



AGENDA  
COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND  
Virtual County Council Meeting  
Legislative Session 2021, Legislative Day No. 14  
June 21, 2021 – 6:00 P.M.

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- A. Invocation – Bishop Antonio Palmer, Kingdom Celebration Center, Odenton, Md
- B. Pledge of Allegiance
- C. Open Meetings Act Statement
- D. Ethics Statement
- E. Invitation to Audience
- F. Announcement of Items not Appearing on Agenda
- G. Preliminary Motion
- H. Approval of Minutes

June 2, 2021 – Budget – Auditor’s Recommendations & Admin. Rebuttal

June 7, 2021 – Legislative Day No. 13

June 8, 2021 – Budget – Amendments & Supplemental Budget

June 14, 2021 – Strike Budget

- I. Introduction of Bills

BILL NO. 63-21 – AN ORDINANCE concerning: Zoning – Critical Area Overlay – FOR the purpose of adopting the “Anne Arundel County Critical Area Layer” as the critical area overlay for Anne Arundel County; grandfathering certain applications for development, variances, and special exceptions; and generally relating to zoning.

By Ms. Lacey, Chair

(by request of the County Executive)

BILL NO. 64-21 – AN ORDINANCE concerning: Payment in Lieu of Taxes – The Housing Authority of the City of Annapolis – FOR the purpose of replacing a certain payment in lieu of taxes agreement for exemptions from County real property taxes for properties owned by the Housing Authority of the City of Annapolis; authorizing the County Executive to enter into a payment in lieu of taxes agreement with the Housing Authority of the City of Annapolis; and providing for the time and terms under which the payment in lieu of taxes and tax exemptions will take effect.

By Ms. Lacey, Chair

(by request of the County Executive)

BILL NO. 65-21 – AN ORDINANCE concerning: Subdivision and Development and Zoning – Glen Burnie Sustainable Community Overlay Area – FOR the purpose of clarifying that the test for adequate road facilities for redevelopment, the adequate public facilities mitigation provisions, and the development requirements and zoning provisions for redevelopment in the Glen Burnie Sustainable Community Overlay Area only apply if the developer redevelops under certain provisions of Article 18; providing that the submission of a revised concept plan for redevelopment in the Glen Burnie Sustainable Community Overlay Area may be optional; and generally relating to subdivision and development and zoning.  
By Ms. Pickard

BILL NO. 66-21 – AN ORDINANCE concerning: Zoning – Parking, Nonresidential Outdoor Lighting, and Signage – Prohibited Signs and Temporary Signs – FOR the purpose of amending the definition of “sign”; allowing wind signs and signs painted on the roof of a structure; repealing the limitation on temporary real estate and construction signs; allowing temporary signs for particular uses to exceed the normal size; limiting the number of temporary signs allowed on a private property; allowing temporary signs to be displayed for a certain period of time; making technical changes; and generally relating to zoning.  
By Ms. Haire

J. Introduction of Resolution

RESOLUTION NO. 34-21 – RESOLUTION approving the declaration of certain unimproved County-owned property located in Glen Burnie, Maryland as surplus property  
By Ms. Lacey, Chair  
(by request of the County Executive)

K. Public Hearings and Call of Bills and Resolutions for Final Reading and/or Vote

BILL NO. 48-21 (As Amended) – AN ORDINANCE concerning: Zoning – Alcoholic Beverage Uses as Accessory to Other Uses – FOR the purpose of repealing a requirement for a certain distance between restaurants with an off-sale alcoholic beverage license and other businesses with the same license; ~~repealing certain floor area restrictions and ownership requirements~~ amending certain floor area restrictions for a restaurant or package goods store with an off-sale alcoholic beverage license; making a technical change; and generally relating to zoning.  
By Ms. Rodvien

BILL NO. 49-21 (As Amended) (Amendments Proposed) – AN ORDINANCE concerning: Zoning – Requirements for Special Exception Uses – Assisted Living Facilities – FOR the purpose of amending the special exception use requirements for an assisted living facility to require the developer to have unified control of the entire facility; allowing assisted care units to be provided in certain additional types of dwelling units whether or not allowed in the applicable zoning district; providing that the bulk regulations for an assisted living facility are the only applicable bulk regulations; amending the bulk regulations applicable to an assisted living facility; and generally relating to zoning.  
By Ms. Pickard and Mr. Volke

**BILL NO. 53-21(Hearing Concluded) (Eligible for Vote) (Amendment Proposed)** – AN EMERGENCY ORDINANCE concerning: Current Expense Budget – Board of Education – Supplementary Appropriation and Transfers of Funds – FOR the purpose of transferring appropriations of funds between certain offices, departments, institutions, boards, commissions or other agencies in the general fund; making supplementary appropriations from unanticipated revenues to the Local Education Fund for the current fiscal year; making this Ordinance an emergency measure; and generally relating to transferring appropriations of funds and supplementary appropriations to the current expense budget for the fiscal year ending June 30, 2021.

By Ms. Lacey, Chair  
(by request of the County Executive)

**BILL NO. 54-21** – AN ORDINANCE concerning: Finance, Taxation, and Budget – Community Benefit Program – Grants for Councilmanic Districts – FOR the purpose of adding all Councilmanic districts as eligible for grants under the community benefit program; establishing grants to be approved by individual Councilmembers and funded by the County Executive’s budget under certain circumstances; and generally relating to finance, taxation, and budget.

By Mr. Volke

**RESOLUTION NO. 31-21** – RESOLUTION approving the nomination of a member to the Anne Arundel County Human Relations Commission

By Ms. Lacey, Chair  
(by request of the County Executive)

**RESOLUTION NO. 32-21 (Amendment Proposed)** – RESOLUTION in opposition to preparing a Final Environmental Impact Statement and Record of Decision for the third span of the Chesapeake Bay Bridge

By Ms. Fiedler

**RESOLUTION NO. 33-21 (Amendment Proposed)** – RESOLUTION apologizing for civil rights violations that occurred under the administration of a former Anne Arundel County Executive

By Ms. Rodvien

K. Other Business

L. Adjournment

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You may call and listen to the June 21, 2021 Council meeting by dialing any one of the following telephone numbers and entering the appropriate ID and passcode when prompted:

### **Dial any one of the following telephone numbers:**

+1 301 715 8592  
+1 470 381 2552  
+1 470 250 9358  
+1 669 900 6833  
+1 669 219 2599  
888 475 4499 (Toll Free)  
833 548 0276 (Toll Free)

### **ID and passcode for the meeting:**

ID: 882 2352 0973  
Passcode: 75015012

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of  
Virtual FY 2022 Budget Deliberations  
June 2, 2020 – 9:00 A.M.

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The meeting was called to order by Chairman Sarah Lacey at 9:00 A.M. Mr. Pruski gave the Invocation and led the Pledge of Allegiance. The meeting was held remotely via Zoom Webinar, beginning with roll call of all present.

The following members of the County Council were present:

|                    |                  |
|--------------------|------------------|
| Sarah Lacey        | First District   |
| Allison M. Pickard | Second District  |
| Nathan Volke       | Third District   |
| Andrew C. Pruski   | Fourth District  |
| Amanda Fiedler     | Fifth District   |
| Lisa D.B. Rodvien  | Sixth District   |
| Jessica Haire      | Seventh District |

The Auditor's Office was represented by the County Auditor, Michelle Bohlayer.

**AUDITOR'S COMMENTS – OPERATING AND CAPITAL BUDGET**

Michelle Bohlayer, County Auditor, presented her comments on the Operating and Capital Budgets. (A copy of the Auditor's comments is attached to the official copy of these minutes.)

**RECESS**

The Council took a recess at 10:30 A.M. The Chair stated the recess would last until 1:00 P.M.

**RECONVENE**

The Council reconvened at 1:00 P.M. Mr. Volke, District Three, was absent.

**ADMINISTRATION'S REBUTTAL – OPERATING AND CAPITAL**

Chris Trumbauer, Budget Officer, presented the Administration's comments on the Operating and Capital Budgets. (A copy of the Administration's Rebuttal to the Auditor's Budget Reduction Proposals is attached to the official copy of these minutes.)

**ADJOURNMENT**

There being no further business, on motion of Ms. Pickard, seconded by Mr. Pruski, the meeting adjourned at 1:21 P.M.

Respectfully submitted,

by Anna Macaulay

for Laura Corby  
Administrative Officer

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND  
 Minutes of  
 Virtual Legislative Session 2021, Legislative Day No. 13  
 June 7, 2021 – 6:00 P.M.

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The meeting was called to order by Chair Sarah Lacey at 6:00 P.M. Ms. Fiedler gave the Invocation, and led the Pledge of Allegiance. The meeting was held remotely via Zoom Webinar, beginning with roll call of all present.

The following members of the County Council were present:

|                   |                  |
|-------------------|------------------|
| Sarah F. Lacey    | First District   |
| Allison Pickard   | Second District  |
| Nathan Volke      | Third District   |
| Andrew C. Pruski  | Fourth District  |
| Amanda Fiedler    | Fifth District   |
| Lisa D.B. Rodvien | Sixth District   |
| Jessica Haire     | Seventh District |

The Auditor's Office was represented by the County Auditor, Michelle Bohlayer. Linda Schuett, Legislative Counsel, was also present.

### **OPEN MEETINGS ACT**

Laura Corby, Administrative Officer, read aloud a statement from the County Attorney regarding the Open Meetings Act.

### **ETHICS STATEMENT**

Laura Corby, Administrative Officer, read aloud the Ethics Statement.

### **INVITATION TO AUDIENCE**

The Administrative Officer stated there were no submissions of written public testimony received for Invitation to Audience.

Amy Leahy was called but did not respond. There was no one else registered and present to speak, and Invitation to Audience was concluded.

### **ITEMS NOT ON THE AGENDA**

Ms. Fiedler asked to be added as a co-sponsor on Resolution No. 29-21.

Ms. Haire asked to be added as a co-sponsor on Bill No. 51-21.

### **PRELIMINARY MOTION**

On motion of Mr. Pruski, seconded by Ms. Pickard, the Council voted that the partial reading of any bill, resolution, minutes, or amendment constitutes the reading of the whole.

## **APPROVAL OF MINUTES**

On motion of Ms. Pickard, seconded by Mr. Volke, the minutes of virtual budget and legislative meetings for April 30 and May 4, 5, 6, 10, 11, 12, 13, 17, and 20, 2021 were approved as presented.

## **INTRODUCTION OF BILLS**

**BILL NO. 57-21** – AN ORDINANCE concerning: the issuance, sale and delivery of Anne Arundel County, Maryland general obligation bonds and bond anticipation notes – FOR the purpose of authorizing the issuance by Anne Arundel County, Maryland (the “County”) of bond anticipation notes in an amount to be outstanding at any time not in excess of Five Hundred Million Dollars (\$500,000,000) and bonds in an amount not exceeding One Billion Thirty Million Four Hundred Seven Thousand Nine Hundred Eight Dollars (\$1,030,407,908) in order to finance in whole or in part the construction of capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2022, or in such capital budgets for prior fiscal years, or usable portions thereof; etc.

By Ms. Lacey, Chair

(by request of the County Executive)

**BILL NO. 58-21** – AN ORDINANCE concerning: Payment in Lieu of Taxes – Park View at Furnace Branch, Glen Burnie, Maryland – FOR the purpose of approving exemptions from County real property taxes for a certain property located in Glen Burnie, Anne Arundel County; authorizing the County Executive to enter into a certain agreement for an exemption and a payment of a negotiated amount in lieu of County real property taxes; and providing for the time and terms under which the tax exemptions will take effect.

By Ms. Lacey, Chair

(by request of the County Executive)

**BILL NO. 59-21** – AN ORDINANCE concerning: Public Safety – Traffic – Vehicles on Public Sidewalks – FOR the purpose of defining “bicycle”; allowing the riding of bicycles, play vehicles, or unicycles on public sidewalks and sidewalk areas; adding exceptions and conditions to riding on sidewalks; and generally relating to public safety.

By Ms. Lacey, Chair

(by request of the County Executive)

**BILL NO. 60-21** – AN ORDINANCE concerning: General Provisions – Miscellaneous Provisions – Public-Private Partnerships – FOR the purpose of defining “public-private partnership”; requiring public-private partnerships when it is in the best interest of the County; and generally relating to general provisions.

By Ms. Haire

**BILL NO. 61-21** – AN ORDINANCE concerning: Zoning – Outdoor Lighting in Nonresidential and Residential Zoning Districts – FOR the purpose of providing for the applicability of outdoor lighting provisions; adding the conditions for the installation of outdoor light fixtures on residentially zoned lots; making conforming changes; and generally relating to zoning.

By Mr. Volke and Ms. Fiedler

BILL NO. 62-21 – AN ORDINANCE concerning: Subdivision and Development – Critical Area Overlay – Forest Conservation Easements – FOR the purpose of requiring the County to convey a forest conservation easement back to an owner upon a written request made by a certain date; providing for the applicability of this Ordinance; and generally relating to subdivision and development.

By Ms. Haire

## **INTRODUCTION OF RESOLUTIONS**

RESOLUTION NO. 30-21 – RESOLUTION approving the terms and conditions of the acquisition of real property consisting of approximately 14.693 +/- acres, known as 7180 Heritage Crossing in Glen Burnie, Maryland 21060 from U.S. Home Corporation, utilizing funds from the Advance Land Acquisition Capital Project

By Ms. Lacey, Chair

(by request of the County Executive)

RESOLUTION NO. 31-21 – RESOLUTION approving the nomination of a member to the Anne Arundel County Human Relations Commission

By Ms. Lacey, Chair

(by request of the County Executive)

RESOLUTION NO. 32-21 – RESOLUTION in opposition to preparing a Final Environmental Impact Statement and Record of Decision for the third span of the Chesapeake Bay Bridge

By Ms. Fiedler

RESOLUTION NO. 33-21 – RESOLUTION apologizing for civil rights violations that occurred under the administration of a former Anne Arundel County Executive

By Ms. Rodvien

## **PUBLIC HEARINGS AND CALL OF BILLS FOR FINAL READING AND/OR VOTE**

### **BILL NO. 31-21 (As Amended)**

The Chair called for the public hearing on Bill No. 31-21, as amended, An ordinance concerning: Boards, Commissions, and Similar Bodies – For the purpose of establishing the “Resilience Authority of Annapolis and Anne Arundel County”; defining certain terms; providing for articles of incorporation and amendment of articles of incorporation for the Resilience Authority; reserving certain authority of the County and the City with respect to the Resilience Authority; providing for the composition, term, and removal of members, meeting standards, and reimbursement of expenses of members; providing the qualifications, duties, compensation, and appointment of the Resilience Authority Director and Chief Financial Officer; establishing the powers of the Resilience Authority; providing for the issuance of bonds by the Resilience Authority; requiring annual reports and audited financials by the Resilience Authority; approving proposed Articles of Incorporation for the Resilience Authority of Annapolis and Anne Arundel County; allowing for the examination of the books, accounts, and records of the Resilience Authority; providing for a delayed effective date; making this Ordinance subject to a certain

contingency; and generally relating to Boards, Commissions, and Similar Bodies; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Lori Rhodes, Deputy Chief Administrative Officer, Planning & Zoning, Land Use, Matt Johnston, Environmental Policy Director, Chris Trumbauer, Budget Officer, Erik Michelsen, Deputy Director, Department of Public Works, and Greg Swain, County Attorney.

Mr. Baron talked about Bill No. 31-21 and its purpose. He asked the Council to support the bill.

The Chair opened the public hearing on Bill No. 31-21, as amended.

The Administrative Officer stated there was one submission of written public testimony received on Bill No. 31-21, as amended, through the online testimony tool that was shared with the Council and posted on the County Council website.

Amy Leahy was called but did not respond. There was no one else registered and present to speak, and the public hearing was concluded.

The Chairman called Bill No. 31-21, as amended, An Ordinance concerning: Boards, Commissions, and Similar Bodies; and the Administrative Officer read a portion of the title.

### **Amendment No. 12**

The Chair called for Amendment No. 12, and the Administrative Officer read the description.

*This amendment allows the County Council to propose amendments to the Authority's Articles of Incorporation by resolution.*

Ms. Haire, Sponsor, explained Amendment No. 12.

Mr. Baron stated the Administration opposes Amendment No. 12.

On motion of Ms. Haire, seconded by Ms. Fiedler, Amendment No. 12 was defeated by the following roll call vote:

Aye – Ms. Haire, Ms. Fiedler

Nay – Mr. Pruski, Ms. Rodvien, Ms. Pickard, Mr. Volke, Ms. Lacey

### **Amendment No. 13**

The Chair called for Amendment No. 13, and the Administrative Officer read the description.

*This amendment provides that the County Executive appoints two members of the Resilience Authority and the County Council appoints seven members, one from each Councilmanic District.*

Ms. Haire, Sponsor, explained Amendment No. 13.

Mr. Baron stated the Administration opposes Amendment No. 13.

On motion of Ms. Haire, seconded by Ms. Fiedler, Amendment No. 13 was defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire, Mr. Volke

Nay – Mr. Pruski, Ms. Rodvien, Ms. Pickard, Ms. Lacey

Bill No. 31-21, as amended, was passed by the following roll call vote:

Aye – Mr. Pruski, Ms. Rodvien, Ms. Pickard, Ms. Lacey

Nay – Ms. Fiedler, Ms. Haire, Mr. Volke

## **BILL NO. 45-21**

The Chair called for Bill No. 45-21, – An Ordinance concerning: Personnel – Classified Service – Exempt Service – For the purpose of adding new pay schedules for certain classified employees; providing the method for certain classified employees to move to a new pay schedule; providing for increases in pay for certain employees; providing for lump sum payments for certain employees; modifying pay upon promotion; modifying pay upon movement between pay schedules; removing certain employees eligible for night differential pay; removing certain employees eligible for on-call pay; removing certain employees eligible for allowances; modifying disability leave for certain employees; modifying education assistance for certain employees; adding new pay schedules for certain exempt employees; confirming applicability of certain terms related to pay in memoranda of agreements; providing for the application of this Ordinance; and generally relating to personnel; and the Administration Office read the title.

Pete Baron, Director, Government Affairs, was accompanied by Steven Theroux, Budget Office, Anne Budowski, Personnel Officer, Susan Herrold, Personnel Office, and Kelly Kenney, Senior Assistant County Attorney, Office of Law.

Mr. Baron explained the purpose of Bill No. 45-21.

There was some discussion between the Council and the Office of Personnel regarding educational reimbursement.

The Chair opened the public hearing on Bill No. 45-21.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 45-21.

There was no one registered to speak, and the hearing was concluded.

The Chairman called Bill No. 45-21, An Ordinance concerning: Personnel – Classified Service – Exempt Service; and the Administrative Officer read a portion of the title.

Mr. Volke noted that the Council has received and vote don this annual bill later in past years and asked the Administration if this was acceptable to receive this bill before the Council strikes the budget for FY 2022.

Mr. Baron acknowledged that the timing of this bill is new for this year. He explained it is a result of extensive conversations and collaboration that has allowed it to be offered earlier this year.

Steven Theroux, Budget Office, stated that, in general, the bill reflects what is included in the FY22 proposed budget.

Ms. Haire asked what would happen if this bill was changed by amendments on the last day of the budget.

Mr. Baron replied that the Administration would have to do some form of corrective action. He referred to the Office of Law for verification.

Kelly Kenney, Office of Law, responded that if there was anything that needed to be changed, County Code would have to be amended.

There was further discussion between the Council and the Administration regarding the timing of this legislation, and whether or not the bill should be held until the next Council meeting.

On motion of Mr. Volke, seconded by Ms. Haire, the motion to hold the vote on Bill No. 45-21 until the next Council meeting on June 21, 2021, was defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire, Mr. Volke  
Nay – Mr. Pruski, Ms. Rodvien, Ms. Pickard, Ms. Lacey

Bill No. 45-21 was passed by the following roll call vote:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke,  
Ms. Lacey  
Nay – None

### **BILL NO. 46-21**

The Chair called for the public hearing on Bill No. 46-21, Personnel – Positions in the Classified Service and the Exempt Service – For the purpose of amending the minimum qualifications for a certain position in the classified service; amending the pay grades for certain positions in the classified service; adding certain positions to the classified service; adding the pay grade, work week, and minimum qualifications for the positions being added to the classified service; removing a certain position from the exempt service; and generally relating to personnel; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Steven Theroux, Budget Office, Anne Budowski, Assistant Personnel Officer, Pearlene Collins, Personnel Office, and Kelly Kenney, Senior Assistant County Attorney, Office of Law.

Mr. Baron explained the purpose of Bill No. 46-21.

There were no questions from the Council.

The Chair opened the public hearing on Bill No. 46-21.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 46-21.

There was no one registered to speak and the hearing was concluded.

The Chair called for Bill No. 46-21, An Ordinance concerning: Personnel – Positions in the Classified Service and the Exempt Service; and the Administrative Officer read a portion of the title.

Bill No. 46-21 was passed by the following roll call vote:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke,  
Ms. Lacey  
Nay - None

### **BILL NO. 47-21**

The Chair called for the public hearing on Bill No. 47-21, An Ordinance concerning: Zoning – Veterinary Clinics as a Conditional Use in Industrial Districts – FOR the purpose of allowing “veterinary clinics, if overnight stays are limited to those necessary for medical treatment without outside runs or pens” as a conditional use in W2 industrial districts; adding the conditional use requirements; and generally relating to zoning; and the Administrative Officer read the title.

Ms. Lacey, Sponsor, explained Bill No. 47-21.

Pete Baron, Director, Government Affairs, was accompanied by Lynn Miller, Assistant Planning & Zoning Officer, and Kelly Kenney, Senior Assistant County Attorney.

Mr. Baron stated that the Administration supports Bill No. 47-21.

The Chair opened the public hearing on Bill No. 47-21.

The Administrative Officer stated there were no submissions of written public testimony received for Bill No. 47-21.

The following registered person spoke on Bill No. 47-21:

Jodi Miller, Harmans

There was no one else registered to speak and the hearing was concluded.

The Chair called for Bill No. 47-21, An Ordinance concerning: Zoning – Veterinary Clinics as a Conditional Use in Industrial Districts; and the Administrative Officer read a portion of the title.

Bill No. 47-21, was passed by the following roll call vote:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke,  
Ms. Lacey  
Nay – None

### **BILL NO. 48-21**

The Chair called for the public hearing on Bill No. 48-21, An Ordinance concerning: Zoning – Alcoholic Beverage Uses as Accessory to Other Uses – For the purpose of repealing a requirement for a certain distance between restaurants with an off-sale alcoholic beverage license and other businesses with the same license; repealing certain floor area restrictions and ownership requirements for a restaurant or package goods store with an off-sale alcoholic beverage license; making a technical change; and generally relating to zoning; and the Administrative Officer read the title.

Ms. Rodvien, Sponsor, explained Bill No. 48-21.

Pete Baron, Director, Government Affairs, was accompanied by Lynn Miller, Assistant Planning & Zoning Officer, and Kelly Kenney, Senior Assistant County Attorney.

Mr. Baron stated that the Administration supports Bill No. 48-21.

Mr. Volke for further background on Bill No. 48-21.

Ms. Rodvien responded to Mr. Volke's inquiry.

The Chair opened the public hearing on Bill No. 48-21.

The Administrative Officer stated there were no submissions of written public testimony received for Bill No. 48-21.

There was no one registered to speak and the hearing was concluded.

The Chair called for Bill No. 48-21, An Ordinance concerning: Zoning – Alcoholic Beverage Uses as Alcoholic Beverage Uses as Accessory to Other Uses; and the Administrative Officer read a portion of the title.

### **Amendment No. 1**

The Chair called for Amendment No. 1, and the Administrative Officer read the description.

*This amendment maintains a certain floor area requirement for “alcoholic beverage uses as accessory to other uses” as a conditional use; and increases the allowable area for off-sale alcoholic beverages as an accessory use to a restaurant to 30% of the floor area of the restaurant and removes the limit of 1000 square feet.*

Ms. Rodvien explained Amendment No. 1

Mr. Baron stated that the Administration supports Amendment No. 1

On motion of Ms. Pickard, seconded by Mr. Pruski, Amendment No. 1 was adopted by the following roll call vote:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke,  
Ms. Lacey  
Nay – None

The Chair stated that Bill No. 48-21, as amended, will be heard on Monday, June 21, 2021.

### **BILL NO. 49-21**

The Chair called for the public hearing on Bill No. 49-21, An Ordinance concerning: Zoning – Requirements for Special Exception Uses – Assisted Living Facilities – For the purpose of amending the special exception use requirements for an assisted living facility to require the developer to have unified control of the entire facility; allowing assisted care units to be provided in certain additional types of dwelling units whether or not allowed in the applicable zoning district; providing that the bulk regulations for an assisted living facility are the only applicable bulk regulations; amending the bulk regulations applicable to an assisted living facility; and generally relating to zoning; and the Administrative Officer read the title.

Ms. Pickard, Sponsor, explained that Bill No. 49-21 was done in collaboration with Mr. Volke.

Pete Baron, Director, Government Affairs, was accompanied by Lynn Miller, Assistant Planning & Zoning Officer, and Kelly Kenney, Senior Assistant County Attorney.

Mr. Baron stated that the Administration has been working with Ms. Pickard and Mr. Volke on this legislation and looks forward to supporting the bill.

The Chair opened the public hearing on Bill No. 49-21.

The Administrative Officer stated there were no submissions of written public testimony received for Bill No. 49-21.

There was no one registered to speak and the hearing was concluded.

The Chair called for Bill No. 49-21, An Ordinance concerning: Zoning – Requirements for Special Exception Uses – Assisted Living Facilities; and the Administrative Officer read a portion of the title.

### **Amendment No. 1**

The Chair called for Amendment No. 1, and the Administrative Officer read the description.

*This technical amendment corrects a typographical error in the bill to show actual Code language.*

On motion of Mr. Volke, seconded by Mr. Pruski, Amendment No. 1 was adopted by the following roll call vote:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke,  
Ms. Lacey  
Nay - None

### **Amendment No. 2**

The Chair called for Amendment No. 2, and the Administrative Officer read the description.

*This amendment removes “duplex dwelling units” from the requirement for assisted living facilities as a special exception use that describes where assisted care units may be provided.*

Ms. Rodvien explained Amendment No. 2.

Mr. Baron stated that the Administration supports Amendment No. 2.

On motion of Mr. Volke, seconded by Ms. Pickard, Amendment No. 2 was adopted by the following roll call vote:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke,  
Ms. Lacey  
Nay – None

The Chair stated that Bill No. 49-21, as amended, will be heard on June 21, 2021.

### **RECESS**

On motion of Ms. Rodvien, seconded by Mr. Volke, the Council voted to recess at 7:34 P.M.

## **RECONVENE**

The Council reconvened at 7:50 P.M. with all Councilmembers, Ms. Bohlayer, and Ms. Schuett present.

## **BILL NO. 50-21**

On motion of Mr. Volke, seconded by Ms. Haire, a motion to move Bill No. 50-21 on the Agenda to after Bill No. 56-21, was adopted by the following roll call vote:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke,  
Ms. Lacey  
Nay – None

## **BILL NO. 51-21**

The Chair called for Bill No. 51-21, An Ordinance concerning: Crofton Special Community Benefit District – Approval of Loan and Assignment Agreement – For the purpose of obligating the County to levy the special tax known as the special community benefit assessment on the Crofton Special Community Benefit District in an amount sufficient to repay a loan from Severn Bank to the Crofton Civic Association, Inc., in each of fifteen (15) fiscal years during the term of the loan; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Chris Trumbauer, Budget Officer, and Gregory Swain, County Attorney.

Mr. Baron explained the intent behind Bill No. 51-21.

Mr. Pruski stated that he is a co-sponsor on Bill No. 51-21, and asked for the support of the Council.

The Chair opened the public hearing on Bill No. 51-21.

The Administrative Officer stated there were no submissions of written public testimony received for Bill No. 51-21.

The following registered person spoke on Bill No. 51-21:

Martin Simon, Crofton

There was no one else registered and present, and the hearing was concluded.

The Chair called for Bill No. 51-21, An Ordinance concerning: Crofton Special Community Benefit District – Approval of Loan an Assignment Agreement; and the Administrative Officer read a portion of the title.

Bill No. 51-21 was passed by the following roll call vote:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke,  
 Ms. Lacey  
 Nay – None

### **BILL NO. 52-21**

The Chair called for Bill No. 52-21, An Emergency Ordinance concerning: Current Expense Budget – Fourth Quarter Fund Transfer and Supplementary Appropriations – FOR the purpose of transferring appropriations of funds between certain offices, departments, institutions, boards, commissions or other agencies in the general fund; making supplementary appropriations from unanticipated revenues to certain offices, departments, institutions, boards, commissions or other agencies in the general fund and to certain special funds of the County government for the current fiscal year; making this Ordinance an emergency measure; and generally relating to transferring appropriations of funds and making supplementary appropriations of funds to the current expense budget for the fiscal year ending June 30, 2021; and the Administration Officer read the title.

Mr. Pruski stated that for the record, his wife is employed by Anne Arundel County Public Schools, and that he submitted the proper form to the Ethics Commission.

Ms. Rodvien stated that she is a part-time employee with Anne Arundel County Public Schools, and that she submitted the proper form to the Ethics Commission.

On motion of Ms. Pickard, seconded by Mr. Pruski, a motion to suspend Council Rule 5-103(b) was adopted by the following roll call vote:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke,  
 Ms. Lacey  
 Nay – None

Pete Baron, Director, Government Affairs, was accompanied by Steven Theroux, Budget Office, Joseph Torre, Election Director, David Garreis, Deputy Director, Board of Elections, Karin McQuade, Controller, Office of Finance, Billie Penley, Chief Financial Officer, Health Department, Rick Napolitano, IT Director, Preeti Enrick, Director, Emergency Management, Henry Farrell, Senior Budget & Management Analyst, Karen Henry, DPW, and Alex Baquie, Assistant Chief, Bureau of Highways. DPW, Christine Anderson, Central Services Officer, Anne Budowski, Assistant Personnel Officer, and Natalie Fretz, Personnel Office, and Kelly Kenney, Senior Assistant County Attorney.

Mr. Baron stated that Bill No. 52-21 is the County's fourth quarter fund transfer bill.

Mr. Volke noted that there is five million dollars (\$5,000,000) for contractual services going to the Health Department. He asked the Administration what that money is being used for or has been used for.

Steven Theroux, Budget Office, stated that, as laid out in the fiscal note and the Auditor's blue letter, the five million dollars (\$5,000,000) is a FEMA reimbursement for a public assistance program.

Ms. Haire noted that there is a line item called “debt service” and asked the Administration to explain why money is being taken from that line item.

Mr. Theroux explained “debt service”.

The Council had several additional questions to the Administration, and Mr. Theroux gave additional detail by explaining line items by department.

The Chair called for Bill No. 52-21, and the Administrative Officer read a portion of the title.

### **Amendment No. 1**

The Chair called for Amendment No. 1, and the Administrative Officer read the description.

*This amendment increases the appropriation to the Office of Finance by \$25,000 for CPA services, increases the appropriation to the Police Department by \$102,000 for Personal Services, increases the appropriation to the Office of Personnel by \$300,000 for negotiation and audit services, and increases the appropriation in the Garage Vehicle Replacement Fund by \$10,000 in Capital Outlay.*

Pete Baron, Director, Government Affairs, asked for the Council’s approval of this amendment.

On motion of Ms. Pickard, seconded by Mr. Pruski, Amendment No. 1 was adopted by the following roll call vote:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke,  
Ms. Lacey  
Nay – None

Bill No. 52-21, as amended, passed by the following roll call vote:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke,  
Ms. Lacey  
Nay – None

### **BILL NO. 53-21**

The Chair called for Bill No. 53-21, An Emergency Ordinance concerning: Current Expense Budget – Board of Education – Supplementary Appropriation and Transfers of Funds – For the purpose of transferring appropriations of funds between certain offices, departments, institutions, boards, commissions or other agencies in the general fund; making supplementary appropriations from unanticipated revenues to the Local Education Fund for the current fiscal year; making this Ordinance an emergency measure; and generally relating to transferring appropriations of funds and supplementary appropriations to the current expense budget for the fiscal year ending June 30, 2021; and the Administrative Officer read the title.

Mr. Pruski stated that for the record, his wife is employed by Anne Arundel County Public Schools, and that he submitted the proper form to the Ethics Commission.

Ms. Rodvien stated that she is a part-time employee with Anne Arundel County Public Schools, and that she submitted the proper form to the Ethics Commission.

Peter Baron, Director, Government Affairs, was accompanied by Steven Theroux, Budget Office, and Kelly Kenney, Senior Assistant County Attorney. Mr. Baron stated that the Administration asks for Bill No. 53-21 to be held until June 21, 2021 so that a representative from Board of Education can be present.

The Chair opened the public hearing on Bill No. 53-21.

The Administrative Officer stated there were no submissions of written public testimony received for Bill No. 53-21.

There was no one registered and present to speak, and the hearing was concluded.

The Chair called for Bill No. 53-21, An Emergency Ordinance concerning: Current Expense Budget – Board of Education – Supplementary Appropriation and Transfers of Funds; and the Administrative Officer read a portion of the title.

Ms. Lacey asked Mr. Baron if the figures in Bill No. 53-21 were correct.

Mr. Baron stated that they were not correct and the Administration will be asking for an amendment at a the next meeting to reflect the numbers that were adopted by the Board of Education.

On motion of Ms. Pickard, seconded by Mr. Volke, the Council voted to hold the vote on Bill No. 53-21 until June 21, 2021, by the following roll call vote:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke,

Ms. Lacey

Nay – None

### **BILL NO. 55-21**

The Chair called for Bill No. 55-21, An Emergency Ordinance concerning: Zoning – General Provisions – Uses and Structures – Temporary Uses – FOR the purpose of extending the temporary use authorization for outdoor seating at restaurants granted by certain Executive Orders; and making this Ordinance an emergency measure; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Gregory Swain, County Attorney.

Mr. Baron explained Bill No. 55-21.

Mr. Volke stated that there would be a series of agreed upon amendments to Bill No. 55-21 and that he intended to withdraw Bill Nos. 50-21 and 56-21 if the amendments to Bill No. 55-21 were passed.

The Chair opened the public hearing on Bill No. 55-21.

The Administrative Officer stated there were no submissions of written public testimony received on Bill No. 55-21.

Amy Leahy was called but did not respond. There was no one else registered and present to speak, and the hearing was concluded.

The Chair called for Bill No. 55-21, An Emergency Ordinance concerning: Zoning – General Provisions – Uses and Structures – Temporary Uses; and the Administrative Officer read the title.

### **Amendment No. 1**

The Chair called for Amendment No. 1, and the Administrative Officer read the description.

*This amendment removes language regarding the termination of the State emergency proclamation.*

Mr. Volke, Sponsor, explained Amendment No. 1.

Mr. Baron stated the Administration supports Amendment No. 1.

On motion of Mr. Volke, seconded by Mr. Pruski, Amendment No. 1 was adopted by the following roll call vote:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke,  
Ms. Lacey  
Nay - None

### **Amendment No. 2**

The Chair called for Amendment No. 2, and the Administrative Officer read the description.

*This amendment replaces Exhibit A with Exhibit A-1.*

Mr. Volke, Sponsor, explained Amendment No. 2.

Mr. Baron stated the Administration supports Amendment No. 2.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 2 was adopted by the following roll call vote:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke,  
 Ms. Lacey  
 Nay - None

### **Amendment No. 3**

The Chair called for Amendment No. 3, and the Administrative Officer read the description.

*This amendment adds a clause that the County Executive will terminate the local Civil Emergency Proclamation upon the adoption of this Ordinance, and no later than 5:00 p.m. on June 11, 2021.*

Mr. Volke, Sponsor, explained Amendment No. 3.

Mr. Baron stated the Administration supports Amendment No. 3.

On motion of Mr. Volke, seconded by Ms. Haire, Amendment No. 3 was adopted by the following roll call vote:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke,  
 Ms. Lacey  
 Nay – None

Bill No. 55-21, as amended, was passed by the following roll call vote:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke,  
 Ms. Lacey  
 Nay – None

### **BILL NO. 50-21**

Mr. Volke, Sponsor, withdrew Bill No. 50-21.

### **BILL NO. 56-21**

Mr. Volke, Sponsor, withdrew Bill No. 56-21.

### **RESOLUTION NO. 29-21**

The Chair called for Resolution urging the County Executive to reopen Anne Arundel County buildings; and the Administrative Officer read the title.

Ms. Haire explained Resolution No. 29-21.

Pete Baron, Director, Government Affairs, was accompanied by Matthew Power, CAO, and Gregory Swain, County Attorney.

Mr. Baron stated the Administration supports Resolution No. 29-21.

There was a lengthy discussion regarding the opening of the County buildings between the Council and the Administration.

The Chair opened the public meeting on Resolution No. 29-21.

The Administrative Officer stated there were no submissions of written public testimony received on Resolution No. 29-21.

The following person spoke on Resolution No. 29-21:

Christine Wasnesky, Annapolis

Amy Leahy was called but did not respond. There was no one else registered and present to speak, and the hearing was concluded.

The Chair called for Resolution No. 29-21, urging the County Executive to reopen Anne Arundel County Buildings; and the Administrative Officer read a portion of the title.

Resolution No. 29-21 was adopted by the following roll call vote:

Aye – Mr. Pruski, Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke,  
Ms. Lacey

Nay – None

There being no further business, on motion of Mr. Volke, seconded by Ms. Pickard, the meeting adjourned at 8:50 P.M.

The Chair stated that the next Council meeting will be held on Tuesday, June 8, 2021.

Respectfully submitted,

by Lee Longo

for Laura Corby  
Administrative Officer

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of  
Virtual Final FY 2022 Budget Deliberations  
June 8, 2021 - 1:00 P.M.

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The meeting was called to order by Chairman Sarah Lacey at 1:00 P.M. Ms. Rodvien gave the invocation and led the Pledge of Allegiance. The meeting was held remotely via Zoom Webinar, beginning with roll call of all present.

The following members of the County Council were present:

|                  |                  |
|------------------|------------------|
| Sarah Lacey      | First District   |
| Allison Pickard  | Second District  |
| Nathan Volke     | Third District   |
| Andrew C. Pruski | Fourth District  |
| Amanda Fiedler   | Fifth District   |
| Lisa Rodvien     | Sixth District   |
| Jessica Haire    | Seventh District |

The Auditor's Office was represented by the County Auditor Michelle Bohlayer. Linda Schuett, Legislative Counsel, was also present.

**OPEN MEETINGS ACT**

Laura Corby, Administrative Officer, read aloud a statement from the County Attorney regarding the Open Meetings Act.

**ETHICS STATEMENT**

Laura Corby, Administrative Officer, read aloud the Ethics Statement.

**PRELIMINARY MOTION**

On motion of Ms. Pickard, seconded by Mr. Pruski, the Council voted that the partial reading of any bill, resolution, minutes, or amendment constitutes the reading of the whole.

**CALL OF BILLS FOR FINAL READING AND VOTE**

The Chairman called Bill No. 32-21, An Ordinance concerning: Annual Budget and Appropriation Ordinance of Anne Arundel County – For the purpose of adopting the County Budget, consisting of the Current Expense Budget for the fiscal year ending June 30, 2022, the Capital Budget for the fiscal year ending June 30, 2022, the Capital Program for the fiscal years ending June 30, 2022, June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, and June 30, 2027; and appropriating funds for all expenditures for the fiscal year beginning July 1, 2021, and ending June 30, 2022; and the Administrative Officer read a portion of the title.

### **Amendment Nos. 1 through 60**

On motion of Mr. Volke, seconded by Ms. Pickard, the Council voted to take Amendment Nos. 1 through 60 as a block.

Aye– Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski,  
Ms. Lacey  
Nay – None

The Administrative Officer read Amendment Nos. 1 through 60.

Chris Trumbauer, Budget Officer, stated the Administration did not object to the block of amendments.

On motion of Mr. Volke, seconded by Mr. Pruski, Amendment Nos. 1 through 60 were adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski,  
Ms. Lacey  
Nay – None

(Amendment Nos. 1 through 60 are attached to the official copy of these minutes.)

### **Amendment Nos. 61, 62, 64, 66, 67, 74, 75, 76, 77, and 78**

On motion of Mr. Volke seconded by Ms. Fiedler, the Council voted to take Amendment Nos. 61, 62, 64, 66, 67, 74, 75, 76, 77, and 78 as a block.

Aye– Ms. Fiedler, Ms. Rodvien, Ms. Haire, Mr. Volke, Mr. Pruski  
Nay – Ms. Pickard, Ms. Lacey

The Administrative Officer read Amendment Nos. 61, 62, 64, 66, 67, 74, 75, 76, 77, and 78.

Mr. Trumbauer stated the Administration did not support these amendments.

Ms. Bohlayer, County Auditor, explained more about the recommendations.

On motion of Ms. Haire, seconded by Ms. Fiedler, Amendment Nos. 61, 62, 64, 66, 67, 74, 75, 76, 77, and 78 were defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire, Mr. Volke  
Nay – Ms. Rodvien, Ms. Pickard, Mr. Pruski, Ms. Lacey

(Amendment Nos. 61, 62, 64, 66, 67, 74, 75, 76, 77, and 78 are attached to the official copy of these minutes.)

**Amendment No. 63 (WITHDRAWN)**

Amendment No. 63 was withdrawn by the Sponsor.

(Amendment No. 63 is attached to the official copy of these minutes.)

**Amendment No. 65 (WITHDRAWN)**

Amendment No. 65 was withdrawn by the Sponsor.

(Amendment No. 65 is attached to the official copy of these minutes.)

**Amendment Nos. 68 through 73**

On motion of Ms. Fiedler, seconded by Ms. Haire, the Council voted to take Amendment Nos. 68 through 73 as a block.

Aye– Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski,  
Ms. Lacey  
Nay – None

The Administrative Officer read Amendment Nos. 68 through 73.

Ms. Haire explained the amendments reflect other cuts recommended by the Auditor with which the Administration disagreed.

Mr. Trumbauer repeated the Administration did not support these amendments.

Ms. Bohlayer, County Auditor, explained more about the recommendations.

On motion of Ms. Fiedler, seconded by Ms. Haire, Amendment Nos. 68, 69, 70, 71, 72 and 73 were defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire, Mr. Volke  
Nay – Ms. Rodvien, Ms. Pickard, Mr. Pruski, Ms. Lacey

(Amendment Nos. 68, 69, 70, 71, 72 and 73 are attached to the official copy of these minutes.)

**Amendment No. 79**

The Administrative Officer read Amendment No. 79.

Mr. Volke, Sponsor, gave a brief statement about the amendment.

Mr. Trumbauer stated the Administration did not support the amendment.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 79 was defeated by the following roll call vote:

Aye – Mr. Volke

Nay – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Pruski, Ms. Lacey

(A copy of Amendment No. 79 is attached to the official copy of these minutes.)

#### **Amendment No. 80**

The Administrative Officer read Amendment No. 80.

Mr. Volke, Sponsor, gave a brief statement about the amendment.

Mr. Trumbauer stated the Administration did not support the amendment.

On motion of Mr. Volke, seconded by Ms. Haire, Amendment No. 80 was defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire, Mr. Volke

Nay – Ms. Rodvien, Ms. Pickard, Mr. Pruski, Ms. Lacey

(A copy of Amendment No. 80 is attached to the official copy of these minutes.)

#### **Amendment No. 81**

The Administrative Officer read Amendment No. 81.

Ms. Fiedler, Sponsor, gave a brief statement about the amendment.

Mr. Trumbauer stated the Administration is opposed to this amendment.

On motion of Ms. Haire, seconded by Ms. Fiedler, Amendment No. 81 was defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire, Mr. Volke

Nay – Ms. Rodvien, Ms. Pickard, Mr. Pruski, Ms. Lacey

(A copy of Amendment No. 81 is attached to the official copy of these minutes.)

#### **Amendment No. 82 (WITHDRAWN)**

Amendment No. 82 was withdrawn by the Sponsor.

(A copy of Amendment No. 82 is attached to the official copy of these minutes.)

#### **Amendment No. 83**

The Administrative Officer read Amendment No. 83.

Ms. Fiedler, Sponsor, gave a brief statement about the amendment.

Mr. Trumbauer stated the Administration is opposed to this amendment.

On motion of Ms. Haire, seconded by Ms. Fiedler, Amendment No. 83 was defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire

Nay – Ms. Rodvien, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Lacey

(A copy of Amendment No. 83 is attached to the official copy of these minutes.)

#### **Amendment No. 84**

The Administrative Officer read Amendment No. 84.

Ms. Fiedler, Sponsor, gave a brief statement about the amendment.

Mr. Trumbauer stated the Administration is opposed to this amendment.

On motion of Ms. Haire, seconded by Ms. Fiedler, Amendment No. 84 was defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire, Mr. Volke

Nay – Ms. Rodvien, Ms. Pickard, Mr. Pruski, Ms. Lacey

(A copy of Amendment No. 84 is attached to the official copy of these minutes.)

#### **Amendment No. 85**

The Administrative Officer read Amendment No. 85.

Mr. Volke, Sponsor, gave a brief statement about the amendment.

Mr. Trumbauer stated the Administration is opposed to this amendment.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 85 was defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire, Mr. Volke

Nay – Ms. Rodvien, Ms. Pickard, Mr. Pruski, Ms. Lacey

(Amendment No. 85 is attached to the official copy of these minutes.)

#### **Amendment Nos. 86, 87, 89, 90, and 92**

On motion of Mr. Volke, seconded by Ms. Haire, the Council voted to take Amendment Nos. 86, 87, 89, 90, and 92 as a block by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski,  
Ms. Lacey  
Nay – None

The Administrative Officer read Amendment Nos. 86, 87, 89, 90 and 92.

Mr. Volke, Sponsor, gave a brief statements about the amendments.

Mr. Trumbauer stated the Administration does not support these amendments.

On motion of Mr. Volke, seconded by Ms. Haire, Amendment Nos. 86, 87, 89, 90 and 92 were defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire, Mr. Volke  
Nay – Ms. Rodvien, Ms. Pickard, Mr. Pruski, Ms. Lacey

(Amendment Nos. 86, 87, 89, 90 and 92 are attached to the official copy of these minutes.)

#### **Amendment No. 88**

The Administrative Officer read Amendment No. 88.

Ms. Haire, Sponsor, gave a brief statement about the amendment.

Mr. Trumbauer stated the Administration is opposed to the amendment.

On motion of Ms. Haire, seconded by Mr. Volke, Amendment No. 88 was defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire, Mr. Volke  
Nay – Ms. Rodvien, Ms. Pickard, Mr. Pruski, Ms. Lacey

(Amendment No. 88 is attached to the official copy of these minutes.)

#### **Amendment No. 91**

The Administrative Officer read Amendment No. 91.

Ms. Haire, Sponsor, gave a brief statement about the amendment.

Mr. Trumbauer stated the Administration is opposed to the amendment.

On motion of Ms. Haire, seconded by Mr. Volke, Amendment No. 91 was defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire  
Nay – Ms. Rodvien, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Lacey

(A copy of Amendment No. 91 is attached to the official copy of these minutes.)

### **Amendment No. 93 (WITHDRAWN)**

Amendment No. 93 was withdrawn by the Sponsor.

(A copy of Amendment No. 93 is attached to the official copy of these minutes.)

### **Amendment No. 94**

The Administrative Officer read Amendment No. 94.

Mr. Pruski recused himself from discussion and vote on the amendment.

Ms. Fiedler gave a brief statement on the amendment.

Mr. Trumbauer stated the Board of Education would respond.

Matt Stansky, Director of Financial Operations, AACPS, spoke on the proposed pay increases.

Ms. Rodvien recused herself from discussion and vote on the amendment.

On motion of Ms. Haire, seconded by Ms. Fiedler, Amendment No. 94 was defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire

Nay – Ms. Pickard, Mr. Volke, Ms. Lacey

Recused – Mr. Pruski, Ms. Rodvien

(A copy of Amendment No. 94 is attached to the official copy of these minutes.)

### **Amendment No. 95**

The Administrative Officer read Amendment No. 95.

Ms. Fiedler gave a brief statement on the amendment.

Matt Stansky, Director of Financial Operations, AACPS, spoke on behalf of the AACPS.

Mr. Pruski explained why he would not recuse himself from the vote on the amendment.

Ms. Rodvien recused herself from discussion and vote on the amendment.

On motion of Ms. Haire, seconded by Ms. Fiedler, Amendment No. 95 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Lacey

Nay – None

Recused – Ms. Rodvien

(A copy of Amendment No. 95 is attached to the official copy of these minutes.)

**Amendment No. 96**

The Administrative Officer read Amendment No. 96.

Ms. Pickard gave a brief statement on the amendment.

Mr. Pruski and Ms. Rodvien both explained why they would not recuse themselves from the vote on the amendment.

Matt Stansky, Director of Financial Operations, AACPS, spoke on behalf of the AACPS.

Mr. Trumbauer stated the Administration supports the amendment.

On motion of Ms. Pickard, seconded by Ms. Lacey, Amendment No. 96 was adopted by the following roll call vote:

Aye – Ms. Rodvien, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – Ms. Fiedler, Ms. Haire, Mr. Volke

(A copy of Amendment No. 96 is attached to the official copy of these minutes.)

**Amendment No. 97 (WITHDRAWN)**

Amendment No. 97 was withdrawn by the Sponsors.

(A copy of Amendment No. 97 is attached to the official copy of these minutes.)

**Amendment Nos. 98, 99, 100, 101, 102, and 103**

Mr. Volke made a motion, seconded by Ms. Haire, to block Amendment Nos. 98, 99, 101 and 103. Ms. Fiedler requested to add Amendment Nos. 100 and 102 to the block.

On motion of Mr. Volke, seconded by Ms. Haire, the Council voted to take Amendment Nos. 98, 99, 100, 101, 102, and 103 as a block by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski,  
Ms. Lacey

Nay – None

The Administrative Officer read Amendment Nos. 98, 99, 100, 101, 102, and 103.

Ms. Haire stated gave a brief statement on the amendment.

Mr. Trumbauer stated the Administration does not support these amendments.

On motion of Ms. Fiedler, seconded by Ms. Haire, Amendment Nos. 98, 99, 100, 101, 102 and 103 were defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire, Mr. Volke  
Nay – Ms. Rodvien, Ms. Pickard, Mr. Pruski, Ms. Lacey

(A copy of Amendment Nos. 98, 99, 100, 101, 102 and 103 are attached to the official copy of these minutes.)

#### **Amendment No. 104**

The Administrative Officer read Amendment No. 104.

Mr. Volke, Sponsor, explained the purpose of the amendment.

Ms. Rodvien questioned the correctness of the language used in the amendment.

Mr. Trumbauer stated the Administration does not support the amendment.

On motion of Mr. Volke, seconded by Ms. Haire, Amendment No. 104 was defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire, Mr. Volke  
Nay – Ms. Rodvien, Ms. Pickard, Mr. Pruski, Ms. Lacey

(A copy of Amendment No. 104 is attached to the official copy of these minutes.)

#### **Amendment No. 105**

The Administrative Officer read Amendment No. 105.

Ms. Haire, Sponsor, gave a brief explanation of the amendment.

Mr. Trumbauer stated that the Administration is opposed to the amendment and read aloud a statement on behalf of the County Public Libraries.

Ms. Bohlayer, County Auditor, spoke further about the amendment.

On motion of Ms. Haire, seconded by Ms. Fiedler, Amendment No. 105 was defeated by the following roll call vote:

Aye – Ms. Fiedler, Ms. Haire, Mr. Volke  
Nay – Ms. Rodvien, Ms. Pickard, Mr. Pruski, Ms. Lacey

(A copy of Amendment No. 105 is attached to the official copy of these minutes.)

#### **BILL NO. 33-21**

The Chairman called Bill No. 33-21, An Ordinance concerning: Tax Levies – Special Community Benefit Districts, Shore Erosion Control Districts, and Waterways Improvement Districts – For the purpose of levying and imposing the tax rates for special community benefit

districts, shore erosion control districts, and waterways improvement districts required by the County Budget for Fiscal Year 2022; and the Administrative Officer read the title.

### **Amendment No. 1**

The Administrative Officer read Amendment No. 1

Mr. Trumbauer stated this amendment is updating the accurate number in the bill.

On motion of Ms. Rodvien, seconded by Ms. Pickard, Amendment No. 1 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski,  
Ms. Lacey  
Nay – None

(A copy of Amendment No. 1 is attached to the official copy of these minutes.)

### **Amendment No. 2**

The Administrative Officer read Amendment No. 2

Mr. Trumbauer stated this amendment is to correct a typo and asked for the Council's support.

On motion of Mr. Pruski, seconded by Ms. Pickard, Amendment No. 2 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski,  
Ms. Lacey  
Nay – None

(A copy of Amendment No. 2 is attached to the official copy of these minutes.)

### **RECESS**

The Chairman stated the Council would recess at this time to allow the Administration to provide their supplemental budget requests. Mr. Trumbauer stated they would be ready in approximately one hour. The Council recessed at 3:10 P.M.

### **RECONVENE**

The Council reconvened at 4:30 P.M. Mr. Volke was absent. All other Council were present, as was the County Auditor.

### **SUPPLEMENTAL BUDGET**

Chris Trumbauer, Budget Officer, presented the County Executive's proposed supplemental amendments to the budget in accordance with Section 709 of the County Charter.

(The Supplemental Budget letter from Stuart Pittman, County Executive, is attached to the official copy of these minutes).

### **MOTION TO WAIVE THE PUBLIC HEARING**

The Chairman read the following statement: “Under the provisions of Section 709 of the Charter, if the County Executive proposes amendments to increase or add items to the Budget, the County Council must give reasonable public notice of the proposed amendments and hold a public hearing on the amendments. Notice of the purposed supplement amendments has been given. The Council may waive this hearing by a vote of five members.”

The motion of Mr. Pruski, seconded by Ms. Pickard, to waive the public hearing was defeated by the following roll call vote:

Aye– Ms. Rodvien, Ms. Lacey, Ms. Pickard, Mr. Pruski

Nay – Ms. Fiedler, Ms. Haire

Absent – Mr. Volke

Ms. Lacey stated that the motion to waive the public hearing under Section 709 of the Charter has failed. Public notice of the supplemental budget being proposed will be advertised, text of the amendments will be posted on the County’s website and the public should check the Council’s website for ways to submit testimony. The Council’s public hearing will be held during the virtual meeting beginning at 9:00 A.M. on Monday, June 14, 2021. Any public testimony received will be posted prior to that time. Upon conclusion of that hearing, the County Council will vote on the supplemental amendments and the FY 2022 Budget Bills No. 32-21 through Bill No. 44-21.

### **ADJOURNMENT**

There being no further business, on motion of Ms. Pickard, seconded by Ms. Haire, the meeting was adjourned at 4:53 P.M.

Respectfully submitted,

by Susan F. Cline

for Laura Corby  
Administrative Officer

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of  
Virtual Final FY 2022 Budget Deliberations  
June 14, 2021 – 9:00 A.M.

---

The meeting was called to order by Chairman Sara Lacey at 9:00 A.M. Ms. Haire gave the Invocation and led the Pledge of Allegiance. The meeting was held remotely via Zoom Webinar, beginning with roll call of all present.

The following members of the County Council were present:

|                  |                  |
|------------------|------------------|
| Sarah Lacey      | First District   |
| Allison Pickard  | Second District  |
| Nathan Volke     | Third District   |
| Andrew C. Pruski | Fourth District  |
| Amanda Fiedler   | Fifth District   |
| Lisa Rodvien     | Sixth District   |
| Jessica Haire    | Seventh District |

The Auditor's Office was represented by the County Auditor Michelle Bohlayer.

**OPEN MEETINGS ACT**

Laura Corby, Administrative Officer, read aloud a statement from the County Attorney regarding the Open Meetings Act.

**ETHICS STATEMENT**

Laura Corby, Administrative Officer, read aloud the Ethics Statement.

**SECTION 709 PUBLIC HEARING**

The Chair called for the public hearing on the County Executive's proposed supplemental amendments to the budget.

The Administrative Officer stated there were no submissions of public testimony received.

The Chair stated there were no signups for public testimony, and the hearing was concluded.

**PRELIMINARY MOTION**

On motion of Ms. Pickard, seconded by Ms. Rodvien, the Council voted that the partial reading of any bill, resolution, minutes, or amendment constitutes the reading of the whole.

**CALL OF BILLS FOR FINAL READING AND VOTE**

The Chairman called for the final reading of Bill No. 32-21, as amended, An Ordinance concerning: Annual Budget and Appropriation Ordinance of Anne Arundel County – For the

purpose of adopting the County Budget, consisting of the Current Expense Budget for the fiscal year ending June 30, 2022, the Capital Budget for the fiscal year ending June 30, 2022, the Capital Program for the fiscal years ending June 30, 2022, June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, and June 30, 2027; and appropriating funds for all expenditures for the fiscal year beginning July 1, 2021, and ending June 30, 2022; and the Administrative Officer read the title.

Chris Trumbauer, Budget Officer, stated the Administration supports the budget.

On motion of Ms. Rodvien, seconded by Mr. Pruski, the Council voted to take Amendment Nos. 106 through 146 as a block, by the following roll call vote:

Aye –Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler  
Ms. Lacey  
Nay – None

The Administrative Officer read Amendment Nos. 106 through 146. (Amendment Nos. 106 through 146 are attached to the official copy of these minutes.)

#### **Amendment Nos. 106 through 146**

Ms. Pickard added herself as a sponsor to Amendment Nos. 120 and 121. She thanked the administration for working with her.

On motion of Ms. Pickard, seconded by Ms. Rodvien, the Council voted to adopt Amendment Nos. 106 through 146 by the following roll call vote:

Aye –Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler  
Ms. Lacey  
Nay – None

#### **RECESS**

On motion of Ms. Pickard, seconded by Mr. Pruski, the Council vote to recess at 9:28 A.M.

#### **RECONVENE**

The Council reconvened at 10:02 A.M. with all Councilmembers present.

#### **Amendment No. 147**

The Administrative Officer read Amendment No. 147.

Mr. Trumbauer stated the amendment balances PayGo.

On motion of Ms. Pickard, seconded by Ms. Rodvien, Amendment No. 147 was adopted by the following roll call vote:

Aye –Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler  
Ms. Lacey  
Nay – None

#### **Amendment No. 148**

The Administrative Officer read Amendment No. 148.

Mr. Trumbauer stated the amendment reconciles PayGo for water and wastewater utility.

On motion of Ms. Pickard, seconded by Ms. Rodvien, Amendment No. 148 was adopted by the following roll call vote:

Aye –Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler  
Ms. Lacey  
Nay – None

#### **Amendment No. 149**

The Administrative Officer read Amendment No. 149.

Mr. Trumbauer stated the amendment is the reconciliation of all the impact fee changes.

Ms. Haire asked if the amendment corrects the top lying numbers on the impact fees.

Mr. Trumbauer agreed.

Michelle Bohlayer, County Auditor, stated the amendment also corrects some debt service items that were missing.

On motion of Ms. Pickard, seconded by Ms. Rodvien, Amendment No. 149 was adopted by the following roll call vote:

Aye –Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler  
Ms. Lacey  
Nay – None

#### **Amendment No. 150**

The Administrative Officer read Amendment No. 150.

Ms. Fiedler, Sponsor, stated this amendment moves the remaining balances into the revenue reserve fund.

Mr. Trumbauer stated this is a policy decision for the Council. He stated the Administration was comfortable with the original amount of \$11 million, and preferred the flexibility of PayGo remaining as an appropriate fund balance. He pointed out a balancing error.

Ms. Pickard expressed her desire to leave PayGo at the initial amount of \$11 million.

Ms. Haire shared her concern that the PayGo fund will not be enough to cover a revenue miss.

Ms. Bohlayer stated the amount in the amendment is correct, and the PayGo amount would need to be updated for the budget to balance.

Ms. Rodvien shared her desire to keep the amounts where they are.

Ms. Fiedler expressed her support of the amendment and her desire to prepare for future problems.

On motion of Ms. Haire, seconded by Ms. Fiedler, Amendment No. 150 was defeated by the following roll call vote:

Aye – Ms. Rodvien, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – Ms. Haire, Mr. Volke, Ms. Fiedler

The Chairman called Bill No. 32-21, as amended, An Ordinance concerning: Annual Budget and Appropriation Ordinance of Anne Arundel County; and the Administrative Officer read a portion of the title.

Mr. Pruski thanked all who worked on the Budget and expressed his pleasure at the way the Budget has worked out this year.

Ms. Haire expressed her thanks for the hard work put into the Budget. She stated she would not be supporting it.

Ms. Pickard shared her thanks and her positive thoughts on the Budget.

Ms. Rodvien thanked everyone who worked on the Budget and spoke on the need for everything in it.

Mr. Volke expressed his gratefulness to those who worked on the Budget.

Ms. Fiedler expressed her thanks to the staff and all who helped with the Budget.

Ms. Lacey thanked all who helped on the Budget.

Bill No. 32-21, as amended, was passed by the following roll call vote:

Aye – Ms. Rodvien, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – Ms. Haire, Mr. Volke, Ms. Fiedler

(Amendment Nos. 147 through 150 are attached to the official copy of these minutes.)

### **BILL NO. 33-21 (As Amended)**

The Chairman called Bill No. 33-21, as amended, An Ordinance concerning: Tax Levies – Special Community Benefit Districts, Shore Erosion Control Districts, and Waterways Improvement Districts – For the purpose of levying and imposing the tax rates for special community benefit districts, shore erosion control districts, and waterways improvement districts required by the County Budget for Fiscal Year 2022; and the Administrative Officer read a portion of the title.

Chris Trumbauer, Budget Officer, stated the bill sets the rates.

Bill No. 33-21, as amended, was passed by the following roll call vote:

Aye –Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler  
Ms. Lacey  
Nay – None

### **BILL NO. 34-21**

The Chairman called Bill No. 34-21, An Ordinance concerning: Tax Levies – Arundel Gateway Special Taxing District – For the purpose of levying and imposing the tax rates for the Arundel Gateway Special Taxing District required by the County Budget for Fiscal Year 2022; and the Administrative Officer read a portion of the title.

Chris Trumbauer, Budget Officer, asked for a positive vote.

Bill No. 34-21 was passed by the following roll call vote:

Aye –Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler  
Ms. Lacey  
Nay – None

### **BILL NO. 35-21**

The Chairman called Bill No. 35-21, An Ordinance concerning: Tax Levies – Arundel Mills Special Taxing District – For the purpose of levying and imposing the tax rates for the Arundel Mills Special Taxing District required by the County Budget for Fiscal Year 2022; and the Administrative Officer read a portion of the title.

Bill No. 35-21 was passed by the following roll call vote:

Aye –Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler  
Ms. Lacey  
Nay – None

### **BILL NO. 36-21**

The Chairman called Bill No. 36-21, An Ordinance concerning: Tax Levies – Dorchester Special Taxing District – For the purpose of levying and imposing the tax rates for the Dorchester

Special Taxing District required by the County Budget for Fiscal Year 2022; and the Administrative Officer read a portion of the title.

Ms. Lacey explained the Dorchester Special Taxing District area and why the tax was on the property tax bill.

Bill No. 36-21 was passed by the following roll call vote:

Aye –Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler  
Ms. Lacey  
Nay – None

### **BILL NO. 37-21**

The Chairman called Bill No. 37-21, An Ordinance concerning: Tax Levies – Farmington Village Special Taxing District – For the purpose of levying and imposing the tax rates for the Farmington Village Special Taxing District required by the County Budget for Fiscal Year 2022; and the Administrative Officer read a portion of the title.

Bill No. 37-21 was passed by the following roll call vote:

Aye –Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler  
Ms. Lacey  
Nay – None

### **BILL NO. 38-21**

The Chairman called Bill No. 38-21, An Ordinance concerning: Tax Levies – National Business Park Special Taxing District – For the purpose of levying and imposing the tax rates for the National Business Park Special Taxing District required by the County Budget for Fiscal Year 2022; and the Administrative Officer read a portion of the title.

Bill No. 38-21 was passed by the following roll call vote:

Aye –Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler  
Ms. Lacey  
Nay – None

### **BILL NO. 39-21**

The Chairman called Bill No. 39-21, An Ordinance concerning: Tax Levies – National Business Park-North Special Taxing District– For the purpose of levying and imposing the tax rates for the National Business Park-North Special Taxing District required by the County Budget for Fiscal Year 2022; and the Administrative Officer read a portion of the title.

Bill No. 39-21 was passed by the following roll call vote:

Aye –Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler  
Ms. Lacey  
Nay – None

#### **BILL NO. 40-21**

The Chairman called Bill No. 40-21, An Ordinance concerning: Tax Levies – Two Rivers Special Taxing District – For the purpose of levying and imposing the tax rates for the Two Rivers Special Taxing District required by the County Budget for Fiscal Year 2022; and the Administrative Officer read a portion of the title.

Bill No. 40-21 was passed by the following roll call vote:

Aye –Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler  
Ms. Lacey  
Nay – None

#### **BILL NO. 41-21**

The Chairman called Bill No. 41-21, An Ordinance concerning: Tax Levies – Village South at Waugh Chapel Special Taxing District – For the purpose of levying and imposing the tax rates for the Village South at Waugh Chapel Special Taxing District required by the County Budget for Fiscal Year 2022; and the Administrative Officer read a portion of the title.

Bill No. 41-21 was passed by the following roll call vote:

Aye –Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler  
Ms. Lacey  
Nay – None

#### **BILL NO. 42-21**

The Chairman called Bill No. 42-21, An Ordinance concerning: Finance, Taxation, and Budget – Arts Council of Anne Arundel County Special Revenue Fund – Annapolis and Anne Arundel County Conference and Visitors Bureau Special Revenue Fund – For the purpose of establishing an Arts Council of Anne Arundel County Special Revenue Fund; establishing an Annapolis and Anne Arundel County Conference and Visitors Bureau Special Revenue Fund; providing for payment of revenues restricted in use by State law into the Funds; providing that the Funds shall be special, non-lapsing funds; specifying the purposes for which transfers may be made from the Funds; and generally relating to finance, taxation, and budget; and the Administrative Officer read a portion of the title.

Chris Trumbauer, Budget Officer, stated this bill recognizes the legislation that the General Assembly passed and brings in the funding stream for the Visitor Bureau and the Arts Council.

Bill No. 42-21 was passed by the following roll call vote:

Aye –Ms. Rodvien, Ms. Haire, Ms. Pickard, Mr. Volke, Mr. Pruski, Ms. Fiedler  
Ms. Lacey

Nay – None

**BILL NO. 43-21**

The Chairman called Bill No. 43-21, An Ordinance concerning: Public Works – Solid Waste Collection – Solid Waste Service Charge – Solid Waste Landfill and Facility Delivery Fees – For the purpose of modifying the solid waste service charge; providing the method by which the solid waste service charge is set; modifying certain charges for delivery of solid waste to a landfill or waste disposal facility; providing for the effective date of this Ordinance; and generally relating to the solid waste service charge; and the Administrative Officer read a portion of the title.

Chris Trumbauer, Budget Officer, stated this bill sets the rates for the increased Solid Waste fee.

Mr. Volke asked how the increase would help the trash pickup situation.

Mr. Trumbauer stated the best department to answer this would be Department of Public Works.

Bill No. 43-21 was passed by the following roll call vote:

Aye – Ms. Rodvien, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – Ms. Haire, Mr. Volke, Ms. Fiedler

**BILL NO. 44-21**

The Chairman called Bill No. 44-21, An Ordinance concerning: Property Tax and Semiannual Payment Service Charge – For the purpose of levying and imposing a property tax for the use of Anne Arundel County for the taxable year beginning July 1, 2021, and ending June 30, 2022; fixing the rate of the County property tax for the taxable year; and establishing the service charge to be paid by a property owner electing to pay real property taxes and all other taxes and charges billed on the real property tax bill under a semiannual payment schedule; and the Administrative Officer read a portion of the title.

Chris Trumbauer, Budget Officer, stated the Budget keeps the income tax rate unchanged with a decrease in the property tax rate.

Ms. Lacey spoke on keeping the revenue cap level and legal.

Bill No. 44-21 was passed by the following roll call vote:

Aye – Ms. Rodvien, Ms. Pickard, Mr. Pruski, Ms. Lacey

Nay – Ms. Haire, Mr. Volke, Ms. Fiedler

Chris Trumbauer, Budget Officer, expressed his thanks for everyone's hard work.

Ms. Rodvien thanked the Office of Information Technology.

Michelle Bohlayer, County Auditor, shared her thanks to all who helped with the Budget.

## **ADJOURNMENT**

There being no further business, on motion of Ms. Pickard, seconded by Ms. Rodvien, the meeting adjourned at 10:56 A.M.

Respectfully submitted,

By Anna Macaulay

For Laura Corby  
Administrative Officer



**ANNE ARUNDEL COUNTY  
OFFICE OF THE COUNTY AUDITOR**

**To:** Councilmembers, Anne Arundel County Council  
**From:** Michelle Bohlayer, County Auditor  
**Date:** June 16, 2021  
**Subject:** Auditor Review of Legislation for the June 21, 2021 Council Meeting

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**Bill 48-21:  
Zoning – Alcoholic  
Beverage Uses as  
Accessory to Other Uses  
(As Amended)**

**Summary of Legislation**

This bill repeals a requirement for a certain distance between restaurants with an off-sale alcoholic beverage license and other businesses with the same license and repeals certain floor area restrictions and ownership requirements for a restaurant or package goods store with an off-sale alcoholic beverage license. This bill also updates the Maryland Annotated Code reference to the Alcoholic Beverages Article §11-1603, which replaced Article 2B §9-203(c).

We commented on this bill in our letter dated June 2, 2021. At the June 7, 2021 Council meeting, this bill was amended to maintain certain floor area requirements as a conditional use, increase the allowable area for off-sale alcoholic beverages as an accessory use, and remove the limit of 1,000 square feet. We have no further comments on this bill.

---

**Bill 49-21:  
Zoning – Requirements  
for Special Exception Uses  
– Assisted Living Facilities  
(As Amended)**

**Summary of Legislation**

This bill amends the special use exception use requirements for an assisted living facility to require the developer to have unified control of the entire facility, allows assisted care units to be provided in certain additional types of dwelling units, provide that the bulk regulations for an assisted living facility are the only bulk regulations for an assisted living facility, and amends the bulk regulations for an assisted living facility.

We commented on this bill in our letter dated June 2, 2021. At the June 7, 2021 Council meeting, this bill was amended to correct a typographical error and remove duplex dwelling units from the requirement for assisted living facilities as a special exception use. We have no further comments on this bill.

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**Bill 53-21:  
Emergency – Current  
Expense Budget – Board  
of Education –  
Supplementary  
Appropriation and  
Transfers of Funds**

**Summary of Legislation**

This bill transfers appropriations of funds in the General Fund and makes supplementary appropriations from unanticipated revenues to the Local Education Fund for the Board of Education (Board). This bill will be amended to reflect the budgetary changes adopted by the Board at their meeting on May 19, 2021.

We commented on this bill in our letter dated June 2, 2021. At the June 7, 2021 Council meeting, this bill was held until the June 21, 2021 meeting. We have no further comments on this bill.

---

**Bill 54-21:  
Finance, Taxation, and  
Budget – Community  
Benefit Program – Grants  
for Councilmanic Districts**

**Summary of Legislation**

This bill amends the community benefit program to do the following:

- Allow the County Executive to include a percentage of the amount appropriated for grants in the budget for use in each Councilmanic District (District), which must be the same for each District;
- If included in the budget, Councilmembers can submit one or more requests to the County Executive for grants to be awarded to nonprofit organizations located in the Councilmember's District, which may then be awarded by the County Executive in the amount requested by the Councilmember, not to exceed \$10,000;
- Expand grant award eligibility under Subsection c(2) to any nonprofit organization located within the County;
- Require the grant applicant to provide a copy of the application to the Councilmember representing the District; and
- Require the nonprofit organization to use the grant to benefit the communities in that area.

**Review of Fiscal Impact**

This bill has no direct fiscal impact, however, this bill would allow the County Executive to include a percentage of the amount appropriated for grants in the budget for use in each District, as long as the percentage is the same for each District.

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**Resolution 31-21:  
Approving the Nomination  
of a Member to the Anne  
Arundel County Human  
Relations Commission**

**Summary of Legislation**

This resolution approves the nomination of Jikaela L. Call to serve as a representative of District 7 to the Anne Arundel County Human Relations Commission for the remainder of a term ending November 17, 2021, and to serve a full term ending on November 17, 2024.

**Review of Fiscal Impact**

This resolution has no direct fiscal impact.

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**Resolution 32-21:  
Opposition to Preparing a  
Final Environmental  
Impact Statement and  
Record of Decision for the  
Third Span of the  
Chesapeake Bay Bridge**

**Summary of Legislation**

This resolution opposes the completion of the Tier 1 Final Environmental Impact Statement and Record of Decision for the third span of the Chesapeake Bay Bridge without further review and without amended purpose and need statements.

**Review of Fiscal Impact**

This resolution is non-binding and has no fiscal impact.

---

**Resolution 33-21:  
Apologizing for Civil  
Rights Violations That  
Occurred Under the  
Administration of a  
Former Anne Arundel  
County Executive**

**Summary of Legislation**

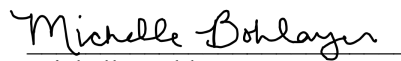
This resolution apologizes to all citizens, including in particular the targeted individuals, of Anne Arundel County for the abuses that occurred during the administration of a former Anne Arundel County Executive.

**Review of Fiscal Impact**

This resolution is non-binding and has no fiscal impact.

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Sincerely,

  
Michelle Bohlayer, CPA  
County Auditor

# PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 14

Bill No. 63-21

Introduced by Ms. Lacey, Chair  
(by request of the County Executive)

By the County Council, June 21, 2021

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Introduced and first read on June 21, 2021  
Public Hearing set for July 19, 2021  
Bill Expires on September 24, 2021

By Order: Laura Corby, Administrative Officer

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## A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Critical Area Overlay

2  
3 FOR the purpose of adopting the “Anne Arundel County Critical Area Layer” as the critical  
4 area overlay for Anne Arundel County; grandfathering certain applications for  
5 development, variances, and special exceptions; and generally relating to zoning.

6  
7 BY repealing and reenacting, with amendments: §§ 18-2-101(b)(9) and (10); and 18-13-  
8 103  
9 Anne Arundel County Code (2005, as amended)

10  
11 BY adding: § 18-2-101(b)(11)  
12 Anne Arundel County Code (2005, as amended)

13  
14 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
15 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

## 16 ARTICLE 18. ZONING

### 17 TITLE 2. GENERAL PROVISIONS

#### 18 19 20 21 **18-2-101. Scope; applicability.**

22  
23 (b) **Applicability to pending and future proceedings.** Subject to the grandfathering  
24 provisions of COMAR Title 27, this article applies to all pending and future proceedings,

---

EXPLANATION: CAPITALS indicate new matter added to existing law.  
[[Brackets]] indicate matter repealed from existing law.  
Captions and taglines in **bold** in this bill are catchwords and are not law.

1 and actions of any board, department, or agency empowered to decide applications under  
2 this Code, except that:

3  
4 (9) an application for a solar energy generating facility – community filed before  
5 January 1, 2018, shall be governed by the law as it existed prior to January 1, 2018 for a  
6 solar energy system – principal; [[and]]

7  
8 (10) the following shall be governed by the law as it existed prior to August 1, 2020:

9  
10 (i) an application for a grading permit, building permit, or zoning certificate of  
11 use filed on or before February 18, 2020 for a group home that would be deemed an  
12 “assisted living facility I, community based”, a “group home I,” or a “group home II” under  
13 Bill No. 16-20;

14  
15 (ii) an application for a grading permit, building permit, or zoning certificate of  
16 use filed on or before February 18, 2020 for an existing use with a group home license  
17 issued by the State; and

18  
19 (iii) an application for a grading permit, building permit, or zoning certificate  
20 of use filed on or before February 18, 2020 for a group home or a rooming house; AND

21  
22 (11) THE FOLLOWING SHALL BE GOVERNED BY THE LOCATION OF CRITICAL AREA  
23 BOUNDARIES IN EXISTENCE PRIOR TO THE EFFECTIVE DATE OF BILL NO. 63-21:

24  
25 (I) AN APPLICATION FOR DEVELOPMENT, PROVIDED ANY PERMITS ASSOCIATED  
26 WITH THE DEVELOPMENT ARE ISSUED ON OR BEFORE DECEMBER 1, 2021; AND

27  
28 (II) AN APPLICATION FOR A VARIANCE OR A SPECIAL EXCEPTION, PROVIDED  
29 THE APPLICATION IS FILED ON OR BEFORE THE EFFECTIVE DATE OF BILL NO. 63-21 AND  
30 ANY PERMITS ASSOCIATED WITH THE APPLICATION ARE ISSUED ON OR BEFORE  
31 DECEMBER 1, 2021. A VARIANCE OR SPECIAL EXCEPTION GRANDFATHERED UNDER THIS  
32 SUBSECTION MAY NOT BE EXTENDED BY VARIANCE.

### 33 34 **TITLE 13. CRITICAL AREA OVERLAY**

#### 35 36 **18-13-103. Maps.**

37  
38 The critical area is shown on the [[maps adopted by Bill No. 49-88]] DIGITAL MAP  
39 ENTITLED “ANNE ARUNDEL COUNTY CRITICAL AREA LAYER” ADOPTED BY THE COUNTY  
40 COUNCIL IN BILL NO. 63-21. THE ANNE ARUNDEL COUNTY CRITICAL AREA LAYER MAP IS  
41 INCORPORATED IN THIS ARTICLE BY REFERENCE AS IF FULLY SET FORTH AND A COPY  
42 SHALL BE PERMANENTLY KEPT AND MAINTAINED BY THE OFFICE OF PLANNING AND  
43 ZONING. The critical area is divided into the following areas: intensely developed area  
44 (IDA), limited development area (LDA), and resource conservation area (RCA).

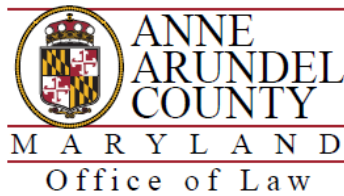
45  
46 SECTION 2. *And be it further enacted*, That all references in this Ordinance to “the  
47 effective date of Bill No. 63-21” or words to that effect, shall, upon codification, be  
48 replaced with the actual date on which this Ordinance takes effect under Section 307 of the  
49 County Charter as certified by the Administrative Officer to the County Council.

1       SECTION 3. *And be it further enacted*, That the “Anne Arundel County Critical Area  
2 Layer” Map adopted by this Ordinance shall be made available on the official website for  
3 the Office of Planning and Zoning.  
4

5       SECTION 4. *And be it further enacted*, That this Ordinance shall take effect 45 days  
6 from the date it becomes law, or upon approval of the Maryland Critical Area Commission  
7 under the authority granted by § 8-1801 *et. seq.* of the Natural Resources Article of the  
8 State Code, whichever is later. If approved, in whole or in part, after the 45 days, the  
9 approved provisions of this Ordinance shall take effect on the date the notice of approval  
10 is received by the Office of Planning and Zoning. If disapproved, in whole or in part, the  
11 disapproved portions of this Ordinance shall be null and void without the necessity of  
12 further action by the County Council. The Office of Planning and Zoning, within five days  
13 after receiving any notice from the Maryland Critical Area Commission, shall forward a  
14 copy to the Administrative Officer to the County Council.

Link to Summary Draft Map for Anne Arundel County:

<http://webmaps.esrgc.org/cbca/desktop/Map#legend>



*Gregory J. Swain, County Attorney*

## **MEMORANDUM**

**To:** Council Members, Anne Arundel County Council

**From:** Gregory J. Swain, County Attorney /s/

**Date:** June 21, 2021

**Subject:** Bill No. 63-21, Zoning – Critical Area Overlay

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### **Legislative Summary**

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Bill No. 63-21, a Bill that updates the County's Critical Area maps.

#### **Purpose.**

The purpose of the Bill is adopt the new Critical Area maps prepared and approved by the Maryland Critical Area Commission.

#### **Background.**

The original Critical Area maps for Anne Arundel County were adopted as part of the County's critical area program that was mandated by State law in 1984 and adopted by the County Council in 1988. These maps have not been previously updated.

As a consequence of adopting new maps, and through the use of new technology that greatly increases accuracy and readability, the boundaries of the Critical Area's various land use designations (i.e., Resource Conservation Areas, Limited Development Areas, and Intensely Developed Areas) on individual lots may have changed. Every property that would experience a change of more than ten percent was notified of the change by the Critical Area Commission and had the chance to comment on the proposed changes.

The maps are designed as an interactive tool and may be accessed on the website of the Critical Area Commission<sup>1</sup> to determine the boundaries as may affect any individual lot. Once adopted, the maps will also be a layer on the County's digital mapping system.

The Critical Area Commission has reviewed the legislation and approved it for form and content.

### **SECTION 1.**

§ 18-2-101(b) is amended to provide grandfathering for certain applications in process, and provides that applications for development will be governed by the Critical Area boundaries as exist today under the original maps provided any permits associated with the development are issued prior to December 1, 2021; and that applications for a variance or special exception filed before the effective date of the bill will be governed by the Critical Area boundaries as exist today under the original maps, provided any permits associated with the development are issued prior to December 1, 2021.

§ 18-13-103 is amended to adopt the new Critical Area maps, and provides that the Office of Planning and Zoning shall keep and maintain the new maps.

**SECTION 2.** (uncodified) provides that all references to the "effective date" of the bill will be replaced with the actual effective date upon codification.

**SECTION 3.** (uncodified) provides that the Critical Area maps will be made available on the Office of Planning and Zoning website.

**SECTION 4.** (uncodified) provides that the approved bill is still subject to the final approval of the Critical Area Commission and will be void unless approved.

The Office of Law is available to answer any additional questions regarding Bill No. 63-21. Thank you.

cc: Honorable Steuart Pittman, County Executive  
Kai Boggess-de Bruin, Chief of Staff  
Matt Power, Chief Administrative Officer  
Peter Baron, Legislative Liaison  
Chris Trumbauer, Budget Officer  
Steven Kaii-Ziegler, Planning and Zoning Officer

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<sup>1</sup> <http://webmaps.esrgc.org/cbca/desktop/Map>

**ANNE ARUNDEL COUNTY, MARYLAND  
OFFICE OF THE BUDGET**

**BILL NUMBER: 63-21**

**INTRO. DATE: June 21, 2021**

**FISCAL NOTE**

**BILL: AN ORDINANCE CONCERNING: ZONING – CRITICAL AREA  
OVERLAY**

**SUMMARY OF LEGISLATION**

The purpose of this legislation is to adopt the “Anne Arundel County Critical Area Layer” as the critical area overlay for Anne Arundel County and grandfather certain applications for development and variances and special exception.

**FISCAL IMPACT**

There is no estimated fiscal impact associated with this legislation.

  
\_\_\_\_\_  
**Chris Trumbauer**  
**Budget Officer**

6/17/2021  
**Date**

Prepared by: Darlene Flynn  
Reviewed by: Hannah Dier

cc: Karin McQuade, Controller

# PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 14

Bill No. 64-21

Introduced by Ms. Lacey, Chair  
(by request of the County Executive)

By the County Council, June 21, 2021

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Introduced and first read on June 21, 2021

Public Hearing set for July 19, 2021

Bill Expires September 24, 2021

By Order: Laura Corby, Administrative Officer

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## A BILL ENTITLED

1 AN ORDINANCE concerning: Payment in Lieu of Taxes – The Housing Authority of the  
2 City of Annapolis

3  
4 FOR the purpose of replacing a certain payment in lieu of taxes agreement for exemptions  
5 from County real property taxes for properties owned by the Housing Authority of the  
6 City of Annapolis; authorizing the County Executive to enter into a payment in lieu of  
7 taxes agreement with the Housing Authority of the City of Annapolis; and providing  
8 for the time and terms under which the payment in lieu of taxes and tax exemptions  
9 will take effect.

10  
11 WHEREAS, the Housing Authority of the City of Annapolis (“Housing  
12 Authority”) and Anne Arundel County (“County”) are parties to a PILOT  
13 Agreement dated April 15, 2009 (the “County PILOT Agreement”); and

14  
15 WHEREAS, the County Council recognizes there is a significant need for quality  
16 low income housing in the County for households of limited income; and

17  
18 WHEREAS, based upon a change in funding by the United States Department of  
19 Housing and Urban Development, the Housing Authority has changed the  
20 ownership and control structure for certain affordable housing properties it  
21 operates, and, while the properties must still benefit a designated affordable housing  
22 market client base established by income guidelines and involve a fixed number of  
23 units for a fixed period of time, the properties are increasingly re-financed to allow  
24 private ownership in which the Housing Authority has an ownership or control  
25 interest; and

26  
27 WHEREAS, the Housing Authority has restructured the ownership arrangements  
28 for certain properties, under which ownership of the buildings have been or may be

1 transferred to third-party entities or under which the land is owned by the Housing  
2 Authority and is subject to a ground lease of 99 years between the Housing  
3 Authority and the third-party entities, such ownership structures not being  
4 addressed in the County PILOT Agreement; and  
5

6 WHEREAS, based on the foregoing change in ownership and control structure for  
7 certain Housing Authority properties, an update to the County PILOT Agreement  
8 is necessary; and  
9

10 WHEREAS, exemptions from County real property taxes for certain properties  
11 owned by the Housing Authority that provide rental housing is authorized by  
12 § 7-215 of the Tax-Property Article and § 12-104(c)(2)(i) of the Housing and  
13 Community Development Article of the State Code, provided that the County and  
14 the property owner enter into an agreement for the payment of a negotiated amount  
15 in lieu of the County real property tax; and  
16

17 WHEREAS, exemptions from County real property taxes for certain properties  
18 owned or operated by the Housing Authority is authorized by § 7-503(a)(2)(ii) of  
19 the Tax-Property Article of the State Code, if the real property or improvements  
20 constructed or maintained on such real property are owned by a limited partnership  
21 for which the Housing Authority is the managing general partner, so long as the  
22 limited partnership is engaged in the operation, construction, or management of a  
23 qualified low income housing project as defined in the Internal Revenue Code, and  
24 provided that the County and the property owner enter into an agreement for the  
25 payment of a negotiated amount in lieu of the County real property tax; and  
26

27 WHEREAS, pursuant to § 6-102 of the Tax-Property Article of the State Code, a  
28 leasehold of less than 99 years or other limited interest in property is not subject to  
29 a property tax; now, therefore,  
30

31 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
32 That, in accordance with § 7-215 of the Tax-Property Article and § 12-104(c)(2)(i) of the  
33 Housing and Community Development Article of the State Code, there is an exemption  
34 from County real property taxes for the real properties described in the PILOT Agreement  
35 between Anne Arundel County and the Housing Authority of the City of Annapolis being  
36 appended to this Ordinance as Exhibit A and incorporated by reference as if fully set forth  
37 in this Ordinance.  
38

39 SECTION 2. *And be it further enacted,* That the April 15, 2009 PILOT Agreement  
40 between the County and the Housing Authority of the City of Annapolis is hereby  
41 rescinded and shall be of no further force and effect upon the execution of the PILOT  
42 Agreement authorized by this Ordinance.  
43

44 SECTION 3. *And be it further enacted,* That the County Executive is hereby authorized  
45 to enter into the PILOT Agreement between Anne Arundel County and the Housing  
46 Authority of the City of Annapolis, for a payment in lieu of real property taxes for those  
47 properties.

1       SECTION 4. *And be it further enacted*, That these exemptions and payment in lieu of  
2 taxes may not take effect until the requirements of § 7-503 of the Tax-Property Article of  
3 the State Code are met, and shall take effect in accordance with the terms of the PILOT  
4 Agreement between Anne Arundel County and the Housing Authority of the City of  
5 Annapolis.

6  
7       SECTION 5. *And be it further enacted*, That this Ordinance shall take effect 45 days  
8 from the date it becomes law.

**PAYMENT IN LIEU OF TAXES AGREEMENT BETWEEN  
ANNE ARUNDEL COUNTY, MARYLAND AND  
THE HOUSING AUTHORITY OF THE CITY OF ANNAPOLIS**

This Payment in Lieu of Taxes Agreement (“Agreement”) is made this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between Anne Arundel County, Maryland (the “County”), a body corporate and politic of the State of Maryland, and The Housing Authority of the City of Annapolis (the “Housing Authority”).

**WITNESSETH:**

WHEREAS, the Housing Authority is a public body corporate and politic of the State of Maryland (“State”) pursuant to the provisions of the Constitution of the State and under the Housing and Community Development Article of the Annotated Code of Maryland (the “Housing and Community Development Article”);

WHEREAS, the Housing Authority is authorized and empowered, among other things to (a) lease to others any or all of its projects, to charge and collect rent and to terminate any lease; (b) sell, exchange, contract and convey to others any or all of its projects or properties upon terms and conditions as its Board may deem advisable, including the power to receive for any sale the note or notes of the purchaser of the project or property, whenever its Board finds the action to further advance the interest of the Housing Authority; (c) contract with and employ others to provide and to pay compensation for professional services and other services as the Board deems necessary for the financing of the project; and (d) enter into contracts and execute any agreements or instruments and do any other act necessary or appropriate to carry out its purposes;

WHEREAS, real property owned by the Housing Authority is exempt from State and County property taxes pursuant to Section 7-215 of the Tax-Property Article of the Annotated Code of Maryland (the “Tax-Property Article”) and Section 12-104(c)(2)(i) of the Housing and Community Development Article;

WHEREAS, the Housing Authority and the City of Annapolis (the “City”) are parties to a Cooperation Agreement dated March 5, 1965, as amended on January 8, 1968 and February 6, 2009 (collectively referred to as the “City Cooperation Agreement”), pursuant to which the Housing Authority is required to make Payments in Lieu of Taxes (“PILOT payments”) in the amount of 10% of the shelter rent charged by the Housing Authority or amount permitted to be paid by applicable state law in effect at the time payment is made, whichever is lower, and 50% of which the City is obligated to distribute to the County;

WHEREAS, the Housing Authority and the County are parties to a PILOT Agreement dated April 15, 2009 (the “County PILOT Agreement”), pursuant to which the Housing Authority is required to make PILOT payments in the amount of \$1.00 to the County for certain properties;

WHEREAS, based upon a change in funding by the United States Department of Housing and Urban Development, public housing authorities have increasingly changed the ownership and control structure for the affordable housing properties they operate, and, while the properties must

still benefit a designated affordable housing market client base established by income guidelines and involve a fixed number of units for a fixed period of time, the properties are increasingly re-financed to allow private ownership in which the public housing authority has an ownership or control interest;

WHEREAS, pursuant to the foregoing and subsequent to the execution of the City Cooperation Agreement and County PILOT Agreement, the Housing Authority restructured the ownership arrangements for certain of its properties, under which ownership of the buildings was transferred to third party entities or under which the land is owned by the Housing Authority and is subject to a ground lease of 99 years between the Housing Authority and the third party entities, such ownership structures not being addressed in the City Cooperation Agreement or the County PILOT Agreements;

WHEREAS, the parties to this Agreement are desirous of replacing the County PILOT Agreement with this Agreement for the Housing Authority properties that are defined by and subject to this Agreement and to set forth the parties' agreement as to future PILOT payments to the County;

WHEREAS, the parties desire to enter into this Agreement to address the change in ownership structure of the Housing Authority's properties fulfilling the need for low-income housing, to set forth the responsibility of the Housing Authority for PILOT payments for the properties that are defined by and the subject of this Agreement, and to provide for a new payment in lieu of taxes for the Housing Authority's properties;

WHEREAS, pursuant to Anne Arundel County Council Bill No. \_\_\_\_\_, adopted \_\_\_\_\_, the County Council of Anne Arundel County, Maryland, approved the terms and conditions for the PILOT, and authorized the County Executive to enter into this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions hereof, and subject to Section 12-104 of the Housing and Community Development Article, the parties hereto hereby agree as follows:

1. Definitions.

a. "Property" or "Properties" means all those real properties, except for the ones described in paragraph 1.b herein, for which the Housing Authority is the fee simple owner and also includes the real property known as Obery Court, Phase I as identified with more detail, and the real property known as Newtowne Twenty as identified with more detail in Exhibit A to the Leasehold Deed of Trust, Security Agreement and Assignment of Leases and Rents filed in the Land Records for Anne Arundel County at Book 36733, Page 646.

i. "Property" or "Properties" shall also, pursuant to § 7-503 (a)(2)(ii)1A of the Tax-Property Article of the Maryland Annotated Code, include all real property or improvements, now or in the future, of which the Housing Authority is the fee simple owner, and any improvements constructed or maintained on such real property owned by a limited partnership for which the Housing Authority is the managing general partner, so long as the limited

partnership is engaged in the operation, construction, or management of a qualified low-income housing project, as defined in the Internal Revenue Code.

ii. “Properties” shall also, pursuant to § 6-102 of the Tax-Property Article of the Maryland Annotated Code, include any real property, now or in the future, that is or becomes subject to a leasehold interest of less than 99 years by an entity other than the Housing Authority and to any improvements owned by entities other than the Housing Authority that are constructed or maintained on such real property so long as the property is a qualified low income housing project, as defined in the Internal Revenue Code, and the Housing Authority is engaged in the operation, construction, or management of the real property and improvements.

iii. “Properties” shall also include any real property described in paragraphs 1a (i), (ii), or 1b that may, in the future, become subject to the United States Housing and Urban Development Department’s rental assistance demonstration (“RAD”) process.

b. “Annapolis Gardens, Obery Court, Phases II and III” means all those properties known as Annapolis Gardens, Obery Court, Phase II and Obery Court, Phase III. Annapolis Gardens is further described in Exhibit A to a Memorandum of Lease filed in the Land Records for Anne Arundel County at Book 21607, Page 258. Obery Court, Phases II and III are further described in an Agreement filed in the Land Records for Anne Arundel County at Book 28771, Page 206.

c. “Shelter Rent” shall mean the “the total of all charges to all tenants of a Project for dwelling rents and non-dwelling rents (excluding all other income of such Project), less the cost to the Housing Authority of all dwelling and non-dwelling utilities.”

d. “Utilities” shall mean the costs of utilities paid to the County and/or City, including water service and sewer service and electric and gas utility costs paid to third parties, but excludes the cost of trash removal and recycling.

## 2. PILOT Payments – the “Properties”.

a. For each Property bearing a separate tax account number falling within the definition of Paragraph 1.a, commencing with the tax year starting July 1, 2020 (fiscal year 2021), the Housing Authority or the property management agent acting on behalf of the Housing Authority shall pay the County, and the County agrees to accept, the amount of One Dollar (\$1.00) annually in lieu of all real property taxes.

b. This paragraph applies so long as any Property is used for the affordable housing purposes set forth in this Agreement and in accordance with State and Federal law.

c. Payments under this paragraph shall be made within ninety (90) days of July 1 of each tax year as long as this Agreement remains in effect.

3. PILOT Payments – Annapolis Gardens and Obery Court Phases II and III.

a. For Annapolis Gardens, Obery Court, Phases II and III, commencing with the tax year starting July 1, 2020 (fiscal year 2021), the Housing Authority or the property management agent acting on behalf of the Housing Authority shall pay the County, and the County agrees to accept, a payment in lieu of taxes in the amount of 5% of the shelter rents.

b. This paragraph applies so long as any Property is used for the affordable housing purposes set forth in this Agreement and in accordance with State and Federal law.

c. Payments under this paragraph shall be made within ninety (90) days of July 1 of each tax year as long as this Agreement remains in effect. Payments submitted under this Agreement for fiscal years 2020 and 2021 shall be made within ninety (90) days of execution of this Agreement, and shall be accompanied with the documentation required under paragraph 6 for the relevant time periods.

d. In the event that Annapolis Gardens or Obery Court, Phases II or III in the future become subject to the RAD process, payment shall be made in accordance with paragraph 2 of this Agreement.

4. Prior Agreements. Upon execution of this Agreement, this Agreement shall replace the County PILOT Agreement for the Properties defined herein, as well as replace any other prior agreements among the parties regarding any PILOT payments not heretofore mentioned.

5. Application. This Agreement shall not be construed to apply to any real property taxes owed to the State of Maryland or the City, and pertains only to County taxes.

6. Documentation. No later than sixty days after the end of each quarter, the Housing Authority or the property management agent acting on behalf of the Housing Authority shall provide data to the County Office of Finance with financial documentation supporting the calculation of the payment under the paragraph 3 of this Agreement for Annapolis Gardens, Obery Court, Phases II and III. The Office of Finance reserves the right to conduct an independent audit or verification of the financial information and make its own calculation of the amount of the PILOT payment due, and the Housing Authority shall pay the PILOT payment determined by the Office of Finance.

7. Covenants of the Housing Authority. The Housing Authority covenants that all times during the term of this Agreement, the Housing Authority shall:

a. Be in compliance with the Housing and Community Development Article as now or hereafter amended and all applicable regulations and rulings thereunder; and

b. Notify in writing the County of the sale, assignment or other transfer of any real property owned by the Housing Authority within thirty (30) days of the effective date of such event.

8. Late Payments. Payments due hereunder will be considered delinquent after the September 30 due date. Interest and penalties at the rate as set forth in the County Code for overdue property taxes per month shall be charged and collected by the County on all amounts remaining unpaid after the due date.

9. Default. If the Housing Authority is in default for one hundred eighty (180) days for any payments required under any of the provisions of this Agreement, the County may, at its option, declare a default by providing written notice of the default to the Owner and to the holders of all mortgages or deeds of trust. If within thirty (30) days of such notice, the payments have not been brought current, then the County may, at its option, declare all amounts due as follows: a sum equal to the total real property taxes which would have been due from the Owner in the absence of this Agreement, plus all penalties and interest, if any, less all amounts actually paid under this Agreement. To enforce its rights under this Paragraph, the County may renegotiate this Agreement, foreclose, or seek any other remedy available at law or in equity. Notwithstanding anything to the contrary which is or might be contained in this Agreement, payments due under this Paragraph shall be considered a first lien against the Property and superior to any other liens placed upon the Property.

10. Termination. This Agreement may be terminated, either in full or with respect to individual parcels, as of June of any tax year (the "Termination Date") by either party if the terminating party provides at least six (6) months written notice to the other parties that a default of this Agreement has occurred and the defaulting party fails to cure such default prior to the Termination Date.

11. Effective Date. This Agreement shall be construed to be effective retroactive to July 1, 2020.

12. Counterparts. This Agreement may be executed in any number of Counterparts and each of such counterparts shall for all purposes be deemed to be an original, and all such counterparts, or as many of them as the parties shall be preserve undestroyed, shall together constitute but one and the same instrument.

13. Captions. The captions or headings in this Agreement are for convenience only and in no way define, limit, or describe the scope or intent of any provisions or Sections in this Agreement.

14. Severability. In case any one or more of the provisions of this Agreement shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision hereof.

15. Miscellaneous.

a. No obligation or right under this Agreement other than set forth in this Agreement may be assigned, transferred, conveyed, or undertaken by any other party without the express written consent of the County.

b. For the purpose of this Agreement, all official notices shall be mailed, certified mail, return receipt requested, unless otherwise agreed in writing by the party, as follows:

TO THE COUNTY: Anne Arundel County Controller  
Anne Arundel County, Maryland  
Office of Finance  
44 Calvert Street  
Annapolis, MD 21401

WITH A COPY TO: Anne Arundel County Attorney  
Anne Arundel County, Maryland  
Office of Law  
2660 Riva Road, 4<sup>th</sup> Floor  
Annapolis, MD 21401

TO THE HOUSING AUTHORITY: Housing Authority of the City of Annapolis  
1217 Madison Street  
Annapolis, MD 21403

c. This Agreement shall be governed by the laws of the State of Maryland and any lawsuit commenced as a result of this Agreement shall be brought in the Courts of Maryland and more specifically, venue shall lie solely in the Circuit Court for Anne Arundel County.

d. This Agreement contains the full and final Agreement between the parties and no other matter or variation therefrom, unless in writing, duly executed by the parties hereto, shall be considered as part of this Agreement.

IN WITNESS WHEREOF, the parties have set their hands and seals as of the date and year written above.

THE HOUSING AUTHORITY OF THE CITY OF  
ANNAPOLIS

By: \_\_\_\_\_(SEAL)  
Melissa Maddox-Evans  
Title: Executive Director/Chief Executive Officer

STATE OF MARYLAND, COUNTY OF \_\_\_\_\_, to wit:

I HEREBY CERTIFY, That on this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, the subscriber, a Notary Public, in and for the State and County aforesaid, personally appeared Melissa Maddox-Evans, who acknowledged her/himself to be the Authorized Representative of The Housing Authority of the City of Annapolis, and that s/he, as such Authorized Representative, being authorized so to do, executed the foregoing instrument for the purposes contained therein.

AS WITNESS my hand and seal notarial.

\_\_\_\_\_  
Notary Public

(NOTARY SEAL)

My commission expires: \_\_\_\_\_

ANNE ARUNDEL COUNTY, MARYLAND

By: \_\_\_\_\_(SEAL)

Matthew Power

Title: Chief Administrative Officer

APPROVED FOR FORM AND LEGAL SUFFICIENCY  
ANNE ARUNDEL COUNTY, MARYLAND  
GREGORY J. SWAIN, COUNTY ATTORNEY

By: \_\_\_\_\_

STATE OF MARYLAND, COUNTY OF \_\_\_\_\_, to wit:

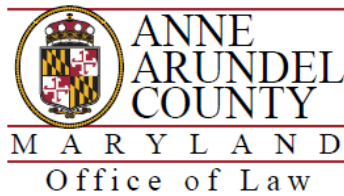
I HEREBY CERTIFY, That on this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, the subscriber, a Notary Public, in and for the State and County aforesaid, personally appeared Matthew Power, who acknowledged her/himself to be the Chief Administrative Officer of Anne Arundel County, Maryland, and that s/he, being authorized so to do, executed the foregoing instrument for the purposes contained therein.

AS WITNESS my hand and seal notarial.

\_\_\_\_\_  
Notary Public

(NOTARY SEAL)

My commission expires: \_\_\_\_\_



*Gregory J. Swain, County Attorney*

## MEMORANDUM

**To:** Council Members, Anne Arundel County Council

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

**Via:** Gregory J. Swain, County Attorney /s/

**Date:** June 21, 2021

**Subject:** Bill No. 64-21, PILOT Agreement with the Housing Authority of the City of Annapolis

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### Legislative Summary

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Bill No. 64-21. The summary is intended to explain the purposes and legal effects of the Bill.

**Background.** The primary purpose of the Bill is to approve and authorize the County Executive to enter into an agreement to replace an existing payment in lieu of taxes agreement (“PILOT”) with the Housing Authority of the City of Annapolis (the “Housing Authority”). The Agreement is attached to the Bill as Exhibit A.

The Housing Authority and the County currently are parties to a PILOT Agreement dated April 15, 2009 (the “current County PILOT Agreement”), pursuant to which the Housing Authority is required to make PILOT payments for each of its properties in the amount of \$1.00 to the County. However, the current County PILOT Agreement does not cover a new form of ownership for several of the Housing Authority properties. Therefore, those properties need to be specifically addressed in a new County PILOT Agreement.

Based upon a change in funding by the United States Department of Housing and Urban Development, for some of its properties, a more modern form of ownership has evolved under which the Housing Authority owns the land and third-party developers renovate and own the buildings. The properties must still benefit a designated affordable housing market client base established by income guidelines and involve a fixed number of units for a fixed period of time.

**Note:** This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

Under this form of ownership, the properties are re-financed to allow private ownership in which the public housing authority has an ownership or control interest.

Additionally, the Housing Authority currently has a PILOT with the City of Annapolis (the "City PILOT"), which requires payment of 10% of the shelter rents (as defined in the new PILOT Agreement), half of which is to be remitted to the County. The County is not a party to the agreement with the City.

The parties are seeking to replace the current County PILOT Agreement since the new ownership structure is not contemplated by the current County PILOT Agreement. Additionally, the new Agreement implements the payment structure in place in the City PILOT for certain of the Housing Authority properties so that the payment agreement is directly with the County rather than through the City.

**State law.** State law exempts properties owned by non-profit housing corporations like the Housing Authority that provide rental housing from County real property taxes, and authorizes the County and the property owner to enter into a PILOT. Md. Code Ann., Tax-Prop., § 7-215; Housing and Community Development, § 12-104(c)(2)(i).

A PILOT is authorized for properties owned under the new form of ownership by State law. Section 7-503(a)(2)(ii) of the Tax-Property Article of the State Code authorizes entry into a PILOT if the real property or improvements constructed or maintained on such real property are owned by a limited partnership for which the Housing Authority is the managing general partner; so long as the owner is engaged in the operation, construction, or management of a qualified low income housing project as defined in the Internal Revenue Code. Additional authority exists in § 6-102 of the Tax-Property Article of the State Code, which provides that when a property is conveyed in a ground lease of less than 99 years to a third party lessee, the lessee is treated like the owner for tax purposes. The law also requires that the PILOT be approved by the "governing body", which is this Council and the County Executive.

**Purpose.** The main purpose of the Bill is to authorize a new County PILOT Agreement to replace the current County PILOT. The new County PILOT will address the conversions in ownership and control structures for certain Housing Authority properties. It also incorporates the payment structure in the City PILOT for other Housing Authority properties, thereby requiring the Housing Authority to make payment directly to the County, rather than through the City PILOT.

Under the terms of the new County PILOT, the payment will continue to be \$1.00 for most of the Housing Authority's properties. (PILOT, ¶¶ 1.a; 2). The properties include those for which the Housing Authority is the fee simple owner (now or in the future). It also includes any improvements constructed or maintained on such real property owned by a limited partnership for which the Housing Authority is the managing general partner, so long as the limited partnership is engaged in the operation, construction, or management of a qualified low-income housing project, as defined in the Internal Revenue Code. (PILOT, ¶¶ 1.a.i; 2). The \$1.00 payment will also pertain to any of the Housing Authority's properties that are or become subject to a ground lease, as long as the property is used for low income housing (PILOT, ¶¶ 1.a.ii; 2). Additionally, any properties that may, in the future, become subject to the United States Housing and Urban Development

Department's ("HUD") rental assistance demonstration ("RAD") process will be subject to a \$1.00 payment. (PILOT, ¶¶ 1.a.iii; 2).<sup>1</sup>

For certain specific properties identified in paragraph 1.b and 3 of the new County PILOT, the payment structure will be the same that it is under the City PILOT. The only change is that payment will be made directly to the County without the need to involve the City. Those properties are Annapolis Gardens and Obery Court, Phases II and III. Specifically, the payments for those properties will be 5% of the shelter rents. (PILOT, ¶¶ 1.b; 3). "Shelter rent" is defined in paragraph 1.c of the PILOT.

The reason these properties will pay more than \$1.00 is a result of discussions with the Housing Authority and based on information indicating that this PILOT payment requirement was considered as part of the financing for the redevelopment of those specific properties and therefore it was already a part of their budget. Under the terms of the new County PILOT, if those properties become subject to the RAD program in the future, their payment will become \$1.00.

The PILOT Agreement further provides that it will be effective retroactive to July 1, 2020 (fiscal year 2021). Because this Agreement has been pending for some time, the parties had originally intended the Agreement to be effective last year. The Agreement will require the payment of the PILOT payments for both fiscal years 2021 and 2022 to be made within 90 days of execution of the new PILOT Agreement.

The new County PILOT also provides that upon execution, the current County PILOT Agreement, as well as any other agreements between the parties pertaining to any PILOT payments are replaced by the new County PILOT.

**Section 1** provides for an exemption from County real property taxes for the real properties described in Exhibit A attached to the Bill in accordance with § 7-215 of the Tax-Property Article and § 12-104(c)(2)(i) of the Housing and Community Development Article of the State Code.

**Section 2** rescinds the April 15, 2009 PILOT Agreement upon the execution of the new County PILOT Agreement.

**Section 3** authorizes the County Executive to enter into the new County PILOT Agreement upon passage of this Bill.

**Section 4** provides that the exemptions and PILOT may not take effect until the requirements of § 7-503 of the Tax-Property Article of the State Code, are met, and shall take effect in accordance with the terms of the new County PILOT Agreement.

---

<sup>1</sup> HUD created the RAD program in order to give public housing authorities a method to preserve and improve public housing properties with a more reliable underlying federal funding source, while ensuring that the units remain permanently affordable to low-income households. Under RAD, like traditional public housing, residents continue to pay no more than 30% of their adjusted income towards rent and utilities. The RAD program maintains the ongoing public stewardship of the converted property through clear rules requiring ongoing ownership or meaningful control by a public or non-profit entity, such as the public housing authority. In short, RAD is a tool for preserving long-term affordable housing by replacing the public housing funding stream with Section 8 subsidy.

**Section 5** provides that the Ordinance shall take effect 45 days from the date it becomes law.

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

cc: Honorable Steuart Pittman, County Executive  
Matthew Power, Chief Administrative Officer  
Dr. Kai Boggess-de Bruin, Chief of Staff  
Peter Baron, Legislative Liaison  
Chris Trumbauer, Budget Officer  
Karin McQuade, Finance Officer

**ANNE ARUNDEL COUNTY, MARYLAND  
OFFICE OF THE BUDGET**

**BILL NUMBER: 64-21**

**INTRO. DATE: June 21, 2021**

**FISCAL NOTE**

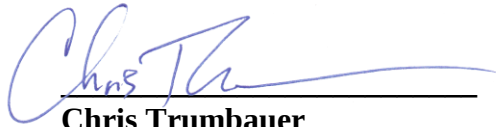
**BILL: AN ORDINANCE CONCERNING: PAYMENT IN LIEU OF TAXES –  
THE HOUSING AUTHORITY OF THE CITY OF ANNAPOLIS**

**SUMMARY OF LEGISLATION**

The purpose of this legislation is to rescind an existing April 15, 2009 payment in lieu of taxes (PILOT) agreement with the Housing Authority of the City of Annapolis (Housing Authority), and authorize the County Executive to enter into a new PILOT agreement with the Housing Authority. The Housing Authority has restructured the ownership arrangements for certain properties, necessitating an update to the PILOT agreement.

**FISCAL IMPACT**

There is no estimated fiscal impact associated with this legislation. This bill authorizes the replacement of the existing PILOT in order to address the conversions in ownership and control structure for certain Housing Authority properties.

  
\_\_\_\_\_  
**Chris Trumbauer**  
**Budget Officer**

6/17/2021  
**Date**

Prepared by: Hujia Hasim  
Reviewed by: Hannah Dier

cc: Karin McQuade, Controller

# PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 14

Bill No. 65-21

Introduced by Ms. Pickard

By the County Council, June 21, 2021

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Introduced and first read on June 21, 2021  
Public Hearing set for July 19, 2021  
Bill Expires September 24, 2021

By Order: Laura Corby, Administrative Officer

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## A BILL ENTITLED

1 AN ORDINANCE concerning: Subdivision and Development and Zoning – Glen Burnie  
2 Sustainable Community Overlay Area

3  
4 FOR the purpose of clarifying that the test for adequate road facilities for redevelopment,  
5 the adequate public facilities mitigation provisions, and the development requirements  
6 and zoning provisions for redevelopment in the Glen Burnie Sustainable Community  
7 Overlay Area only apply if the developer redevelops under certain provisions of Article  
8 18; providing that the submission of a revised concept plan for redevelopment in the  
9 Glen Burnie Sustainable Community Overlay Area may be optional; and generally  
10 relating to subdivision and development and zoning.

11  
12 BY repealing and reenacting, with amendments: §§ 17-5-401(c); 17-5-901(d); 17-7-301(a);  
13 17-7-303(e) and (f); and 18-4-602(a)  
14 Anne Arundel County Code (2005, as amended)

15  
16 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
17 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

## 18 ARTICLE 17. SUBDIVISION AND DEVELOPMENT

## 19 TITLE 5. ADEQUATE PUBLIC FACILITIES

20  
21

---

EXPLANATION: CAPITALS indicate new matter added to existing law.  
[[Brackets]] indicate matter repealed from existing law.  
Captions and taglines in **bold** in this bill are catchwords and are not law.  
Asterisks \*\*\* indicate existing Code provisions in a list or chart that remain unchanged.

1 **17-5-401. Standards.**

2  
3 (c) **Glen Burnie Sustainable Community Overlay Area.** In the Glen Burnie  
4 Sustainable Community Overlay Area, redevelopment UNDER TITLE 7, SUBTITLE 3 AND  
5 ARTICLE 18, TITLE 14, SUBTITLE 6 passes the test for adequate public road facilities if, in the  
6 scheduled completion year of the redevelopment, it creates 250 or fewer new daily trips or  
7 if each intersection from site access points to and including the first intersection with an  
8 arterial or higher classification road operates with a peak hour critical lane volume of less  
9 than 1,450.

10  
11 **17-5-901. Mitigation.**

12  
13 (d) **Glen Burnie Sustainable Community Overlay Area.** In addition to other  
14 mitigation allowed under this section, mitigation in the Glen Burnie Sustainable  
15 Community Overlay Area FOR REDEVELOPMENT IN ACCORDANCE WITH TITLE 7,  
16 SUBTITLE 3 AND ARTICLE 18, TITLE 14, SUBTITLE 6 may include:

17 \*\*\*  
18

19  
20 **TITLE 7. DEVELOPMENT REQUIREMENTS FOR PARTICULAR TYPES OF**  
21 **DEVELOPMENT**

22  
23 **17-7-301. Applicability; conflict with other laws.**

24  
25 (a) **Applicability.** This subtitle applies to redevelopment, as defined in § 18-14-601 of  
26 this Code, in the Glen Burnie Sustainable Community Overlay Area IF THE DEVELOPER  
27 ELECTS TO REDEVELOP UNDER THIS SUBTITLE AND ARTICLE 18, TITLE 14, SUBTITLE 6.

28  
29 **17-7-303. Concept plan review process.**

30  
31 (e) **Revised concept plan.** AFTER THE CONCEPT PLAN COMMUNITY MEETING, IF THE  
32 DEVELOPER CHOOSES TO SUBMIT A REVISED CONCEPT PLAN OR IF THE OFFICE OF  
33 PLANNING AND ZONING REQUESTS A REVISED CONCEPT PLAN, [[Within]] WITHIN 45 days  
34 after the concept plan community meeting, the developer shall file a revised concept plan  
35 which addresses, to the extent practical, concerns or issues raised at the community  
36 meeting.

37  
38 (f) **Preliminary decision.** Within 45 days after the CONCEPT PLAN COMMUNITY  
39 MEETING OR THE filing of a revised concept plan, IF ONE IS FILED, the Office of Planning  
40 and Zoning and other reviewing agencies shall meet to review the CONCEPT PLAN OR  
41 revised concept plan, AS APPLICABLE. The Office of Planning and Zoning shall confirm  
42 in writing to the developer a summary of the meeting and a preliminary decision to:

- 43  
44 (1) approve the concept plan OR REVISED CONCEPT PLAN;  
45  
46 (2) approve the concept plan OR REVISED CONCEPT PLAN with specified conditions  
47 or revisions; or

(3) disapprove the concept plan OR REVISED CONCEPT PLAN, in which event the developer may file a new concept plan or otherwise pursue development.

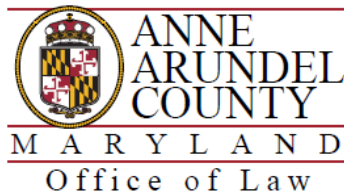
## ARTICLE 18. ZONING

### TITLE 14. OTHER OVERLAYS

#### **18-14-602. Applicability; conflict with other law.**

(a) **Applicability.** This subtitle applies to the redevelopment of property that is located in the Glen Burnie Sustainable Community Overlay Area, as shown on the map adopted by the County Council in Bill 64-20, IF THE DEVELOPER ELECTS TO REDEVELOP UNDER ARTICLE 17, TITLE 7, SUBTITLE 3 AND THIS SUBTITLE.

SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days from the date it becomes law.



*Gregory J. Swain, County Attorney*

## MEMORANDUM

**To:** Council Members, Anne Arundel County Council

**Via:** Gregory J. Swain, County Attorney /s/

**From:** Lori L. Blair Klasmeier, Deputy County Attorney /s/

**Date:** June 21, 2021

**Subject:** Bill No. 65-21 – Subdivision and Development and Zoning – Glen Burnie Sustainable Community Overlay Area

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### Legislative Summary

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Bill No. 65-21. The summary is intended to explain the purposes and legal effects of the bill.

**Background.** Bill 64-20 designated the Glen Burnie Sustainable Community Overlay Area and established certain development and zoning provisions for redevelopment in the overlay area. After Bill 64-20 was passed, questions arose as to the permitted uses in the area. Bill 99-20 clarified when zoning uses in the overlay area are permitted or conditional.

Since these bill passed, there have been additional questions regarding the applicability of provisions for testing for adequate public road facilities, mitigation of adequate public facility requirements, and the development and zoning provisions for the overlay area. Specifically, there has been a question whether redevelopment in the overlay area is required to be in accordance with the development and zoning provisions applicable to the overlay area or if the redevelopment can be completed in accordance with the provisions related to the underlying zoning without regard to the overlay area. Additionally, it was determined that the concept plan submission process for redevelopment in the overlay area could be simplified.

**Purpose.** The purpose of this Bill is to clarify the applicability of provisions for testing for adequate public road facilities, mitigation of adequate public facility requirements, and the development and zoning provisions for the overlay area, and to simplify the concept plan

**Note:** This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

submission process.

**Bill provisions.**

In **Section 1** of the Ordinance, §§ **17-5-401(c)** (testing for adequate public road facilities in the overlay area), **17-5-901(d)** (mitigation of adequate public facilities in the overlay area), **17-7-301(a)** (development requirements for redevelopment in the overlay area), and **18-14-602** (applicability of zoning provisions for the overlay area) are modified to clarify that they are applicable if the developer elects to redevelop under Article 17, Title 7, Subtitle 3 (“Redevelopment in the Glen Burnie Sustainable Community Overlay Area”) and Article 18, Title 14, Subtitle 6 (zoning provisions for the “Glen Burnie Sustainable Community Overlay Area”). If the developer does not elect to redevelop under these subtitles, then the development and zoning provisions of the Code are applicable based on the underlying zoning for the property.

**Section 17-7-303** relating to the concept plan review process for redevelopment in the overlay area is modified to provide that a modified revised plan is required only if the developer opts to submit a revised plan or if a revised plan is requested by the Office of Planning and Zoning.

**Section 2** provides that the Ordinance shall take effect 45 days from the date it becomes law.

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

cc: Honorable Steuart Pittman, County Executive  
Matt Power, Chief Administrative Officer  
Lori Rhodes, Deputy Chief Administrative Officer for Land Use  
Pamela Jordan, Deputy Chief Administrative Officer of Health and Human Services  
Dr. Kai Boggess-de Bruin, PhD, Chief of Staff  
Peter Baron, Legislative Liaison  
Steven Kaii-Ziegler, Planning and Zoning Officer

# PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 14

Bill No. 66-21

Introduced by Ms. Haire

By the County Council, June 21, 2021

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Introduced and first read on June 21, 2021  
Public Hearing set for July 19, 2021  
Bill Expires on September 24, 2021

By Order: Laura Corby, Administrative Officer

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## A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Parking, Nonresidential Outdoor Lighting, and  
2 Signage – Prohibited Signs and Temporary Signs

3  
4 FOR the purpose of amending the definition of “sign”; allowing wind signs and signs  
5 painted on the roof of a structure; repealing the limitation on temporary real estate and  
6 construction signs; allowing temporary signs for particular uses to exceed the normal  
7 size; limiting the number of temporary signs allowed on a private property; allowing  
8 temporary signs to be displayed for a certain period of time; making technical changes;  
9 and generally relating to zoning.

10  
11 BY repealing and reenacting, with amendments: §§ 18-1-101(127); 18-3-303(b)(3) and (4);  
12 and 18-3-306  
13 Anne Arundel County Code (2005, as amended)

14  
15 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
16 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

## ARTICLE 18. ZONING

### TITLE 1. DEFINITIONS

#### 18-1-101. Definitions.

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EXPLANATION: CAPITALS indicate new matter added to existing law.  
[[Brackets]] indicate matter repealed from existing law.  
Captions and taglines in **bold** in this bill are catchwords and are not law.  
Asterisks \*\*\* indicate existing Code provisions in a list or chart that remain unchanged.

1 Unless defined in this article, the Natural Resources Article of the State Code, or  
2 COMAR, words defined elsewhere in this Code apply in this article. The following words  
3 have the meanings indicated:

4  
5 (127) “Sign” means any writing, letter, or numeric work, pictorial presentation,  
6 illustration or decoration, emblem, device, symbol, trademark, flag, banner, pennant, or  
7 any other device, figure, or character utilized to advertise, announce, identify, or make  
8 known or attract attention. The following types of signs have the meanings indicated:

9  
10 (i) “Directional sign” means a sign that directs traffic to a use or area.

11  
12 (ii) “Freestanding sign” means a sign that is permanently affixed to the ground  
13 and supported by one or more columns, uprights, or braces.

14  
15 (iii) “Identification sign” means a sign attached to the facade of a structure that  
16 relates to a use located at the same location as the sign.

17  
18 (iv) “Temporary sign” means a sign that is [[posted no more than 60 days before  
19 the project, event, or election to which it applies and removed within seven days after the  
20 conclusion of the project, event, or election]] NOT A FREESTANDING SIGN OR A SIGN  
21 PERMANENTLY AFFIXED TO A STRUCTURE, PORTABLE AND EASILY REMOVABLE, AND  
22 DISPLAYS MESSAGES OF A TRANSITORY OR TEMPORARY NATURE, SUCH AS STAKE SIGNS  
23 AND WIND SIGNS.

24  
25 **TITLE 3. PARKING, NONRESIDENTIAL OUTDOOR LIGHTING, AND**  
26 **SIGNAGE**

27  
28 **18-3-303. Prohibited signs; location; removal from County rights-of-way.**

29  
30 (b) **Prohibition.** The following types of signs are prohibited:

31  
32 \*\*\*

33  
34 (3) [[wind signs,]] revolving signs, whirling signs, and animated signs; and

35  
36 (4) a sign that projects above the roof of a structure [[, a sign painted on the roof  
37 of a structure,]] and a sign supported by poles, uprights, or braces extending from or  
38 attached to the roof of a structure.

39  
40 **18-3-306. Temporary signs.**

41  
42 (a) **Generally.**

43  
44 (1) A temporary sign is allowed in all zoning districts.

45  
46 (2) [[A temporary real estate or construction sign for more than one lot shall have a  
47 maximum area of 48 square feet or, if the property has 500 feet or more of road frontage,  
48 64 square feet.]] A TEMPORARY SIGN ON PROPERTY THAT HAS 500 FEET OR MORE OF ROAD  
49 FRONTAGE OR A TEMPORARY SIGN THAT APPLIES TO MORE THAN 10 ADJACENT LOTS MAY  
50 HAVE A MAXIMUM AREA OF 64 SQUARE FEET. Otherwise, a temporary sign shall have a

maximum area of nine square feet in residential districts and 24 square feet in all other districts.

(3) The height of a temporary sign may not exceed 12 feet above grade level.

(4) THE TOTAL NUMBER OF TEMPORARY SIGNS ON PRIVATE PROPERTY MAY NOT EXCEED FOUR.

(5) A TEMPORARY SIGN MAY NOT BE DISPLAYED FOR MORE THAN TWO PERIODS OF 60-CONSECUTIVE DAYS IN ANY 12-MONTH PERIOD.

**(b) Temporary directional signs.**

(1) A maximum of six temporary directional signs of no more than three square feet in area or three feet in height are allowed per event or destination, with a double-faced sign counting as one sign.

(2) A temporary directional sign shall be self-supporting and may be posted only on weekends between 8:00 a.m. on Friday and 9:00 a.m. on the following Monday or between 9:00 a.m. on County, State, or federal holidays and 9:00 a.m. on the following day.

(3) Temporary directional signs may be placed within a County right-of-way if the signs are located at least three feet from any curbed or paved area.

SECTION 2. *And be it further enacted*, That this Ordinance shall take effect 45 days from the date it becomes law.

COUNTY COUNCIL OF

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ANNE  
ARUNDEL  
COUNTY

---

M A R Y L A N D

**LEGISLATIVE SUMMARY\***

To: All Councilmembers of the Anne Arundel County Council

From: Linda M. Schuett, Legislative Counsel

Date: June 21, 2021

Subject: Bill No. 66-21

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Anne Arundel County has four types of signs: directional signs; freestanding signs; identification signs; and temporary signs. A definition of “sign” and the four types of signs are defined in § 18-1-101, as follows:

“Sign” means any writing, letter, or numeric work, pictorial presentation, illustration or decoration, emblem, device, symbol, trademark, flag, banner, pennant, or any other device, figure, or character utilized to advertise, announce, identify, or make known or attract attention. The following types of signs have the meanings indicated:

(i) “Directional sign” means a sign that directs traffic to a use or area.

(ii) “Freestanding sign” means a sign that is permanently affixed to the ground and supported by one or more columns, uprights, or braces.

(iii) “Identification sign” means a sign attached to the facade of a structure that relates to a use located at the same location as the sign.

(iv) “Temporary sign” means a sign that is posted no more than 60 days before the project, event, or election to which it applies and removed within seven days after the conclusion of the project, event, or election.

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\* This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

Bill No. 66-21 provides a revised definition for a temporary sign. Under the Bill, a temporary sign is one that: (1) is not a freestanding sign; (2) is not a sign permanently affixed to a structure; (3) is portable and easily removably; and (4) displays messages of a transitory or temporary nature. *See* § 18-1-101(127).

The Bill repeals the prohibition against wind signs, which are temporary signs. It also repeals the prohibition against signs painted on the roof of a structure. *See* § 18-3-303(b)(3) and (4).

The Bill prohibits more than four temporary signs on private property. It also prohibits the display of temporary signs for more than two periods of 60-consecutive days in any 365-day period. *See* § 18-3-306 (a)(4) and (5).

Bill No. 66-21 repeals a provision relating to the size of real estate or construction temporary signs, a provision that is of dubious legality because it is based on the content of the sign. The Bill instead provides that a temporary sign may have a maximum area of 64 square feet when the sign is on property that has at least 500 feet of road frontage or when the sign applies to at least 10 adjacent lots. *See* § 18-3-306 (a)(2).

Finally, for ease of reading, § 18-3-306(b) is divided into three separate paragraphs. There are no substantive changes.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 14

Resolution No. 34-21

Introduced by Ms. Lacey, Chair  
(by request of the County Executive)

By the County Council, June 21, 2021

1       RESOLUTION approving the declaration of certain unimproved County-owned  
2       property located in Glen Burnie, Maryland as surplus property

3  
4       WHEREAS, upon request of an agency of the federal government, an agency of a  
5       State government, a quasi-governmental entity, or a political subdivision, the  
6       County may transfer fee simple title to real property for which it has no identified  
7       present or future need pursuant to § 8-3-209 of the Anne Arundel County Code  
8       (2005, as amended); and

9  
10       WHEREAS, the Housing Commission of Anne Arundel County, a quasi-  
11       governmental agency, has requested that the County transfer fee simple title to  
12       certain unimproved County-owned property comprised of 0.23 acres, identified as  
13       Parcel 362, Lot 8, on the Anne Arundel County Tax Map 9F, as further described  
14       herein (the “Property”), to use for additional parking; and

15  
16       WHEREAS, the Central Services Officer has inquired as to whether any County  
17       office, department, or agency has a present need or reasonably anticipates a future  
18       need for the property, and no such current or future need has been identified; and

19  
20       WHEREAS, the Central Services Officer has recommended to the County  
21       Executive that the Property be declared surplus upon the approval of the County  
22       Council by resolution; and

23  
24       WHEREAS, the County Executive has approved the declaration of the Property as  
25       surplus property; and

26  
27       WHEREAS, a notice of the request to transfer has been advertised in accordance  
28       with § 8-3-209(b)(3) of the County Code; and

29  
30       WHEREAS, the County Council, after a public hearing on this Resolution,  
31       approves the declaration of the Property as surplus property; now, therefore, be it

32  
33       *Resolved by the County Council of Anne Arundel County, Maryland, That, in*  
34       *accordance with § 8-3-209 of the County Code, it approves the declaration of the Property,*  
35       *described below, as surplus property:*

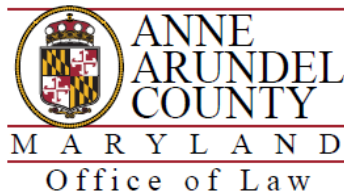
36  
37       BEGINNING for the same at the intersection of the North East side of Second  
38       Avenue North with the North West side of West Alley, as laid down on the said

1       Plat; and running thence Northwesterly along the North East side of Second Avenue  
2       North One Hundred and Thirteen feet Nine inches to the South East side of an Alley  
3       twenty feet wide there situate; thence North sixty-two degrees thirty-four minutes  
4       East along the South East side of said Alley, with the use and benefit thereof in  
5       Common with others, one hundred and seventy-two feet six inches; thence still  
6       along the South East side of said Alley with the use and benefit thereof in common  
7       with others, by a line curving to the right with a radius of fifty feet a distance  
8       measured along said curve of twenty-nine feet four inches to the North West side  
9       of West Alley; and thence Southwesterly along the North West side of West Alley  
10      one hundred and sixty-five feet to the place of beginning, known as Lot No. Eight  
11      (8), Block No. Five (5), as shown on the Amended Plat of Glen Burnie, recorded in  
12      the Plat Records in Plat Book 6, page 13.

13  
14      Being the same property described in a deed dated March 31, 1982 from Frances  
15      S. Gruver to Anne Arundel County, Maryland and recorded in the Land Records of  
16      Anne Arundel County, Maryland in Book 3482, page 204.

17  
18      and be it further

19  
20      *Resolved*, That a copy of this Resolution be sent to County Executive Steuart Pittman.



*Gregory J. Swain, County Attorney*

## **MEMORANDUM**

**To:** Council Members, Anne Arundel County Council

**From:** Christine Neiderer, Assistant County Attorney /s/

**Via:** Gregory J. Swain, County Attorney /s/

**Date:** June 21, 2021

**Subject:** Resolution No. 34-21, Approving the declaration of certain unimproved County-owned property located in Glen Burnie, Maryland as surplus property

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### **Legislative Summary**

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Resolution No. 34-21, a Resolution that approves the declaration of certain unimproved County-owned property located in Glen Burnie, Maryland as surplus property for the purpose of transferring to a quasi-governmental entity.

#### **Purpose.**

The purpose of the Resolution is to approve the declaration of property located in the Fifth Assessment District of Anne Arundel County, containing 0.23 acres, more or less, known as a triangular parcel at the intersections of the roadways now known as Platzer Lane, Maryland Avenue, NW, and Alley 207 in Glen Burnie, Maryland, and identified on Anne Arundel County Tax Map 9F, Grid 17, Parcel 362 ("Property"), as surplus property.

#### **Background.**

Subsection 8-3-209(a) of the Anne Arundel County Code ("Code") provides that, upon request of an agency of the federal government, an agency of a State government, a quasi-governmental entity, or a political subdivision, the County may transfer fee simple title to real property for which the County has no identified present or future need.

**Note:** This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

Subsection 8-3-209(b) of the Code provides that upon receipt of a request from an entity described in subsection § 8-3-209(a), the Central Services Officer shall inquire as to whether any County office, department, or agency has a present need or reasonably anticipates a future need for the property. If no such need is identified, the Central Services Officer shall recommend to the County Executive that the real property be declared surplus property upon the approval of the County Council by resolution. The resolution shall explain the proposed use of the property.

Notice of a request to transfer a property must be advertised at least once a week for two successive weeks in a newspaper of general circulation published in the County before the introduction of the resolution by the County Council.

If the County Executive and County Council approve the declaration of the real property as surplus property and the assessed value of the property is more than \$1,000, the Central Services Officer shall determine the fair market value of the real property by reviewing one appraisal. Thereafter, fee simple title may be transferred to the requesting entity.

### **Proposed Surplus Declaration**

The Housing Commission of Anne Arundel County, a quasi-governmental agency, has submitted a request to the County for fee simple title to the Property for the sum of Zero Dollars (\$0), for additional parking as part of an adjacent Housing Commission project. Upon receipt of the request, the Central Services Officer inquired whether any County office, department, or agency has a present or future need or reasonably anticipates a future need for the Property, and no such need was identified. As such, the Central Services Officer recommended to the County Executive that the Property be declared surplus upon the approval of the County Council. The County Executive has approved the declaration of the Property as surplus.

A notice of request to transfer the Property has been advertised as required by § 8-3-209(b)(3).

The Office of Law is available to answer any additional questions regarding Resolution No. 34-21. Thank you.

cc: Honorable Steuart Pittman, County Executive  
Matthew Power, Chief Administrative Officer  
Dr. Kai Boggess-de Bruin, Chief of Staff  
Peter Baron, Director of Government Relations  
Chris Trumbauer, Budget Officer  
Christine Anderson, Central Services Officer

**ANNE ARUNDEL COUNTY, MARYLAND  
OFFICE OF THE BUDGET**

**RES. NUMBER: 34-21**

**INTRO. DATE: June 21, 2021**

**FISCAL NOTE**

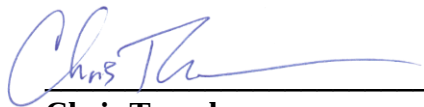
**RESOLUTION: APPROVING THE DECLARATION OF CERTAIN UNIMPROVED  
COUNTY-OWNED PROPERTY LOCATED IN GLEN BURNIE,  
MARYLAND AS SURPLUS PROPERTY**

**SUMMARY OF LEGISLATION**

In accordance with the County Code, the County Executive is authorized to dispose of surplus property owned by the County, subject to the approval of the County Council. The purpose of this resolution is to declare certain property surplus so the County can proceed with disposition in accordance with Article 8, Title 3, Subtitle 2 of the Anne Arundel County Code.

**FISCAL IMPACT**

The purpose of this resolution is to declare certain County-owned property as surplus. The fiscal impact, if any, will be detailed in the ordinance disposing of the property.



**Chris Trumbauer  
Budget Officer**

6/17/2021

**Date**

Prepared by: Samantha Chiriaco

Reviewed by: Hannah Dier

cc: Karin McQuade, Controller

**AMENDMENT TO BILL NO. 49-21, AS AMENDED**  
**(Zoning – Requirements for Special Exception Uses – Assisted Living Facilities)**

June 21, 2021

Introduced by Mr. Volke

**Amendment No. 3**

On page 1 of the amended bill, in line 4, after “of” insert ““allowing assisted living facilities as a special exception use to be located on a reduced lot size under certain circumstances; allowing mixed ownership of an assisted living facility operated in conjunction with a nursing home or adult independent dwelling units;””; and in line 11, strike “18-11-104(3),” and substitute “18-11-104(1), (3).”.

On page 2, after line 10, insert:

“(1) In RLD Districts, the facility shall be located on a lot of at least 10 acres. In R1 and R2, Districts, the facility shall be located on a lot of at least 10 acres, except that a facility that abuts a collector or higher classification road may be located on a lot of at least five acres. In other districts, the facility shall be located on a lot of at least five acres. IN ALL DISTRICTS, IF THE FACILITY ABUTS A NURSING HOME OR ADULT INDEPENDENT DWELLING UNITS, WHETHER OR NOT OWNED BY THE SAME ENTITY, THE MINIMUM LOT SIZE MAY BE REDUCED BY 50%.”;

and in line 33, after “both” insert “.WHETHER OR NOT OWNED BY THE SAME ENTITY”.

*(This amendment allows the minimum lot size for an assisted living facility as a conditional use to be reduced by 50% when the facility abuts a nursing home or adult independent dwelling units, whether or not owned by the same entity; and allows the facility to be operated in conjunction with a nursing home and adult independent dwelling units, whether or not owned by the same entity.)*

**AMENDMENT TO BILL NO. 49-21, AS AMENDED**  
**(Zoning – Requirements for Special Exception Uses – Assisted Living Facilities)**

June 21, 2021

Introduced by Ms. Pickard and Mr. Volke

**Amendment No. 4**

On page 1 of the amended bill, in line 7, after the semi-colon insert “requiring that all assisted care units be located on the same lot;”;

On page 2, in line 42, after the period insert “ALL ASSISTED CARE UNITS SHALL BE LOCATED ON THE SAME LOT.”.

*(This amendment provides that all assisted care units be located on the same lot.)*

**AMENDMENT TO BILL NO. 53-21**  
**(AN EMERGENCY ORDINANCE concerning: Current Expense Budget – Board of Education – Supplementary Appropriations and Transfer of Funds)**

June 21, 2021

Introduced by Ms. Lacey, Chair  
(at the request of the County Executive)

**Amendment No. 1**

On page 2 of the proposed bill, in line 17, strike “\$1,950,500” and substitute “\$1,118,100”; in line 23, strike “\$2,951,390” and substitute “\$3,244,100”; in line 24, strike “\$4,430,610” and substitute “\$2,635,700”; in line 25, strike “\$233,100” and substitute “\$89,300”; in line 26, strike “\$16,849,200” and substitute “\$17,616,100”; in line 27, strike “\$30,400” and substitute “\$104,600”; after line 28, insert:

|                        |                       |
|------------------------|-----------------------|
| “(6) Special Education | <u>\$1,508,200</u>    |
| (7) Health Services    | <u>\$ 203,200</u>     |
| (8) Fixed Charges      | <u>\$1,448,600</u> ”; |

in line 35, strike “\$381,800” and substitute “\$377,300”; in line 36, strike “\$12,511,200” and substitute “\$14,433,100”; in line 37, strike “\$5,621,900” and substitute “\$5,368,400”; strike line 38, in its entirety; in line 39, strike “\$2,420,200” and substitute “\$3,089,900”; in line 40, strike “\$3,366,300” and substitute “\$3,416,300”; strike line 41, in its entirety, in line 42, strike “(7)” and “\$1,214,500” and substitute “(6)” and “\$1,223,000”, respectively; and after line 43, insert:

|                   |                     |
|-------------------|---------------------|
| “(7) Food Service | <u>\$ 59,900</u> ”. |
|-------------------|---------------------|

*(This amendment decreases the transfer from Federal and State Grants, increases the transfer from Mid-Level Administration, Pupil Transportation and Community Services; decreases transfer from Instructional Salaries & Wages and Pupil Services, adds transfers from Special Education, Health Services and Fixed Charges; and decreases the appropriations to Administration and Instructional Costs, increases the appropriations to Textbooks and Classroom Supplies, Operation of Plant, Maintenance of Plant, and Capital Outlay; removes appropriations for Special Education and Fixed Charges, and adds appropriations for Food Service.)*

**AMENDMENT TO RESOLUTION NO. 32-21**  
**(RESOLUTION in opposition to preparing a Final Environmental Impact Statement and**  
**Record of Decision for the third span of the Chesapeake Bay Bridge)**

June 21, 2021

Introduced by Ms. Fiedler

**Amendment No. 1**

On page 1 of the proposed resolution, after line 36, insert:

“WHEREAS, in February of 2021, MDTA, in cooperation with the Federal Highway Administration (FHWA), issued a Draft Environmental Impact Statement entitled “Chesapeake Bay Crossing Study: Tier 1 NEPA”; and”.

On page 2, strike in their entirety lines 8 through 10, inclusive, and substitute:

“WHEREAS, FHWA and MDTA have announced their intention to issue a combined Final Environmental Impact Statement and Record of Decision sometime in the winter of 2021/2022; and

WHEREAS, while public comments received in response to a Draft Environmental Impact Statement must be considered in drafting a combined Final Environmental Impact Statement and Record of Decision, there is not a clear process set out in federal law that mandates publication or a public comment period on the Record of Decision; and”.

*(This amendment restates the process for Draft and Final Environment Impact Statements and public involvement in both.)*

**AMENDMENT TO RESOLUTION NO. 33-21  
(RESOLUTION apologizing for civil rights violations that occurred under the  
administration of a former Anne Arundel County Executive)**

June 21, 2021

Introduced by Mr. Volke

**Amendment No. 1**

On page 1 of the proposed resolution, strike in their entirety lines 4 through 7, inclusive, and substitute:

“WHEREAS, a former Anne Arundel County Executive asked a county employee to do a background search on a longtime civil rights leader; and”;

in line 9, strike “requested and” and “unjustified”; in line 10, strike “at least 11 of his”; in lines 10 through 11, strike “a National Security Agency law enforcement official,”; in line 14, strike “were created unethically and without justification and”; in line 18, strike “infringed” and substitute “infringes”; in line 19, strike “the targeted”; strike in their entirety lines 22 through 24, inclusive; in line 28, strike “and remove campaign signs”; after line 28, insert:

“WHEREAS, the Circuit Court on August 17, 2016, incident to the Snowden-ACLU lawsuit, awarded two of the eleven Plaintiffs, Carl O. Snowden and Marvenise V. Harris damages of \$1 each; no damages were awarded to the other 9 Plaintiffs; and”;

in line 34, strike “the abuses” and substitute “acts”; and in line 35, strike “, including in particular the targeted individuals”.

*(This amendment revises the resolution to remove specific language regarding certain events of 2012, add references to certain Circuit Court matters, and change terminology.)*