



Village Manager's Office

SUBJECT: Extend Delay of Stormwater Utility Billing for Non-Single Family Residential Properties

MEETING DATE: April 14, 2020

FROM: Michael Braiman, Village Manager

BUDGET IMPACT: No impact

Recommended Motion

Move to adopt Resolution #2020-R-26 granting authority to the Village Manager to extend the delay in stormwater utility billing for non-single family residential properties.

Background

The Village Board adopted Resolution #2019-R-18 in December 2019 to delay collection of the fee for non-single family residential (NSFR) properties until April 2020. NSFR's include institutions, multi-family buildings and commercial properties. This postponement was done in response to concerns from institutional and not-for-profit uses regarding the financial impact of the stormwater utility fee.

Discussion

Since the resolution adoption there have been two meetings to address the stormwater fee and potential credit and incentive programs for NSFR properties. The first meeting was the Municipal Services Committee on January 28, 2020 and the Village Board on February 11, 2020. At each of those meetings, the discussion focused on several key factors including what type of credits or incentives to offer, the value of those credits or incentives, the financial impacts to the stormwater utility cash flow, and the financial impact to residential properties. At the conclusion of the Village Board meeting additional information was requested pertaining to total project costs, bond issuance projections, and property type data.

As staff began the preparation of the additional materials a variety of other projects materialized including the intergovernmental agreements for the Neighborhood Storage Project, the Optima PUD, and most importantly the unanticipated response needs associated with COVID-19.

These projects combined with delays in receiving information from Raftelis, have prevented staff from completing a comprehensive review of the NSFR utility billing database.

Accordingly, in consultation with President Bielinski, staff is recommending that billing of the NSFR stormwater utility fee be further delayed. Staff anticipates scheduling a committee of the whole meeting to review credits and incentives in May with the flexibility to continue discussions into the summer if necessary. For reference, the first bills for the third quarter are mailed on July 21, 2020. This timeframe will provide sufficient time for staff to complete its analysis and ensure a Village Board discussion that is thoughtful and not subject to an arbitrary deadline.

The resolution grants the Village Manager the authority to delay NSFR billings until later this year- with the intent to fully collect the 2020 fees dating back to January 1. The resolution will also give the Village Manager the flexibility to spread the first and second quarter payments for NSFP properties across several billing cycles to further minimize the impact of the fee given the challenges faced by many of these entities due to COVID-19.

To ensure that NSFR properties are aware of their fee liability, letters will be sent to each parcel informing them of their 2020 rate and an explanation of the delay. As part of this communication, institutions and qualifying MWRD detention properties will be given notice of our continued credits discussion.

This delay will not impact the Village's intent to review and potentially adjust the residential portion of the stormwater utility fee later this year.

Budget Impact

Given the above discussion of billing the impacted properties for the full year's fee, there is no budget impact at this time.

Attachments

1. Resolution #2020-R-26

RESOLUTION NO. 2020-R-26

A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO FURTHER DELAY THE COLLECTION OF STORMWATER UTILITY FEES FOR NON-SINGLE FAMILY RESIDENTIAL PROPERTIES

WHEREAS, the Village of Wilmette, Cook County, Illinois, (hereinafter the “Village”) is a home rule municipal corporation as provided in Article VII, Section 6 of the 1970 Constitution of the State of Illinois and, pursuant to said constitutional authority, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Village President and Board of Trustees of the Village of Wilmette (“Village Board”) adopted Ordinance 2019-O-70 that established a stormwater utility and related fees effective on January 1, 2020; and

WHEREAS, the stormwater utility fee is to be assessed against all properties within the Village, except where specifically exempted by Ordinance 2019-O-70, beginning January 1, 2020; and

WHEREAS, Ordinance 2019-O-70 provides for a credit and incentive manual to be adopted by the Village Board; and

WHEREAS, on December 10, 2019, the Village Board adopted Resolution 2019-R-18, a Resolution Directing the Village Staff to Delay Collection of Stormwater Utility Fees for Non-Single Family Residential Properties; and

WHEREAS, Resolution 2019-R-18 directed the Village staff to delay the issuance stormwater bills to Non-Single Residential Parcels through the first quarter of 2020; and

WHEREAS, Resolution 2019-R-18 also required that the billing for the entire year of 2020 still be collected in its entirety; and

WHEREAS, the reasoning for the delay in billing was to give consideration as to whether certain institutional uses and all properties that have otherwise complied with Metropolitan Water Reclamation District requirements a credit or incentive; and

WHEREAS, the Village Board Committee of the Whole will meet to determine the appropriate credits and incentives to be provided for as contemplated in Ordinance 2019-O-70; and

WHEREAS, since the time of the passage of Resolution 2019-R-18, the State of Illinois has declared a state of emergency due to the Coronavirus pandemic; and

WHEREAS, the Village of Wilmette has also declared a local disaster and public health emergency due to the Coronavirus pandemic; and

WHEREAS, the Village continues to desire to still assess the entire amount due and owing of the established fees for the entire 2020 calendar year with the appropriate credits applied to such fees; and

WHEREAS, the Village further desires to ensure the viability of its business community; and

WHEREAS, the Village shall charge the entire stormwater utility fee for Non-Single Family Residential Parcels for 2020; however, the Village Manager shall have the authority to determine in what quarter such bills shall be issued and how the annual fee shall be divided among the bills to be issued to ensure the collection of the entire fee amount of 2020.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Wilmette as follows:

SECTION ONE: The above recitals are incorporated into this section one as if fully set forth.

SECTION TWO: The Village Manager is directed to bill the entire stormwater utility fee from all properties within the Village for the calendar year 2020. The Village Manager is authorized in the Village Manager’s discretion to:

1. delay stormwater utility billing for Non-Single Family Residential properties to any time before the end of the 2020 calendar year; and
2. determine how the unbilled fee amounts are to be divided and attributed to the stormwater utility fee bills to be issued in 2020 and collected at a later date.

SECTION THREE: This Resolution shall be in full force and effect from and after its passage as provided by law.

ADOPTED by the President and Board of Trustees of the Village of Wilmette, Illinois, on the 14th day of **April 2020** according to the following roll call vote:

AYES: None.

NAYS: None.

ABSTAIN: None.

ABSENT: None.

Village Clerk

Approved on April 14, 2020

Village President

Attest:

Village Clerk