



Gregory J. Swain, County Attorney

MEMORANDUM

To: Council Members, Anne Arundel County Council

Through: Gregory J. Swain, County Attorney /s/

From: Kelly Phillips Kenney, Supervising County Attorney /s/

Date: December 16, 2019

Subject: Bill No. 95-19 – Public Works – Utilities – Subsidies for Wastewater Extension Project Costs

Legislative Summary

This summary was prepared by the Anne Arundel County Office of Law at the request of Councilwoman Jessica Haire for use by members of the Anne Arundel County Council during consideration of Bill No. 95-19. The summary is intended to explain the purposes and legal effects of the bill.

Purpose.

Purpose and Background. The primary purpose of Bill No. 95-19 is to allow the County to provide a partial subsidy for certain wastewater extension projects.

The Bill creates new § **13-5-815.2** and subsection **(a)** defines “eligible area” to be 4 different areas: **(i)** the critical area, as defined in § 18-1-101; **(ii)** an onsite wastewater management problem area as defined in subsection (a)(4); **(iii)** an area designated in the County’s Master Plan for Water Supply and Sewerage Systems as a septic to sewer conversion area; or **(iv)** an area that is adjacent to one of the areas listed in (i) through (iii) and that is within the boundary of a wastewater extension project that includes one of areas listed in (i) through (iii). Subsection (a) contains the same definitions set forth in Bill 90-19, which is currently under consideration by the Council.

Subsection **(b)** provides that at the discretion of the Director of the Department of Public Works (“DPW”), the County may subsidize the costs of a wastewater extension project in an eligible area. The subsidy may not exceed 25% of the entire project costs.

Subsection (c) sets forth the criteria to be considered by the Director in considering whether to offer a subsidy for a particular project. The factors to be considered include the proximity of the wastewater extension project to existing wastewater infrastructure; the environmental and health benefits of the project, engineering considerations, the availability of funds for a subsidy, the financial viability of the extension project, and federal and state aid.

The Office of Law is available to answer any additional questions regarding this Bill. Thank you very much.

cc: Honorable Steuart Pittman, County Executive
Jennifer Purcell, Chief of Staff
Benjamin J. Birge, Chief Administrative Officer
Peter Baron, Legislative Liaison
Christopher J. Phipps, Director, DPW
Karen Henry, Assistant Director, DPW
Karin McQuade, Controller
Jim Beauchamp, Budget Officer