

Prince George's County Council

Agenda Item Summary

Meeting Date:	7/24/2013
Reference No.:	CR-059-2013
Draft No.:	3
Proposer(s):	County Executive
Sponsor(s):	Harrison, Lehman
Item Title:	A Resolution establishing a schedule of fees to be collected as part of the Watershed Protection and Restoration Program as provided in Section 10-302 of the Prince George's County Code

Drafter:	Joseph R. Hamlin, Office of Law
Resource	Adam Ortiz, Acting Director DER
Personnel:	Thomas Himler, Office of the County Executive

LEGISLATIVE HISTORY:

Date Presented:		Executive Action:	
Committee Referral:	6/18/2013 - THE	Effective Date:	7/1/2013
Committee Action:	7/2/2013 - FAV(A)		
Date Introduced:	6/18/2013		
Public Hearing:			
Council Action (1)	7/24/2013 - ADOPTED		
Council Votes:	WC:A, DLD:A, MRF:A, AH:A, ML:A, EO:A, OP:A, IT:A, KT:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

COMMITTEE REPORTS:

Transportation, Housing and Environment
Committee
July 2, 2013

Date 7/2/2013

Committee Vote: Favorable 5-0 with amendments (In favor: Council Members Campos, Davis, Olson, Toles and Turner)

Council staff provided a summary of proposed Draft 2 of CR-59-2013. CR-59-2013, seeks to establish a schedule of fees to be collected as part of the Watershed Protection and Restoration Program (WPRP), under CB-45-2013, as provided by Section 10-301 of the Prince George's County Code.

Brad Frome, Deputy Chief of Staff, Adam Ortiz, Acting Director, DER, Larry Coffman, Deputy Director, DER and Roland Jones, Office of Central Services, provided additional testimony in support of proposed Draft 2 of CR-59-2013 and answered questions from the Committee on the expected operation and implementation of the WPRP and fee schedule contained in CR-59-2013.

The Office of Law indicated that CR-59-2013 was in proper legislative form with no legal impediment to its enactment.

The Office of Audits and Investigation indicated there will a positive fiscal impact on the County as a result of adopting CR-59-2013.

June 20, 2013 – Held in Committee

The Legislative Officer provided a summary of CR-59-2013 and extensive comments were received from the public. Staff advised that the Watershed Protection and Restoration Program contained in CB-45-2013 is a State mandate under HB 987 (Chap. 151 Laws of 2012) for nine jurisdictions in Maryland, including Prince George's County, that are subject to a National Pollutant Discharge Elimination Phase 1 Municipal Separate Storm Sewer System Permit (NPDES Phase 1 MS4 Permit). HB 987 set a July 1, 2013 requirement for enactment of the WPRP. Staff indicated that CR-59-2013 – Clean Water Act Fee – is a companion resolution setting forth the schedule of fees under the WPRP and provided additional information to the Committee in response to questions by members.

Adam Ortiz, Acting Director, and Larry Coffman, Deputy Director, DER, provided power point presentation to the Committee in support of CR-59-2013.

The Committee heard public testimony from nine (9) persons representing the environmental, business and development communities, most in support of CB-45-2013 and the companion legislation CR-59-2013. A representative from area churches and the Collective Banking Coalition, a Prince George's faith based community organization, expressed concerns about the proposed fees for religious institutions.

The Committee held CR-59-2013 for further discussion and work with DER and stakeholders.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

This legislation will establish a schedule of fees to be collected as the Clean Water Act Fee (the “Fee”), a part of the Watershed Protection and Restoration Program (the “Program”). The Program is created by CB-45-2013, which provides that the County Council shall set the Fee by resolution.

CODE INDEX TOPICS:

INCLUSION FILES:
