the water, wastewater and stormwater systems. The Commission would establish rules and/or regulations that would be followed by the City and Counties and would help the City/Counties that contribute water from their land area or benefit from the regional infrastructure system. ***While the working group may or may not choose to specify the exact composition of the Commission, we recommend that a simple majority of the Board be chosen by City officials, to respect the City's ownership of the water & wastewater treatment system.***

***We recommend that this new Commission have a particular focus on sustainable water use and stormwater management best practices, given the climate change's two-sided sword of both droughts and extreme rainfall events.*** The consultants found substantially higher water use in Baltimore County than in the City, highlighting the potential to promote sustainable water user practices, particularly as it relates to outdoor uses, as part of drought planning.

The Commission's oversight authority could include addressing drought planning, water conservation and climate resiliency; providing support to expand equity-based programs, such as Water4All affordability program, PromisePay, and the Sewage Backup Reimbursement Program, across the region; and making sure that the jurisdictions' stormwater management programs are protective of water quality in the reservoirs and do not overwhelm the sewage collection system, causing sewage overflows.

The City and Counties would have to follow the directives and mandates of the Commission to the extent that they would not conflict with bond covenants, consent decrees, collective bargaining contracts, or other legal obligations; lead to loss of ratepayer and worker protections, including the provisions of the Water Accountability and Equity Act and the sewage backup assistance programs; or lead to the privatization of the utility distribution, collection or treatment systems through any sale, lease, operations contract, management contract or similar outsourcing arrangement.

***(B) We recommend future consideration by Baltimore City Council and City voters, as proposed by Task Force Member Powell, returning<sup>1</sup> the existing Water & Wastewater bureau to a standalone Water (W/WW/SW) Department.***

This would allow for a singular focus, and necessary resources, to effectively manage operations, maintenance, capital investment and service delivery for the existing regional water and wastewater utility responsible for both retail and wholesale services and the stormwater system. Advantages include reducing the chain of command for decision making, and elevating the ranks of W&WW managers, to justify salaries consistent more easily with attracting and retaining the best personnel. There is precedent for this, in that the existing departments of Transportation and General Services were both previously bureaus inside Public Works. Additionally, there is also precedent set by other municipal regional water utilities having the same

scope and scale of the City of Baltimore's regional water utility, such as NYCDEP, Atlanta DWM, Philadelphia Water, San Francisco PUC, Miami-Dade Water & Sewer, and New Orleans SWB, which has a Mayor appointed/led board and an executive director.

This could require a charter change as the charter grants DPW control of the water/sewer/stormwater system (Relevant sections of the Baltimore City Charter include Article VII § 33 and § 34). A debate should be had by the City Council about its merits and risks. Risks include loss of interdepartmental coordination between DPW and the Water Department. For example, Councilmember Dorsey has raised concerns that the separation of the Department of Transportation from DPW has eroded coordination between water line repairs and road repairs. If approved by the City Council, the question should be submitted to voters for approval or rejection. The Department of Transportation was [approved by voters](#) in 2004 (Res. 04-056, ratified Nov. 2, 2004).

With the creation of a new Department of Drinking Water, Wastewater, and Stormwater, we recommend a provision to elevate the Office of Equity and the Office of Customer Advocacy and Appeals within the new Department to grant it more independence and influence over Department policies.

***(C) We recommend future consideration by the Baltimore County Council of the creation of a separate Water (W/WW/SW) Department.***

For similar reasons as listed above for the City, we recommend that the County Council explore separating out its Bureau of Utilities into a separate County Water Department.

**Exhibit J**

Task Force Member Comments on Draft Consultant Report

**Shell, Brian C.**

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**From:** Timothy Barr <tbarr@menv.com>  
**Sent:** Thursday, January 4, 2024 2:23 PM  
**To:** Shell, Brian C.  
**Subject:** RE: BRWGT - Public Comments Received

Brian:

I have one comment for the report.

The bottom of page 61 talks about appointees to the Water Advisory Committee. Currently it only mentions appointees selected by the Mayor of Baltimore City and the Baltimore County Executive. I am certain the Governor would want to have appointees.

Tim Barr



**Timothy Barr**  
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## Shell, Brian C.

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**From:** Kebede, Yosef <ykebede@howardcountymd.gov>  
**Sent:** Sunday, January 7, 2024 6:09 AM  
**To:** Shell, Brian C.  
**Cc:** Henry, Bill (Comptroller)  
**Subject:** Draft Report Comments

Good morning,

I have included a few comments in the recommendations section of the draft report. Here they are:

p. 64 (Transition Approach): *There should be two board representatives from the wholesale customers: one from Howard County and one jointly for Carroll and Harford Counties. Howard County is distinct in that it is the only wholesale customer of drinking water.*

p. 64 (Transition Approach): *It's important to consider the representation of wholesale ratepayers in the governance structure (**meaning the Water Advisory Committee**) to the extent that any long-term planning, CIP prioritization and the like have direct impacts on their systems and their financial contributions.*

p.66 (Transition Cost Estimates & Schedule): *Models C and D should no longer be relevant for discussion in this section...*

Thank you.

Yosef Kebede, P.E., Director  
Department of Public Works  
Howard County Government  
3430 Court House Drive  
Ellicott City, MD 21043  
(410) 313-4408



## Shell, Brian C.

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**From:** Powell, Kishia L <Kishia.Powell@wsscwater.com>  
**Sent:** Monday, January 8, 2024 4:38 PM  
**To:** Shell, Brian C.  
**Cc:** Henry, Bill (Comptroller)  
**Subject:** Re: BRWGT - Public Comments Received  
**Attachments:** Utility Peer Comparisons - Baltimore.xlsx

**Importance:** High

Hello Brian,

Apologies for not getting this to you sooner.

Regarding the Utility Peer Comparison Matrix, when initially requested, I asked that we see utilities with similar size and scope in addition to the demographic similarities requested. In some ways, the size and services inform the governance structure and agreements.

Upon reviewing the draft report, it appears the matrix was not updated. Additionally, the matrix does not provide any information relative to the 8 criteria in the HB for comparison to the City of Baltimore's utility. I have attached what are considered the top 10-20 largest water/wastewater utilities in the Country. Metropolitan Water District of Southern California is the largest water supplier in the Country and is an example of a Cooperative (I think) but wasn't listed in the EPA's list for some reason. I filled in a few details that I found which shows the nuisances that exist within the bucket of the Municipal Utility governance structure.

Kishia L. Powell  
General Manager/CEO  
WSSC Water

No.	Public Utility	State	Population Served	Services	Governance	Board	Comments
1	New York DEP	NY	8,271,000	W, WW, SW	Municipal Utility for Operations and Capital Investment - Standalone	Rate setting board appointed by the Mayor; NYC Financing Authority to issue Bonds	The New York City Water Board is responsible for setting these rates, and must ensure that they are able to fund the entirety of the water and sewer system's operating and capital needs. Board members are appointed to two-year terms by the Mayor, and in addition to establishing rates that provide sufficient revenue to operate and maintain the water and sewer system, strive to set rates that are equitable and fair, that encourage conservation, and that are easily understood by the City's water and sewer customers.
2	Los Angeles Water and Power	CA	3,868,811	W, P	Municipal Utility - Standalone	Board of Commissioners	
3	Puerto Rico Aqueduct and Sewer Authority (PRASA)	PR	3,200,000	W, WW	Authority	Puerto Rico Fiscal Agency and Financial Advisory Board	The Puerto Rico Aqueduct and Sewer Authority ("PRASA") is a public corporation and instrumentality of the Government created under Act No. 40 of May 1, 1945, as amended.
4	Chicago Water Department	IL	2,700,000	W	Municipal Utility - Standalone	Authority	
5	Massachusetts Water Resources Authority	MA	2,550,000	WW	Authority		
6	Miami-Dade Water and Sewer	FL	2,300,000	W, WW	Municipal Utility - Standalone		Department of Miami-Dade County under the leadership of Mayor Cava
7	City of Houston	TX	2,202,531	W, WW, SW	Municipal Utility - DPW		
8	San Antonio Water System (SAWS)	TX	1,999,472	W, WW, SW, RU	Municipal Utility - Standalone		SAWS was created through the consolidation of three predecessor agencies: the City Water Board (the previous city-owned water supply utility); the City Wastewater Department (a department of the city government responsible for sewage collection and treatment); and the Alamo Water Conservation and Reuse District (an independent city agency created to develop a system for reuse of the city's treated wastewater).
9	WSSC Water	MD	1,900,000	W, WW	Authority	Board of Commissioners	
10	City of Phoenix	AZ	1,695,000				
11	City of Baltimore	MD	1,600,000	W, WW, SW			
12	Philadelphia Water Department	PA	1,600,000	W, WW, SW	Municipal Utility - Standalone		
13	Las Vegas Valley Water District	NV	1,502,604				
14	East Bay MUD	CA	1,430,200				
15	City of San Diego	CA	1,374,790				
16	Dallas Water Utility	TX	1,321,740				
17	Cleveland Water System	OH	1,308,955				
18	Denver Water	CO	1,287,000				
19	Columbus Water System	OH	1,277,848				
20	Charlotte Water Dep	NC	1,122,276		Cooperative		
21	Fairfax County Water Authority	VA	1,121,613	W	Authority		The Suffolk County Water Authority is an independent public-benefit corporation operating under the authority of the Public Authorities Law of the State of New York. Serving approximately 1.2 million Suffolk County residents, the Authority, which began operations in 1951, operates without taxing power on a not-for-profit basis. The Authority is one of the largest groundwater suppliers in the country.
23	SUFFOLK COUNTY WATER AUTHORITY	NY	1,100,000				
24	CITY OF FRESNO Public Utilities	CA	1,095,213	W, WW, SolW			The Department of Public Utilities (DPU) was officially created on January 7, 1992, when the Fresno City Council unanimously approved an action to separate the Water, Wastewater, and Solid Waste divisions from the Public Works Department and move them to their own organizational department.
25	ATLANTA Department of Watershed Management	GA	1,089,893	W, WW, SW			
26	CITY OF AUSTIN WATER & WASTEWATER	TX	1,044,405				
27	SAN JOSE WATER	CA	1,007,514				
<b>Other Regional Peers</b>							
28	DC Water	DC					