



COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND
AGENDA

County Council Meeting
Legislative Session 2022, Legislative Day No. 7
March 21, 2022 – 7:00 P.M.

- A. Invocation (Fiedler)
- B. Pledge of Allegiance – Cub Scout Pack 727, Arnold, Md.
- C. Ethics Statement
- D. Invitation to Audience
- E. Announcement of Items not Appearing on Agenda
- F. Preliminary Motion
- G. Approval of Minutes

March 7, 2022 – Legislative Day No. 6

- H. Introduction of Bills

BILL NO. 30-22 – AN ORDINANCE concerning: Anne Arundel County Open Data Act –
FOR the purpose of requiring the County to make certain public data sets available on a
single web portal on the internet; requiring the County to develop a technical standards
manual for publishing public data sets; requiring the Chief Administrative Officer to
develop an Open Data Implementation Plan; and generally relating to general provisions.
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

BILL NO. 31-22 – AN ORDINANCE concerning: Zoning – BRAC Mixed Use Development
– FOR the purpose of amending the definition of “BRAC Mixed Use Development”;
grandfathering certain development applications for BRAC Mixed Use Development;
amending the conditional use requirements for BRAC Mixed Use Development;
adopting the “Four Mile Radius from U.S. Army Ft. George G. Meade” map; making
technical changes; and generally relating to subdivision and development and zoning.
Introduced by Ms. Lacey and by Mr. Pruski

BILL NO. 32-22 – AN ORDINANCE concerning: Finance, Taxation, and Budget – Admissions and Amusement Tax – Tax Holiday – FOR the purpose of granting a holiday from the tax on admissions and amusement charges during certain months and under certain circumstances; and generally relating to finance, taxation, and budget.
Introduced by Ms. Haire

I. Introduction of Resolution

RESOLUTION NO. 6-22 – RESOLUTION approving the terms and conditions of the acquisition of real properties in Severn, Maryland from Ribera Development, LLC, utilizing funds from the Advance Land Acquisition Capital Project
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

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

BILL NO. 8-22 (As Amended) (Amendments Proposed) – AN ORDINANCE concerning: Zoning – 2022 Green Infrastructure Master Plan – FOR the purpose of repealing the 2002 Greenways Master Plan and amendments; adopting the 2022 Green Infrastructure Master Plan and appendices as a guide for the future conservation of natural lands in the County; making certain findings of fact and stating the legislative intent relative to the Green Infrastructure Master Plan; adding an applicability provision to Article 18 of the Code; making a conforming change; and generally relating to zoning and the County’s 2022 Green Infrastructure Master Plan.
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

BILL NO. 16-22 (As Amended) (Amendments Proposed) – AN ORDINANCE concerning: Police Accountability Board – FOR the purpose of establishing a Police Accountability Board; defining certain terms; providing for the composition and terms and removal of members of the Police Accountability Board; providing for a chair of the Police Accountability Board; providing for the meeting standards, training, budget and staff, compensation of members, and recordkeeping standards of the Police Accountability Board; establishing the duties of the Police Accountability Board; requiring annual reports by the Police Accountability Board; providing for the compensation, staffing, powers, duties, and appointment of members of Administrative Charging Committees Committee and Trial-Hearing Boards; requiring voting members of Police Accountability Board to file financial disclosure statements; and generally relating to boards, commissions, and similar bodies and public ethics
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

BILL NO. 17-22 (Public Hearing Held Open) – AN ORDINANCE concerning: Planning and Development – Master Plan for Water Supply and Sewerage Systems – FOR the purpose of amending the Master Plan for Water Supply and Sewerage Systems, 2017 to alter certain maps; and generally relating to the Master Plan for Water Supply and Sewerage Systems.
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)
and Mr. Pruski

BILL NO. 18-22 (Public Hearing Held Open) – AN ORDINANCE concerning: Finance, Taxation, and Budget – Opioid Abatement Special Revenue Fund – FOR the purpose of establishing an Opioid Abatement Special Revenue Fund; providing for payment of revenues restricted in use by the State into the Fund; providing that the Fund shall be a special, non-lapsing fund; specifying the purposes for which transfers may be made from the Fund; and generally relating to finance, taxation, and budget.
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

BILL NO. 19-22 (Public Hearing Held Open) – AN ORDINANCE concerning: Aggregate Net Energy Metering Credit Purchase Agreement – Glenn Burnie Landfill Solar LLC – FOR the purpose of approving an Aggregate Net Energy Metering Credit Purchase Agreement between Glenn Burnie Landfill Solar LLC and Anne Arundel County, Maryland, to provide for the purchase by the County of energy output from a solar facility constructed, owned, and operated by Glenn Burnie Landfill Solar LLC on property leased by Glenn Burnie Landfill Solar LLC from the County under the terms and conditions contained in the Aggregate Net Energy Metering Credit Purchase Agreement; and generally relating to the Aggregate Net Energy Metering Credit Purchase Agreement.
Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

BILL NO. 20-22 (Public Hearing Held Open) – AN ORDINANCE concerning: Legislative Branch – Compensation – Benefits – FOR the purpose of increasing the salaries of members of the County Council as recommended by the Salary Standard Commission with a certain limitation; amending certain benefits and allowances of members of the County Council as recommended by the Salary Standard Commission; and generally relating to the Legislative Branch.
Introduced by Mr. Pruski, Ms. Lacey, and Ms. Pickard

BILL NO. 21-22 (Public Hearing Held Open) (To Be Withdrawn) – AN ORDINANCE concerning: Subdivision and Development and Zoning – Cluster Development – FOR the purpose of adding subdivision and development and zoning provisions relating to cluster development; exempting applications for cluster development made before a certain date from the new provisions; prohibiting modifications to certain open space requirements for cluster development; allowing “cluster development” as a conditional use in certain residential zoning districts; adding the conditional use requirements for cluster development; repealing the bulk regulations for cluster development in certain residential zoning districts; repealing the conditional use and special exception use requirements for “duplexes and semi-detached dwellings”; making certain conforming changes; and generally relating to subdivision and development and zoning.
Introduced by Ms. Fiedler

[BILL NO. 22-22](#) – AN ORDINANCE concerning: Hollywood on the Severn Special Community Benefit District – FOR the purpose of establishing the Hollywood on the Severn Special Community Benefit District; establishing the purposes of the District and the manner of assessment for the District; and designating a civic or community association to administer the expenditures of the District.

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

[BILL NO. 23-22](#) – AN ORDINANCE concerning: Approval of the Lease Agreement for Quiet Waters Retreat – FOR the purpose of approving an agreement to lease part of County-owned property known as Quiet Waters Retreat to Chesapeake Conservation Center LLC.

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

[BILL NO. 24-22](#) – AN ORDINANCE concerning: Personnel and Public Ethics – Positions in the Exempt Service – FOR the purpose of adding the position of Executive Director to the Police Accountability Board to the exempt service; adding the pay, pension, and financial disclosure requirements applicable to the Executive Director; increasing the number of exempt positions under the Chief Administrative Officer approved as part of the annual budget and appropriation ordinance to add the Executive Director and an administrative secretary; and generally relating to personnel and public ethics.

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

[BILL NO. 25-22](#) – AN ORDINANCE concerning: General Provisions – Language Access – FOR the purpose of defining certain terms; requiring County agencies to provide equal access to public services, meetings, websites, and webpages for individuals with limited English proficiency; providing for the coordination, technical assistance, and formulation of minimum standards for equal language access; and generally relating to general provisions.

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

[BILL NO. 26-22](#) – AN ORDINANCE concerning: Public Works – Weeds and Vegetation – FOR the purpose of prohibiting community associations from allowing rank vegetation and noxious weeds on property; exempting certain stormwater management ponds or devices from the prohibition against allowing rank vegetation and noxious weeds on property; and generally relating to public works.

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)
and by Ms. Pickard and by Ms. Rodvien

K. Other Business

L. Adjournment

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Anyone with a disability who requires a reasonable accommodation to fully participate in a Council meeting should contact the Administrative Officer at least 72 hours before the meeting to discuss your accessibility needs. The Administrative Officer may be reached by email at CouncilAdmin@aacounty.org or by telephone at 410-222-1401.
TTY users, please use Maryland Relay, 7-1-1.

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WAYS TO FOLLOW THE COUNTY COUNCIL

Members of the public can watch the March 21, 2022 meeting on local cable channels or via Arundel TV. To find a list of channels or to access Arundel TV, visit:
www.aacounty.org/services-and-programs/government-television.

For more details on all the ways to participate please visit:
<https://www.aacounty.org/services-and-programs/county-council-meeting-participation>.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Minutes of
Legislative Session 2022, Legislative Day No. 6
March 7, 2022 - 7:00 P.M.

The meeting was called to order by Chair Rodvien at 7:00 P.M. and opened with the Invocation given by Travis Knoll, Lead Pastor of Nichols-Bethel United Methodist Church of Odenton, MD, and was followed by the Pledge of Allegiance lead by Mr. Pruski. The meeting was held in the County Council Chambers, Arundel Center, Annapolis, Maryland. There were approximately 150 persons in the audience.

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

ETHICS STATEMENT

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

INVITATION TO AUDIENCE

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

The following person spoke on Invitation to Audience:

David Dull, Severna Park

There was no one else present who wished to speak, and the Invitation to Audience was concluded.

ITEMS NOT APPEARING ON AGENDA

Mr. Pruski asked to be added as co-sponsor to Bill No. 17-22.

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 Ms. Fiedler, the minutes of the meeting of February 22, 2022 was approved as presented.

INTRODUCTION OF BILLS

BILL NO. 27-22 – AN ORDINANCE concerning: Pensions – Contingent Annuitant – Fire and Police Service Retirement Plans – Same Sex Marriage – FOR the purpose of allowing modification of the contingent annuitant election for certain retirees in the Fire and Police Pension Plans entering into same sex marriages with the contingent annuitant; and generally relating to pensions.

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

BILL NO. 28-22 – AN ORDINANCE concerning: Personnel – Positions in the Classified Service – FOR the purpose of adding the position of Correctional Records Clerk II to the classified service; providing for the pay, work week, and minimum qualifications applicable to the Correctional Records Clerk II position; modifying the titles, pay, and minimum qualifications applicable to certain positions in the classified service; decreasing and increasing certain positions in the Department of Detention Facilities in the classified service approved as part of the annual budget and appropriation ordinance; providing for the application of this Ordinance; and generally relating to personnel.

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

BILL NO. 29-22 – AN ORDINANCE concerning: Current Expense Budget – Supplementary Appropriations – FOR the purpose of making supplementary appropriations from unanticipated revenues to certain offices, departments, institutions, boards, commissions or other agencies in the general fund for the current fiscal year; and generally relating to making supplementary appropriations of funds to the Current Expense Budget for the fiscal year ending June 30, 2022.

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

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

BILL NO. 8-22 (As Amended)

The Chair called for the public hearing on Bill No. 8-22, as amended, An Ordinance concerning: Zoning – 2022 Green Infrastructure Master Plan – For the purpose of repealing the 2002 Greenways Master Plan and amendments; adopting the 2022 Green Infrastructure Master Plan and appendices as a guide for the future conservation of natural lands in the County; making certain findings of fact and stating the legislative intent relative to the Green Infrastructure Master Plan; making a conforming change; and generally relating to zoning and the County's 2022 Green Infrastructure Master Plan; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Matt Johnston, Environmental Policy Director, Michael Stringer, Office of Planning and Zoning, Erica Jackson Matthews, Recreation and Parks, and Kelly Kenney, Senior Assistant County Attorney.

Mr. Baron explained the amended bill.

The Chair called for the public hearing on Bill No. 8-22, as amended.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 8-22, as amended.

The following persons spoke on Bill No. 8-22, as amended:

Fernada Berra, Pasadena

There was no one else present who wished to speak and the hearing was concluded.

The Chair called Bill No. 8-22, as amended, An Ordinance concerning: Zoning – 2022 Green Infrastructure Master Plan; and the Administrative Officer read a portion of the title.

Amendment No. 4

This amendment provides that the 2022 Green Infrastructure Master Plan is not a regulatory document.

Ms. Pickard, Sponsor, explained the amendment.

Mr. Baron stated the Administration is comfortable with the amendment.

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

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

Nay – None

The Chair stated that Bill No. 8-22, as amended, will be heard on March 21, 2022.

BILL NO. 16-22

The Chair called for the public hearing on Bill No. 16-22, An Ordinance concerning: Police Accountability Board – For the purpose of establishing a Police Accountability Board; defining certain terms; providing for the composition and terms and removal of members of the Police Accountability Board; providing for a chair of the Police Accountability Board; providing for the meeting standards, training, budget and staff, compensation of members, and recordkeeping standards of the Police Accountability Board; establishing the duties of the Police Accountability Board; requiring annual reports by the Police Accountability Board; providing for the compensation, staffing, and appointment of members of Administrative Charging Committees and

Trial Boards; requiring voting members of Police Accountability Board to file financial disclosure statements; and generally relating to boards, commissions, and similar bodies and public ethics; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Chief Amal Awad, AACPD, David Morris, AACPD, Pete Hill, Equity, Diversion, and Inclusion Director, Asha Smith, Equity, Diversion, and Inclusion Officer, Chief of Police Edward Jackson, City of Annapolis, Ronda McCoy, City of Annapolis, Ethan Hunt, Office of Law, and Lori Blair Klasmeier, Deputy County Attorney.

Mr. Baron gave a presentation regarding the Police Accountability Board.

Chief Awad gave her view of the need for a Police Accountability Board.

The Chair called for the public hearing on Bill No. 16-22.

The Administrative Officer stated there were fifteen submissions, and ninety nine emails, of written public testimony received for Bill No. 16-22 through the online testimony tool, which were shared with the Council and posted on the County Council website.

The following person spoke on Bill No. 16-22:

Jennifer Sell, Severna Park
Marguerite Morris, Odenton
Grace Myrick, Glen Burnie
Cynthia Williams, Severn
Lynda Davis, Linthicum
Emma Buchman, Severna Park
Joshua Hatch, Annapolis
Juanita Myrick, Glen Burnie
Randy Curtis, Severn
Chuck Hurley, Annapolis
Annie Sanford, Glen Burnie
Tracie D'Angelo, Edgewater
Michael Mattia, Edgewater
Lydia Walther-Rodriguez, Baltimore
Amy Cruice, Annapolis
William Rowel, Annapolis
Bishop Antonio Palmer, Odenton
Pastor Stephen Tillett, Annapolis
Kristen Clark, Annapolis
Ron Wayne, Glen Burnie
Carl Brooks, Glen Burnie
Erica Griswold, Glen Burnie
Rickey Jones, Laurel
Cathy Fleshman, Odenton
Erica Scott, Oakton, VA

Victor Smith, Severn
Lynn Fitzpatrick, Galesville
David Malone, Hanover
Steven Waddy, Severn
David Dull, Severna Park
Arthur Holt, Annapolis
Chrissy Holt, Annapolis
Philip Ateto, Annapolis
Eugene Shepherd
Dani Gibbons, Friendship
Mike Shier
Stanley Newborne
O'Brien Atkinson

There was no one else present who wished to speak and the hearing was concluded.

The Chair called Bill No. 16-22, An Ordinance concerning: Police Accountability Board; and the Administrative Officer read a portion of the title.

RECESS

On motion by Mr. Volke, seconded by Ms. Fiedler, the Council took a recess from 9:23 P.M. until 9:33 P.M.

Amendment No. 1

This technical amendment corrects typographical errors to State law references and other terms.

Mr. Baron explained the amendment.

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

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

Amendment No. 2

This amendment requires meetings of the Police Accountability Board to provide an opportunity for public comment.

Mr. Baron explained the amendment.

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

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

Amendment No. 3

This amendment requires the Administrative Charging Committee and any Trial Boards to be structured as provided in State law.

Mr. Baron explained the amendment.

Mr. Pruski asked if referencing State Law was the best idea.

Ms. Klasmeier responded.

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

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

Amendment No. 4

This amendment allows a change of address to a location outside of the County as a cause for removal of a member of the Police Accountability Board.

Ms. Fiedler, Co-Sponsor, explained the amendment.

The Administration supports.

On motion of Ms. Lacey, seconded by Ms. Fiedler, Amendment No. 4 was adopted by the following roll call vote:

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

Amendment No. 5

This amendment defines “ride-along”; corrects a technical error in indexing of subsections; and requires an annual civilian ride-along in an emergency vehicle as a part of the training requirements for voting members of the Police Accountability Board.

Ms. Pickard, Co-Sponsor, explained the amendment.

The Administration supports.

Ms. Lacey asked if ride-alongs could accommodate people with disabilities.

Chief Awad responded.

Mr. Volke asked why other emergency personnel were included in the ride-along and if the definition could be used in other legislation.

Ms. Fiedler answered.

Mr. Volke asked if the Council would be open to an amendment not including other emergency personnel.

Ms. Fiedler responded.

Ms. Haire explained that doing a ride-along with all emergency departments would be helpful.

Ms. Pickard clarified the “ride-along” definition in the amendment.

Ms. Lacey asked if the definition could be codified to a more appropriate section of the Code.

Ms. Schuett responded.

Ms. Rodvien asked if the Sheriff was included.

Chief Awad agreed.

Mr. Volke explained an amendment he is having created.

On motion of Ms. Pickard, seconded by Ms. Fiedler, Amendment No. 5 was adopted by the following roll call vote:

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

Nay – Ms. Lacey, Mr. Volke

Amendment No. 6

This amendment requires that all voting members of the Police Accountability Board be residents of the County.

Mr. Volke, Co-Sponsor, explained the amendment.

The Administration supports.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 6 was adopted by the following roll call vote:

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

Amendment No. 7

This amendment requires that all voting members of the Police Accountability Board be appointed by the County Executive and confirmed by the County Council.

Mr. Volke, Co-Sponsor, explained the amendment.

Mr. Baron clarified that the City would still pick an appointment.

Mr. Volke agreed.

Ms. McCoy explained the process of appointing a member.

Ms. Pickard asked if adopting the amendment would bring the bill into compliance with State law.

Mr. Baron responded.

Mr. Volke asked if adopting the amendment takes the bill out of compliance.

Ms. Klasmeier explained what the State Law requires.

Ms. Fiedler shared her concerns on changing the language.

Ms. Rodvien spoke on separate appointments for each member.

Ms. Klasmeier stated the County decides how the appointment process would occur.

Mr. Baron shared the Administration's intention for starting the Board.

Ms. Rodvien expressed her concern that the City's representative would not be appointed.

Ms. Klasmeier and Ms. Lacey responded.

Mr. Pruski shared his opinion that the Council should honor the Administration's desires.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 7 was defeated by the following roll call vote:

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

Amendment No. 8

This amendment does not limit the reasons a person can be removed from the board and removes “immoral misconduct” as an example of cause for removal of a member of the Police Accountability Board.

Mr. Volke, Co-Sponsor, explained the amendment.

Mr. Baron explained the intent of the amendment.

Ms. Rodvien expressed her concern of the wording “immoral misconduct”.

On motion of Mr. Volke, seconded by Ms. Lacey, Amendment No. 8 was adopted by the following roll call vote:

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

Nay – None

Amendment No. 9

This amendment adds a definition of “hearing board”; and amends portions of Bill No. 16-22 to refer to hearing boards instead of trial boards.

Mr. Volke, Co-Sponsor, explained the amendment.

The Administration opposes.

Ms. Pickard asked how trial boards are referred to currently and where the term “trial board” came from.

Chief Awad answered.

Ms. Lacey shared her view on using the term “trial board”.

Ms. Fiedler clarified why having clear terms is important.

Mr. Volke recommended using what the experts suggested.

Ms. Rodvien shared her concern for parallel proceedings.

On motion of Mr. Volke, seconded by Ms. Fiedler, Amendment No. 9 was adopted by the following roll call vote:

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

Nay – Ms. Lacey

Amendment No. 10

This amendment changes the years of residency in the County for voting members of the Board from three years to two years.

Ms. Lacey, Co-Sponsor, explained the amendment.

Mr. Baron stated the Administration does not object.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 10 was defeated by the following roll call vote:

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

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

Amendment No. 11

This amendment changes terminology to require a voting member of the Board to have “resided in” the City of Annapolis for a certain period of time.

Ms. Lacey, Co-Sponsor, explained the amendment.

The Administration supports.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 11 was adopted by the following roll call vote:

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

Ms. Rodvien

Nay – None

Amendment No. 12

This amendment allows council members to recommend appointments from each of their districts to the County Executive for potential appointment.

Ms. Lacey, Co-Sponsor, explained the amendment.

The Administration supports.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 12 was adopted by the following roll call vote:

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

Ms. Rodvien

Nay – None

Amendment No. 13

This amendment requires the composition of the Police Accountability Board to reflect gender-identity amongst the voting membership.

Ms. Lacey, Co-Sponsor, explained the amendment.

Mr. Baron explained the intent to give all an opportunity to be on the board.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 13 was adopted by the following roll call vote:

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

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

Amendment No. 14

This amendment requires the composition of the Police Accountability Board to reflect sexual orientation amongst the voting membership.

Ms. Lacey, Co-Sponsor, explained the amendment.

Mr. Baron explained the intention of the bill.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 14 was adopted by the following roll call vote:

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

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

Amendment No. 15

This amendment requires that the Board have representation from communities that have historically experienced or currently experience higher frequencies of interaction with law enforcement.

Ms. Lacey, Co-Sponsor, explained the amendment.

The Administration supports.

Ms. Fiedler shared that she is comfortable with the current language of the bill.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 15 was adopted by the following roll call vote:

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

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

Amendment No. 16

This amendment removes the list of specific professional or lived experiences that should be considered when voting members of the Police Accountability Board are selected.

Ms. Lacey, Co-Sponsor, explained the amendment.

The Administration opposes, and Mr. Baron explained why.

Ms. Lacey shared that the Board will have the ability to call in experts.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 16 was defeated by the following roll call vote:

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

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

Amendment No. 17

This amendment expands the type of life experiences that should be considered when voting members of the Police Accountability Board are selected.

Ms. Lacey, Co-Sponsor, explained the amendment.

Mr. Baron explained the Administration's view of the amendment.

Ms. Lacey clarified what "lived experience" means.

Ms. Pickard shared her concern of the language.

Ms. Rodvien shared her view regarding the value of expanding the list.

Ms. Fiedler stated she is comfortable with the language in the bill.

Mr. Volke confirmed there is nothing in the bill to preclude the consideration of certain applicants.

Mr. Baron agreed.

Ms. Rodvien shared that these amendments plan for the future.

Ms. Pickard expressed that she prefers the language of the bill.

Ms. Lacey reread the characteristics in the amendment.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 17 was defeated by the following roll call vote:

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

Amendment No. 18

This amendment removes the requirement that a voting member of the Police Accountability Board be subject to a preliminary criminal background investigation; removes a prohibition on the appointment of anyone convicted of certain crimes; and removes superfluous language.

Ms. Lacey, Co-Sponsor, explained the amendment.

The Administration opposes.

Mr. Volke asked if convicted felons were still allowed to vote and if other crimes were disqualifiers.

Ms. Klasmeier answered.

Ms. Rodvien read from the People's Law Library of Maryland.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 18 was defeated by the following roll call vote:

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

Amendment No. 19

This amendment removes a prohibition on the appointment of anyone convicted of certain crimes; and removes superfluous language.

Ms. Lacey, Co-Sponsor, explained the amendment.

The Administration opposes.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 19 was defeated by the following roll call vote:

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

Amendment No. 20

This amendment limits the time period a person convicted of a crime of violence or felony has to wait before being eligible to serve as a member of the Board to thirty years; and limits the time period a person convicted of a non-felony crime has to wait before being eligible to serve as a member of the Board to ten years.

Ms. Lacey, Co-Sponsor, explained the amendment.

The Administration opposes.

Mr. Volke asked about police officers who were convicted of a felony.

Ms. Lacey clarified that there are checks and balances for appointing members.

Ms. Rodvien shared her belief in forgiveness.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 20 was defeated by the following roll call vote:

Aye – Ms. Lacey, Ms. Rodvien

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

Amendment No. 21

This amendment removes a reference to the conflicts of interest provisions in Code that are applicable to all County employees and instead requires Board members to recuse themselves when a conflict of interest exists.

Ms. Lacey, Co-Sponsor, explained the amendment.

Mr. Baron shared the Administration's concerns.

Mr. Volke asked which ethics laws a member would be subject to.

Ms. Klasmeier responded.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 21 was adopted by the following roll call vote:

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

Nay – Ms. Pickard

Amendment No. 22

This amendment prohibits retired law enforcement officers from serving as members of the Board.

Ms. Lacey, Co-Sponsor, explained the amendment.

The Administration opposes.

Mr. Volke asked about the bill being management heavy.

Ms. Lacey answered.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 22 was defeated by the following roll call vote:

Aye – Ms. Lacey, Ms. Rodvien

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

Amendment No. 23

This amendment limits the number of retired law enforcement allowed as members of the Board.

Ms. Lacey, Co-Sponsor, explained the amendment.

The Administration opposes.

Ms. Rodvien asked about non-voting members and how law enforcement officers and police officers differ.

Ms. Klasmeier responded.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 23 was defeated by the following roll call vote:

Aye – Ms. Lacey, Ms. Rodvien

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

Amendment No. 24

This amendment removes all ex officio members from the Police Accountability Board; and removes reference to non-voting members being reimbursed for expenses incurred.

Ms. Lacey, Co-Sponsor, explained the amendment.

The Administration opposes.

Ms. Pickard spoke on the Charter Revision Commission and gave her view on ex officio members.

Ms. Lacey responded.

Mr. Volke shared his view of the amendment.

Ms. Rodvien clarified her opinion of the amendment.

Ms. Fiedler spoke on balance.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 24 was adopted by the following roll call vote:

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

Amendment No. 25

This amendment was withdrawn by the sponsors.

Amendment No. 26

This amendment was withdrawn by the sponsors.

Amendment No. 27

This amendment clarifies that a voting member can serve many terms but may not serve more than two consecutive terms.

Ms. Lacey, Co-Sponsor, explained the amendment.

The Administration supports.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 27 was adopted by the following roll call vote:

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

Amendment No. 28

This amendment clarifies that the County Executive may remove a member for “just cause”.

Ms. Lacey, Co-Sponsor, explained the amendment.

The Administration opposes.

Ms. Klasmeier explained her concern for adding “just”.

Ms. Lacey asked if “just” would be added if PAB members were paid.

Ms. Klasmeier responded.

Mr. Volke shared his concern on the definition of “just cause”.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 28 was defeated by the following roll call vote:

Aye – Ms. Lacey, Ms. Rodvien

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

Amendment No. 29

This amendment clarifies that the County Executive may remove a member for improper use or disclosure of “confidential information”.

Ms. Lacey, Co-Sponsor, explained the amendment.

The Administration opposes.

Ms. Lacey explained the reason behind using the term.

Ms. Klasmeier spoke about “sensitive” information.

Ms. Lacey responded.

Ms. Pickard shared her thoughts on the amendment.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 29 was defeated by the following roll call vote:

Aye – Ms. Lacey, Ms. Rodvien

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

Amendment No. 30

This amendment requires that the County Executive, within 10 days of removal, send written notice of the reason for removal and effective date to the Chair and Vice Chair of the Board and to the County Council.

Ms. Lacey, Co-Sponsor, explained the amendment.

The Administration supports. Mr. Baron asked if there would be a problem if there is not a Vice Chair.

Ms. Klasmeier answered.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 30 was adopted by the following roll call vote:

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

Ms. Rodvien

Nay – None

Amendment No. 31

This amendment adds a provision that the County Executive may excuse absences for good cause upon recommendation of the Chair of the Board.

Ms. Lacey, Co-Sponsor, explained the amendment.

The Administration does not agree with the amendment.

Mr. Volke clarified his thoughts on the amendment.

Ms. Lacey responded.

Ms. Haire asked if the wording of the amendment could be found in other boards and commissions.

Ms. Klasmeier answered.

Ms. Rodvien asked for clarification on the requirements of removal.

Ms. Klasmeier explained.

Ms. Fiedler asked how many yearly meetings were required by the board.

Mr. Baron stated four or more.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 31 was defeated by the following roll call vote:

Aye – Ms. Lacey, Ms. Rodvien

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

Amendment No. 32

This amendment allows a removed board member to be reinstated by a resolution of the County Council adopted the affirmative vote of five members.

Ms. Lacey, Co-Sponsor, explained the amendment.

The Administration supports.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 32 was adopted by the following roll call vote:

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

Ms. Rodvien

Nay – None

Amendment No. 33

This amendment requires the Board to meet monthly or more often as needed.

Ms. Lacey, Co-Sponsor, explained the amendment.

Mr. Baron shared the Administration's concern of the amendment.

Ms. Lacey clarified that the Chair or Board could call a meeting.

Ms. Klasmeier responded.

Mr. Volke asked how frequently the Command Staff meets and if Chief Awad agreed with the amendment.

Chief Awad answered.

Ms. Pickard shared her view of the bill's wording.

Ms. McCoy explained the State's intent for the PAB.

Ms. Pickard clarified how many meetings the City would like.

Ms. McCoy answered.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 33 was defeated by the following roll call vote:

Aye – Ms. Lacey, Mr. Volke, Ms. Rodvien

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

There was discussion to hold the remaining amendments until March 21, 2022.

Amendment No. 34

This amendment requires the Executive Director to be an attorney, to manage the staff assigned to the board, and to provide legal counsel to the board; requires the Executive Director to assist with staffing for the Administrative Charging Committee and Trial Boards; and allows the Executive Director to provide legal counsel to the Administrative Charging Committee.

Ms. Lacey, Co-Sponsor, explained the amendment.

The Administration supports and Mr. Baron shared concerns on how the amendment is drafted.

On motion of Ms. Lacey, seconded by Ms. Rodvien, Amendment No. 34 was defeated by the following roll call vote:

Aye – Ms. Lacey, Ms. Rodvien

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

Amendment No. 35

This amendment was withdrawn by the sponsors.

Amendment No. 36

This amendment allows child care and transportation costs to be eligible for reimbursement, if necessary, to attend a scheduled meeting of the board.

Ms. Lacey, Co-Sponsor, explained the amendment.

Mr. Baron shared concern of the amendment.

Ms. Rodvien spoke on reasonableness as a standard.

Mr. Volke asked if child care is reimbursed.

Chief Awad answered no.

Ms. Pickard explained her concerns on the number of boards and commissions already in place, and if reimbursement was for this board only.

Ms. Lacey responded.

Mr. Baron stated the bill does allow for compensation for members.

Ms. Pickard shared her experience on the Board of Education.

There was further discussion on stipends for the board.

The Chair stated the amendment could not be voted on due to the time being 12:00 A.M.

Mr. Pruski explained the reason as to why bills and amendments cannot be voted on after midnight.

The Chair stated that Bill No. 16-22, as amended, will be continued on March 21, 2022.

BILL NO. 17-22

The Chair called for the public hearing on Bill No. 17-22, An Ordinance concerning: Planning and Development – Master Plan for Water Supply and Sewerage Systems – For the purpose of amending the Master Plan for Water Supply and Sewerage Systems, 2017 to alter certain maps; and generally relating to the Master Plan for Water Supply and Sewerage Systems; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Lori Rhodes, Deputy Chief Administrative Officer, Alex Szachnowicz, Chief Operating Officer, Steven Kaii-Zeigler, Director, Office of Planning and Zoning, Cindy Carrier, Office of Planning and Zoning, Desirae Williams, Office of Planning and Zoning, Christopher Murphy, Department of Public Works, Al Herb, Department of Health, and Kelly Kenney, Senior Assistant County Attorney.

Mr. Baron explained the bill.

Mr. Szachnowicz spoke on the bill.

The Chair called for the public hearing on Bill No. 17-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 17-22.

There was no one present who wished to speak and the hearing was held open until March 21, 2022.

BILL NO. 18-22

The Chair called for the public hearing on Bill No. 18-22, An Ordinance concerning: Finance, Taxation, and Budget – Opioid Abatement Special Revenue Fund – For the purpose of establishing an Opioid Abatement Special Revenue Fund; providing for payment of revenues restricted in use by the State into the Fund; providing that the Fund shall be a special, non-lapsing fund; specifying the purposes for which transfers may be made from the Fund; and generally relating to finance, taxation, and budget; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Steven Theroux, Budget Office, and Lori Blair Klasmeier, Deputy County Attorney.

Mr. Baron explained the bill.

The Chair called for the public hearing on Bill No. 18-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 18-22.

There was no one present who wished to speak and the hearing was held open until March 21, 2022.

BILL NO. 19-22

The Chair called for the public hearing on Bill No. 19-22, An Ordinance concerning: Aggregate Net Energy Metering Credit Purchase Agreement – Glenn Burnie Landfill Solar LLC – For the purpose of approving an Aggregate Net Energy Metering Credit Purchase Agreement between Glenn Burnie Landfill Solar LLC and Anne Arundel County, Maryland, to provide for the purchase by the County of energy output from a solar facility constructed, owned, and operated by Glenn Burnie Landfill Solar LLC on property leased by Glenn Burnie Landfill Solar LLC from

the County under the terms and conditions contained in the Aggregate Net Energy Metering Credit Purchase Agreement; and generally relating to the Aggregate Net Energy Metering Credit Purchase Agreement; and the Administrative Officer read the title.

Pete Baron, Director, Government Affairs, was accompanied by Matthew Johnston, Environmental Policy Director, Don Urgo, Office of Central Services, Dale Eustler, Office of Central Services, Christine Anderson, Office of Central Services, and Lori Blair Klasmeier, Deputy County Attorney.

Mr. Baron explained the bill.

The Chair called for the public hearing on Bill No. 19-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 19-22.

There was no one present who wished to speak and the hearing was held open until March 21, 2022.

BILL NO. 20-22

The Chair called for the public hearing on Bill No. 20-22, An Ordinance concerning: Legislative Branch – Compensation – Benefits – For the purpose of increasing the salaries of members of the County Council as recommended by the Salary Standard Commission with a certain limitation; amending certain benefits and allowances of members of the County Council as recommended by the Salary Standard Commission; and generally relating to the Legislative Branch; and the Administrative Officer read the title.

Mr. Pruski, Sponsor, explained the bill.

The Chair called for the public hearing on Bill No. 20-22.

The Administrative Officer stated there were no submissions of public testimony received for Bill No. 20-22.

There was no one present who wished to speak and the hearing was held open until March 21, 2022.

BILL NO. 21-22

The Chair called for the public hearing on Bill No. 21-22, An Ordinance concerning: Subdivision and Development and Zoning – Cluster Development – For the purpose of adding subdivision and development and zoning provisions relating to cluster development; exempting applications for cluster development made before a certain date from the new provisions; prohibiting modifications to certain open space requirements for cluster development; allowing “cluster development” as a conditional use in certain residential zoning districts; adding the conditional use requirements for cluster development; repealing the bulk regulations for cluster development in certain residential zoning districts; repealing the conditional use and special

exception use requirements for “duplexes and semi-detached dwellings”; making certain conforming changes; and generally relating to subdivision and development and zoning; and the Administrative Officer read the title.

Ms. Fiedler, Sponsor, explained the bill.

Pete Baron, Director, Government Affairs, was accompanied by Lori Rhodes, Deputy Chief Administrative Officer, Steve Kaii-Ziegler, Director, Office of Planning and Zoning, Lynn Miller, Assistant Planning and Zoning Officer, and Kelly Kenney, Senior Assistant County Attorney.

Mr. Baron stated there was work needed on the bill.

The Chair called for the public hearing on Bill No. 21-22.

The Administrative Officer stated there was one submission received of written public testimony Bill No. 21-22 through the online testimony tool, which was shared with the Council and posted on the County Council website.

The following person spoke on Bill No. 21-22:

Steven Miller, Annapolis

There was no one else present who wished to speak and the hearing was held open until March 21, 2022.

PUBLIC HEARING AND CALL OF RESOLUTION FOR READING AND/OR VOTE

RESOLUTION NO. 4-22

The Chair called for the public hearing on Resolution No. 4-22, Resolution selecting SB & Company, LLC, an independent firm of certified public accountants, to perform the financial audit for fiscal year 2022; and the Administrative Officer read the title.

Ms. Bohlayer explained the resolution.

The Administrative Officer stated there were no submissions of public testimony received for Resolution No. 4-22.

There was no one present who wished to speak and the hearing was concluded.

The Chair called Resolution No. 4-22, Resolution selecting SB & Company, LLC, an independent firm of certified public accountants, to perform the financial audit for fiscal year 2022; and the Administrative Officer read the title.

Resolution No. 4-22 was adopted by the following roll call vote:

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

OTHER BUSINESS

Ms. Rodvien thanked all who worked on the amendments and bills.

ADJOURNMENT

There being no further business, on motion of Mr. Volke, seconded by Mr. Pruski, the meeting adjourned at 12:22 A.M.

Respectfully submitted,

By Anna Macaulay

For Laura Corby
Administrative Officer

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 7

Bill No. 30-22

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

By the County Council, March 21, 2022

Introduced and first read on March 21, 2022
Public Hearing set for April 18, 2022
Bill Expires June 24, 2022

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Anne Arundel County Open Data Act

2
3 FOR the purpose of requiring the County to make certain public data sets available on a
4 single web portal on the internet; requiring the County to develop a technical standards
5 manual for publishing public data sets; requiring the Chief Administrative Officer to
6 develop an Open Data Implementation Plan; and generally relating to general
7 provisions.
8

9 BY adding: §§ 1-11-101 through 1-11-108, to be under the new title “Title 11. Open Data”
10 Anne Arundel County Code (2005, as amended)
11

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

15 ARTICLE 1. GENERAL PROVISIONS

16 TITLE 11. OPEN DATA

17 1-11-101. Definitions.

18
19
20 IN THIS TITLE, THE FOLLOWING WORDS AND PHRASES HAVE THE MEANINGS
21 INDICATED.
22

23
24 (1) “AGENCY” MEANS ANY DEPARTMENT OR OFFICE OF THE COUNTY
25 GOVERNMENT.

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

(2) (I) "DATA" MEANS THE FINAL VERSION OF DIGITAL INFORMATION REGULARLY CREATED OR MAINTAINED BY OR ON BEHALF OF AND OWNED BY THE COUNTY THAT RECORDS A FILE, MEASUREMENT, TRANSACTION, OR FINAL DECISION RELATED TO THE MISSION OF AN AGENCY.

(II) "DATA" DOES NOT INCLUDE ANY INFORMATION PROVIDED TO AN AGENCY BY ANOTHER GOVERNMENT ENTITY, INFORMATION THAT MAY NOT BE MADE AVAILABLE FOR PRIVACY OR SECURITY REASONS, OR DATA OTHERWISE PROTECTED BY LAW.

(3) "MEASUREMENT" MEANS TO QUANTIFY ANY CHARACTERISTIC OF AN OBSERVABLE EVENT, OCCURRENCE, OR OBJECT BY COMPARISON TO A REFERENCE STANDARD.

(4) "OPEN DATA IMPLEMENTATION PLAN" MEANS A PLAN DEVELOPED BY THE CHIEF ADMINISTRATIVE OFFICER TO IMPLEMENT THIS TITLE AS FURTHER DESCRIBED IN § 1-11-102.

(5) (I) "PUBLIC DATA SET" MEANS DATA IDENTIFIED AS ELIGIBLE FOR PUBLICATION BY THE OPEN DATA IMPLEMENTATION PLAN.

(II) "PUBLIC DATA SET" DOES NOT INCLUDE ANY PORTION OF A DATA SET THAT IS NOT SUBJECT TO DISCLOSURE UNDER ANY FEDERAL OR STATE LAW OR ANY DATA THAT IS SUBJECT TO COPYRIGHT OR TRADEMARK PROTECTIONS.

(6) "SINGLE WEB PORTAL" MEANS A SPECIFICALLY DESIGNED WEBSITE PLATFORM THAT BRINGS INFORMATION FROM DIVERSE SOURCES AND SERVES AS THE SINGLE POINT OF ACCESS FOR THE INFORMATION.

1-11-102. Open data implementation plan.

(A) THE CHIEF ADMINISTRATIVE OFFICER SHALL PREPARE AN OPEN DATA IMPLEMENTATION PLAN WITHIN ONE YEAR OF THE EFFECTIVE DATE OF BILL NO. 30-22.

(B) THE OPEN DATA IMPLEMENTATION PLAN SHALL:

(1) INCLUDE A SUMMARY DESCRIPTION OF THE PUBLIC DATA SETS UNDER THE CONTROL OF EACH AGENCY;

(2) ASSIGN AND PRIORITIZE THE ORDER IN WHICH PUBLIC DATA SETS SHOULD BE PUBLISHED ON THE SINGLE WEB PORTAL BASED ON WHETHER THE PUBLIC DATA SET:

(I) CAN BE USED TO INCREASE AGENCY ACCOUNTABILITY AND RESPONSIVENESS;

(II) IMPROVES PUBLIC KNOWLEDGE OF THE AGENCY AND ITS OPERATIONS;

(III) FURTHERS THE MISSION OF THE AGENCY;

(IV) CREATES ECONOMIC OPPORTUNITY; OR

(V) RESPONDS TO A NEED OR DEMAND IDENTIFIED THROUGH PUBLIC INPUT;

(3) CREATE A TIMELINE FOR THE INCLUSION OF PUBLIC DATA SETS ON THE SINGLE WEB PORTAL;

(4) ADDRESS WHEN AND HOW AN AGENCY MAY CHANGE OR TERMINATE COLLECTION OF DATA OR REMOVE THE PUBLIC DATA SET FROM THE SINGLE WEB PORTAL;

(5) DESIGNATE AN EMPLOYEE IN EACH AGENCY AS A CONTACT FOR PUBLIC DATA SET MANAGEMENT AND OTHERWISE ADDRESS APPROPRIATE STAFFING TO MANAGE THE PUBLIC DATA SETS PUBLISHED ON THE SINGLE WEB PORTAL;

(6) PRESCRIBE THE FREQUENCY OF UPDATES FOR PUBLIC DATA SETS ON THE SINGLE WEB PORTAL; AND

(7) ADDRESS MEASURES TO MAINTAIN BANDWIDTH AVAILABILITY OF THE SINGLE WEB PORTAL.

1-11-103. Public data set availability.

(A) THE COUNTY SHALL MAKE PUBLIC DATA SETS AVAILABLE ON THE SINGLE WEB PORTAL WITHIN ONE YEAR OF THE EFFECTIVE DATE OF BILL NO. 30-22.

(B) A PUBLIC DATA SET SHALL BE MADE AVAILABLE FOR DOWNLOAD.

(C) A PUBLIC DATA SET SHALL BE PUBLISHED IN A FORMAT THAT PERMITS AUTOMATED PROCESSING, DOES NOT REQUIRE A SOFTWARE LICENSE OR THE USE OF SPECIALIZED SOFTWARE, AND USES APPROPRIATE TECHNOLOGY TO NOTIFY THE PUBLIC OF UPDATES.

(D) ONCE PUBLISHED, A PUBLIC DATA SET SHALL BE UPDATED AS OFTEN AS IS REQUIRED BY THE OPEN DATA IMPLEMENTATION PLAN.

(E) (1) A PUBLISHED PUBLIC DATA SET SHALL BE MADE AVAILABLE WITHOUT ANY REGISTRATION OR LICENSE REQUIREMENT OR RESTRICTION ON USE. THE COUNTY SHALL REQUIRE A THIRD-PARTY PROVIDING THE PUBLIC DATA SET OR APPLICATION UTILIZING THAT DATA SET ON BEHALF OF THE COUNTY TO IDENTIFY THE SOURCE AND VERSION OF THE PUBLIC DATA SET AND DESCRIBE ANY MODIFICATION MADE TO THAT DATA SET.

(2) IN THIS SUBSECTION, "REGISTRATION OR LICENSE REQUIREMENT OR RESTRICTION" DOES NOT INCLUDE ANY MEASURE REQUIRED TO:

(I) PROTECT THE SINGLE WEB PORTAL FROM UNLAWFUL ABUSE OR AN ATTEMPT TO DAMAGE OR IMPAIR USE OF THE PORTAL; OR

(II) ANALYZE THE TYPE OF DATA BEING USED TO IMPROVE SERVICE DELIVERY.

(F) A PUBLISHED PUBLIC DATA SET MUST BE ACCESSIBLE TO EXTERNAL AND INTERNAL SEARCH CAPABILITIES.

(G) THIS TITLE DOES NOT PROHIBIT AN AGENCY FROM:

(1) DISCLOSING INFORMATION NOT OTHERWISE DEFINED AS DATA; OR

(2) MAKING VOLUNTARILY DISCLOSED INFORMATION ACCESSIBLE THROUGH THE SINGLE WEB PORTAL.

1-11-104. Web portal administration.

(A) THE COUNTY SHALL CONSPICUOUSLY PUBLISH THE OPEN DATA POLICY REQUIRED BY § 1-11-105 ON THE SINGLE WEB PORTAL.

(B) THE COUNTY SHALL IMPLEMENT A MECHANISM TO SOLICIT PUBLIC FEEDBACK AND ENCOURAGE PUBLIC DISCUSSION ON OPEN DATA POLICIES AND PUBLIC DATA SET AVAILABILITY ON THE SINGLE WEB PORTAL.

(C) AN AGENCY SHALL DECIDE IF INCLUSION OF A PUBLIC DATA SET REQUESTED THROUGH THE PUBLIC INPUT MECHANISM OF THE SINGLE WEB PORTAL SHOULD BE INCLUDED ON THE SINGLE WEB PORTAL.

1-11-105. Open data policy.

(A) A PUBLIC DATA SET MADE AVAILABLE ON THE SINGLE WEB PORTAL IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

(B) THE COUNTY MAKES NO EXPRESS OR IMPLIED WARRANTY AS TO THE COMPLETENESS, ACCURACY, CONTENT, MERCHANTABILITY, OR FITNESS FOR ANY PARTICULAR PURPOSE OR USE OF ANY PUBLIC DATA SET MADE AVAILABLE ON THE SINGLE WEB PORTAL.

(C) THE COUNTY IS NOT LIABLE FOR ANY DEFICIENCY IN THE COMPLETENESS, ACCURACY, CONTENT, OR FITNESS FOR ANY PARTICULAR PURPOSE OR USE OF ANY PUBLIC DATA SET, OR APPLICATION UTILIZING THE DATA SET, PROVIDED BY ANY THIRD PARTY.

(D) THIS TITLE AND THE OPEN DATA IMPLEMENTATION PLAN DO NOT CREATE A PRIVATE RIGHT OF ACTION FOR ENFORCEMENT. FAILURE TO COMPLY WITH THIS TITLE OR THE OPEN DATA IMPLEMENTATION PLAN SHALL NOT RESULT IN LIABILITY OF THE COUNTY.

1-11-106. Internet data set policy and technical standards manual.

(A) WITHIN 180 DAYS AFTER THE EFFECTIVE DATE OF BILL NO. 30-22, THE COUNTY SHALL PREPARE AND PUBLISH A TECHNICAL STANDARDS MANUAL FOR THE PUBLICATION OF PUBLIC DATA SETS ON THE SINGLE WEB PORTAL TO MAKE PUBLIC DATA AVAILABLE TO THE GREATEST NUMBER OF USERS AND FOR THE GREATEST NUMBER OF APPLICATIONS.

(B) THE MANUAL:

(1) SHALL USE OPEN STANDARDS FOR WEB PUBLISHING AND E-GOVERNMENT, WHENEVER PRACTICABLE;

(2) SHALL IDENTIFY THE REASON WHY EACH TECHNICAL STANDARD WAS SELECTED AND TO WHICH TYPES OF DATA IT APPLIES;

(3) MAY RECOMMEND OR REQUIRE THAT DATA BE PUBLISHED UNDER MORE THAN ONE TECHNICAL STANDARD; AND

(4) SHALL INCLUDE A PLAN TO ADOPT OR UTILIZE A WEB APPLICATION PROGRAMMING INTERFACE THAT PERMITS APPLICATION PROGRAMS TO REQUEST AND RECEIVE PUBLIC DATA SETS DIRECTLY FROM THE SINGLE WEB PORTAL.

(C) THE COUNTY SHALL UPDATE THE MANUAL AS NECESSARY.

1-11-107. Open Data Implementation Plan Report.

(A) NO LATER THAN JANUARY 1, 2023, AND EVERY JANUARY 1 THEREAFTER, THE CHIEF ADMINISTRATIVE OFFICER SHALL SUBMIT TO THE COUNTY EXECUTIVE AND COUNTY COUNCIL, AND POST ON THE SINGLE WEB PORTAL, A REPORT ON PROGRESS UNDER THE OPEN DATA IMPLEMENTATION PLAN UNTIL ALL PUBLIC DATA SETS REQUIRED TO BE PUBLISHED HAVE BEEN MADE AVAILABLE THROUGH THE SINGLE WEB PORTAL.

(B) THE REPORT SHALL INCLUDE:

(1) THE ACTIONS TAKEN TO MAKE PUBLIC DATA SETS AVAILABLE ON THE SINGLE WEB PORTAL SINCE THE PREVIOUS REPORT;

(2) ANY ACTION THAT WILL BE TAKEN BEFORE THE NEXT REPORT;

(3) WHETHER THE LIST OF PUBLIC DATA SETS IN THE OPEN DATA IMPLEMENTATION PLAN SHOULD BE UPDATED;

(4) WHETHER THE PRIORITIZATION OF PUBLIC DATA SETS IN THE OPEN DATA IMPLEMENTATION PLAN SHOULD BE CHANGED; AND

(5) WHETHER THE TIMELINE OUTLINED IN THE OPEN DATA IMPLEMENTATION PLAN FOR THE INCLUSION OF A PUBLIC DATA SET ON THE SINGLE WEB PORTAL SHOULD BE CHANGED.

1-11-108. Legislative branch.

(A) THE LEGISLATIVE BRANCH MAY PROVIDE ITS PUBLIC DATA SETS TO THE CHIEF ADMINISTRATIVE OFFICE TO BE INCLUDED IN THE OPEN DATA IMPLEMENTATION PLAN.

(B) THE LEGISLATIVE BRANCH MAY POST ALL OF ITS PUBLIC DATA SETS INCLUDED IN THE OPEN DATA IMPLEMENTATION PLAN ON THE SAME SINGLE WEB PORTAL USED BY THE EXECUTIVE BRANCH.

SECTION 2. *And be it further enacted*, That all references in this Ordinance to “the effective date of Bill No. 30-22” or words to that effect, shall, upon codification, be replaced with the actual date on which this Ordinance takes effect under Section 307 of the County Charter as certified by the Administrative Officer to the County Council.

SECTION 3. *And be it further enacted*, That this Ordinance shall take effect 45 days from the date it becomes law.

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

BILL NUMBER: 30-22

INTRO. DATE: March 21, 2022

FISCAL NOTE

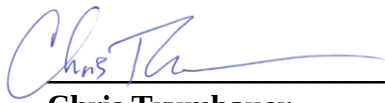
**BILL: AN ORDINANCE CONCERNING: GENERAL PROVISIONS – ANNE
ARUNDEL COUNTY OPEN DATA ACT**

SUMMARY OF LEGISLATION

The purpose of this legislation is to require the County to make certain public data sets available on a single web portal on the internet; require the County to develop a technical standards manual for publishing public data sets; and require the Chief Administrative Officer to develop an Open Data Implementation Plan.

FISCAL IMPACT

The fiscal impact of this legislation is dependent on the requirements developed by the Open Data Implementation Plan. The implementation of the Plan will likely require some additional costs for software and information technology supports, however an estimated cost cannot be determined until the Plan is developed.



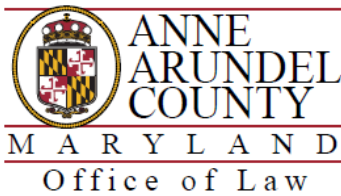
Chris Trumbauer
Budget Officer

3/17/2022

Date

Prepared by: Steven Theroux
Reviewed by: Hannah Dier

cc: Karin McQuade, Controller



Gregory J. Swain, County Attorney

MEMORANDUM

To: Members, Anne Arundel County Council

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

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

Date: March 21, 2022

Subject: Bill No. 30-22: General Provisions – Anne Arundel County Open Data Act

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. 30-22.

Purpose. The purpose of the Bill is to create an Open Data Act for the County that results in public data sets from County departments being available on a single web portal accessible by the public.

Summary. Section 1 of the Bill adds **Title 11 to Article 1 (“General Provisions”)** of the Code.

New § 1-11-101 defines certain terms used in the Title.

New § 1-11-102 requires the Chief Administrative Officer to prepare an Open Data Implementation Plan within one year of the effective date of the ordinance. The Plan must: describe the public data sets under the control of each County agency; prioritize the order in which public data sets should be included on the single web portal based on certain specified criteria; create a timeline for the inclusion of the public data sets on the single web portal; provide when and how a department can change or terminate collection of data and removal from the single web portal; designate a contact in each department for data management; prescribe frequency of updates of the data; and address measures to maintain necessary bandwidth for the single web portal.

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

New § 1-11-103 describes the availability of the public data sets, including when they should be available, formatting of the data sets, updating the data, and accessibility of the data.

New § 1-11-104 discusses the administration of the website, including public input on open data policies and data sets.

New § 1-11-105 sets forth the open data policy, including that the data is provided for informational purposes only, that the County does not warrant the accuracy or content of the information, that the County is not liable for deficiencies in the data or in an application using the data, and that the Open Data Implementation Plan does not create a private right of action for enforcement or County liability for any failure to comply with the Plan or the Title.

New § 1-11-106 requires the publication of a technical standards manual for the publication of the public data sets on the single web portal, and specifies the matters to be addressed by the manual.

New § 1-11-107 requires the Chief Administrative Officer to submit annual reports to the County Executive and the County Council on the progress under the Open Data Implementation Plan until all public data sets are available on the single web portal.

New § 1-11-108 allows – but does not require – the legislative branch to have public data sets included in the Open Data Implementation Plan and to have data included in the Plan posted on the single web portal.

Section 2 of the bill provides that it will take effect 45 days from the date it becomes law.

If there are any questions, please let me know.

cc: Honorable Steuart Pittman, County Executive
Kai Boggess-deBruin, Chief of Staff
Matthew Power, Chief Administrative Officer
Peter Baron, Legislative Liaison
Chris Trumbauer, Budget Officer
Elizabeth Funsch, ArundelStat Manager

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 7

Bill No. 31-22

Introduced by Ms. Lacey and Mr. Pruski

By the County Council, March 21, 2022

Introduced and first read on March 21, 2022
Public Hearing set for April 18, 2022
Bill Expires June 24, 2022

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – BRAC Mixed Use Development

2
3 FOR the purpose of amending the definition of “BRAC Mixed Use Development”;
4 grandfathering certain development applications for BRAC Mixed Use Development;
5 amending the conditional use requirements for BRAC Mixed Use Development;
6 adopting the “Four Mile Radius from U.S. Army Ft. George G. Meade” map; making
7 technical changes; and generally relating to subdivision and development and zoning.
8

9 BY repealing and reenacting, with amendments: §§ 17-2-101(b)(13) and (14); 18-1-
10 101(24); and 18-10-112

11 Anne Arundel County Code (2005, as amended)

12
13 BY adding: § 17-2-101(b)(15)

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

19 ARTICLE 17. SUBDIVISION AND DEVELOPMENT

20 TITLE 2. GENERAL PROVISIONS

21 22 23 17-2-101. Scope; applicability.

24
25 (b) **Applicability to pending and future proceedings.** Subject to the grandfathering
26 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 deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.

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

(13) an application for sketch plan approval, final plan approval, preliminary plan approval, or approval of a building or grading permit associated with a site development plan filed before January 1, 2019 shall be governed by the provisions of § 17-6-110 as they existed prior to April 14, 2019; [[and]]

(14) the following shall be governed by the law as it existed prior to January 9, 2020:

(i) an application for approval of a sketch plan, final plan, final infrastructure construction plan, preliminary plan, or site development plan, and any building or grading permits associated with these plans, filed on or before December 15, 2019;

(ii) applications for building and grading permits that are not associated with a final plan or site development plan filed on or before December 15, 2019;

(iii) revisions to the plans and permits referenced in subparagraphs (i) and (ii) that do not materially alter the proposed or actual limits of disturbance; and

(iv) an application for a special exception filed on or before December 15, 2019 and all applications associated with the special exception[.]; AND

(15) AN APPLICATION FOR SKETCH PLAN APPROVAL, FINAL PLAN APPROVAL, PRELIMINARY PLAN APPROVAL, OR APPROVAL OF A BUILDING OR GRADING PERMIT ASSOCIATED WITH A BRAC MIXED USE DEVELOPMENT PLAN THAT WAS FILED BEFORE THE EFFECTIVE DATE OF BILL NO. 31-22 SHALL BE GOVERNED BY THE LAW AS IT EXISTED PRIOR TO THE EFFECTIVE DATE OF BILL NO. 31-22.

ARTICLE 18. ZONING

TITLE 1. DEFINITIONS

18-1-101. Definitions.

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

(24) “BRAC Mixed Use Development” means [[parcels located in a C4, W1 and/or certain MXD zoning districts which were changed to a mixed use classification in the 2009 Land Use Plan adopted as a part of the 2009 General Development Plan adopted by Bill No. 64-09. The uses permitted in a BRAC Mixed Use Development and the restrictions thereon are set forth in § 18-10-112 of this article.]] DEVELOPMENT THAT MEETS THE REQUIREMENTS OF § 18-10-112.

TITLE 10. REQUIREMENTS FOR CONDITIONAL USES**18-10-112. BRAC Mixed Use Development.**

(a) **Requirements.** BRAC Mixed Use Development shall comply with the following requirements.

(1) The property ~~[[must]]~~ SHALL be located in ~~[[a C4, W1 and/or certain MXD zoning districts which were changed to a mixed use classification in the 2009 Land Use Plan adopted as a part of the 2009 General Development Plan adopted by Bill No. 64-09]]~~ THE “FOUR MILE RADIUS FROM U.S. ARMY FT. GEORGE G. MEADE” AREA AS SHOWN ON THE OFFICIAL MAP ADOPTED BY THE COUNTY COUNCIL IN BILL NO. 31-22.

(2) The minimum parcel size is ~~[[25]]~~ FIVE acres in the aggregate.

(3) Building height and coverage in a BRAC Mixed Use Development shall be as provided in the underlying zoning district, and setbacks for principal structures shall be the lesser of the setback provided in the bulk regulations applicable to the underlying zoning district or the bulk regulations set forth in § 18-4-901. ~~[[R-15 density shall be the number of dwelling units for each acre of gross density.]]~~ THE MAXIMUM ALLOWABLE DENSITY FOR RESIDENTIAL DWELLINGS IN A BRAC MIXED USE DEVELOPMENT SHALL BE 15 DWELLING UNITS PER ACRE OF GROSS AREA.

(4) WHEN DEVELOPED ON MULTIPLE BUT CONTIGUOUS LOTS WITHIN AN MXD DISTRICT, BRAC MIXED USE DEVELOPMENT SHALL INCLUDE, TO THE EXTENT PRACTICABLE, INTEGRATED DESIGN ELEMENTS AND CONNECTIVITY BETWEEN THE LOTS TO CREATE A COHESIVE ENVIRONMENT.

(b) **Uses.** The following uses are allowed in a BRAC Mixed Use Development, in addition to the uses allowed in the underlying zoning district~~[[;]]~~.

(1) ~~[[All R-15 uses]]~~ USES ALLOWED IN R15 DISTRICTS, including all variations of dwellings defined in § 18-1-101, subject to the bulk regulations set forth in § 18-4-901 except for building height, coverage, density, and setbacks~~[[;]]~~.

(2) Grocery stores greater than 25,000 square feet in size, subject to the bulk regulations set forth in § 18-5-401 except for building height, coverage and setbacks~~[[; and]]~~.

(3) Retail specialty stores or shops for retail sales, as defined in § 18-5-102, subject to the bulk regulations set forth in § 18-5-401 except for building height and setbacks.

(4) THE USE REQUIREMENTS OF § 18-8-302 DO NOT APPLY TO BRAC MIXED USE DEVELOPMENT.

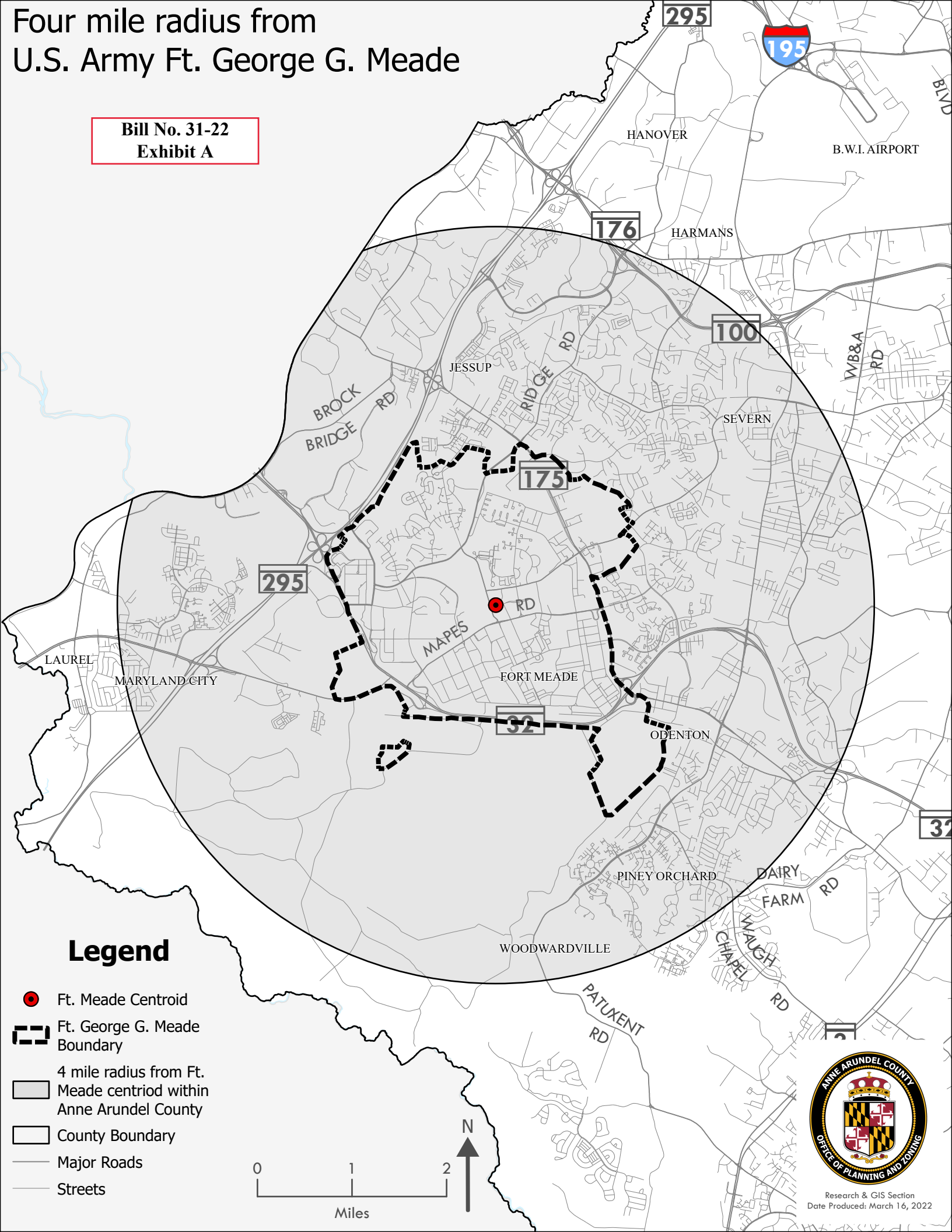
SECTION 2. *And be it further enacted,* That all references in this Ordinance to “the effective date of Bill No. 31-22”, or words to that effect, shall, upon codification, be replaced with the actual date on which this Ordinance takes effect under Section 307 of the County Charter as certified by the Administrative Officer to the County Council.

1 SECTION 3. *And be it further enacted*, That the map entitled “Four Mile Radius from
2 U.S. Army Ft. George G. Meade” attached hereto as Exhibit A is hereby adopted. A
3 certified copy of the map shall be permanently kept on file in the Office of the
4 Administrative Officer to the County Council and the Office of Planning and Zoning.

5
6 SECTION 4. *And be it further enacted*, That this Ordinance shall take effect 45 days
7 from the date it becomes law.

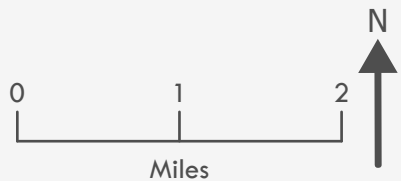
Four mile radius from U.S. Army Ft. George G. Meade

Bill No. 31-22
Exhibit A



Legend

- Ft. Meade Centroid
- Ft. George G. Meade Boundary
- 4 mile radius from Ft. Meade centroid within Anne Arundel County
- County Boundary
- Major Roads
- Streets



COUNTY COUNCIL OF

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: March 21, 2022

Subject: Bill No. 31-22

Bill No. 31-22 makes the following substantive changes to BRAC Mixed Use Development:

- BRAC Mixed Use Development is defined as "development that meets the requirements of § 18-10-112." *See* § 18-1-101.
- The property must be located within a four-mile radius from Ft. Meade, as shown on the map attached to the Bill. *See* § 18-10-112(a)(1).
- The minimum parcel size is reduced from 25 to five acres in the aggregate. *See* § 18-10-112(a)(2).
- When development is on multiple contiguous lots in an MXD District, it must include, to the extent practicable, integrated design elements and connectivity between the lots. *See* § 18-10-112(a)(4).
- The combination of uses required by § 18-5-302 does not apply. *See* § 18-10-112(b)(4).

The amendments to § 18-10-112(a)(3) and (b)(1) and (2) do not change existing law and are style changes only.

The Bill also grandfathers all development in the pipeline by providing that the approval of sketch plans, final plans, preliminary plans, and building or grading permits filed before the effective date of the Bill are governed by existing law. *See* § 17-2-101(b).

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

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 7

Bill No. 32-22

Introduced by Ms. Haire

By the County Council, March 21, 2022

Introduced and first read on March 21, 2022
Public Hearing set for April 18, 2022
Bill Expires on June 24, 2022

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Finance, Taxation, and Budget – Admissions and
2 Amusement Tax – Tax Holiday
3

4 FOR the purpose of granting a holiday from the tax on admissions and amusement charges
5 during certain months and under certain circumstances; and generally relating to
6 finance, taxation, and budget.
7

8 WHEREAS, according to Trading Economics, (1) the annual inflation rate in the
9 United States accelerated to 7.9% in February of 2022, the highest since January of
10 1982; (2) energy remained the biggest contributor, with gasoline prices surging
11 38%; (3) inflation accelerated for shelter; food, namely food at home; new vehicles;
12 used cars and trucks; and medical care services; and (4) excluding volatile energy
13 and food categories, the CPI rose 6.4%, the most in 40 years; and
14

15 WHEREAS, § 4-102 (b) of the Tax-General Article of the State Code authorizes a
16 county to impose a tax on the gross receipts derived from any admission and
17 amusement charges and on reduced charges or free admissions; and
18

19 WHEREAS, § 4-5-101 of the Anne Arundel County Code imposes a tax on
20 admission and amusement charges as authorized by State law; and
21

22 WHEREAS, citizens and businesses in Anne Arundel County continue to struggle
23 to meet their financial obligations, in part because of inflation and in part because
24 of COVID-19; and
25

26 WHEREAS, a holiday from the need to pay the admission and amusement tax will
27 be available to the taxpayer who certifies under oath that the monetary benefit of
28 not having to pay the tax during the months of August of 2022 and 2023 will be
29 passed along to the consumer; and

1 WHEREAS, the reduced admission and amusement charges will encourage
2 additional business and revenue to the taxpayer; and
3

4 WHEREAS, a reduction of admission and amusement charges will allow more
5 citizens to enjoy the recreational activities upon which the tax is based; now,
6 therefore
7

8 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
9 That the tax on admissions and amusement charges, as set forth in § 4-5-101 of this Code,
10 may not be imposed during the months of August of 2022 or August of 2023 if, within 15
11 days after the date of written notice of this Ordinance, the taxpayer declares under the
12 penalties of perjury, in a certificate provided to the Controller, that the monetary benefit of
13 not having to pay the tax in these months will be passed along to the consumer.
14

15 SECTION 2. *And be it further enacted,* That the provisions of this Ordinance shall
16 remain in effect through August 31, 2023, after which it shall stand repealed and, with no
17 further action required by the County Council, be of no further force or effect.
18

19 SECTION 3. *And be it further enacted,* That this Ordinance shall take effect 45 days
20 from the date it becomes law.

COUNTY COUNCIL OF

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: March 21, 2022

Subject: Bill No. 32-22

Bill No. 32-22 provides that the tax on admissions and amusement charges may not be imposed in August of 2022 or August of 2023 if, within 15 days after the date of written notice, the taxpayer declares under the penalties of perjury that the monetary benefit of not having to pay the tax in these months will be passed along to the consumer.

This Ordinance remain in effect through August 31, 2023, after which it is automatically repealed.

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



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

To: Councilmembers, Anne Arundel County Council
From: Michelle Bohlayer, County Auditor
Date: March 16, 2022
Subject: Auditor's Review of Legislation for the March 21, 2022 Council Meeting

**Bill 8-22:
Zoning – 2022 Green
Infrastructure Master
Plan (As Amended)**

Summary of Legislation

This bill repeals the 2002 Greenways Master Plan and adopts the 2022 Green Infrastructure Master Plan with appendices as a guide for the future conservation of natural lands in the County.

We commented on this bill in our letters dated February 16, 2022 and March 2, 2022. At the March 7, 2022 Council meeting, this bill was amended to provide that the 2022 Green Infrastructure Master Plan is not a regulatory document. We have no further comments on this bill.

**Bill 16-22:
Police Accountability
Board (As Amended)**

Summary of Legislation

This bill establishes the Police Accountability Board (Board) for Anne Arundel County, as required by the Maryland General Assembly's House Bill 670, also known as the Maryland Police Accountability Act of 2021, which becomes effective on July 1, 2022.

We commented on this bill in our letter dated March 2, 2022. At the March 7, 2022 Council meeting, 18 amendments were adopted to modify or remove various aspects of this bill. We have no further comments on this bill.

**Bill 17-22:
Planning and Development
– Master Plan for Water
Supply and Sewerage
Systems**

Summary of Legislation

This bill amends the Master Plan for Water Supply and Sewerage Systems, 2017 to alter certain maps.

We commented on this bill in our letter dated March 2, 2022. At the March 7, 2022 Council meeting, the public hearing was held open and the vote on this bill was held until March 21, 2022 due to the midnight voting deadline. We have no further comments on this bill.

**Bill 18-22:
Finance, Taxation, and
Budget – Opioid
Abatement Special
Revenue Fund**

Summary of Legislation

This bill establishes the Opioid Abatement Special Revenue Fund to retain the County's share of settlement proceeds from the national settlement agreement of the state and national litigation related to the opioid industry. This is a special, non-lapsing fund.

We commented on this bill in our letter dated March 2, 2022. At the March 7, 2022 Council meeting, the public hearing was held open and the vote on this bill was held until March 21, 2022 due to the midnight voting deadline. We have no further comments on this bill.

**Bill 19-22:
Aggregate Net Energy
Metering Credit Purchase
Agreement – Glenn Burnie
Landfill Solar LLC**

Summary of Legislation

This bill approves an Aggregate Net Energy Metering Credit Purchase Agreement (agreement) between Glenn Burnie Landfill Solar, LLC (developer) and the County. The Council approved Bill 12-21, which leased County property in Glen Burnie to the developer. The developer intends to construct, own, and operate one solar photovoltaic generation facility (solar facility) and a separate community solar project on the property. The agreement will allow the County to purchase some of the energy output from the solar facility under the terms and conditions contained in the agreement.

We commented on this bill in our letter dated March 2, 2022. At the March 7, 2022 Council meeting, the public hearing was held open and the vote on this bill was held until March 21, 2022 due to the midnight voting deadline. We have no further comments on this bill.

**Bill 20-22:
Legislative Branch –
Compensation – Benefits**

Summary of Legislation

This bill increases the salaries of members of the County Council and amends certain benefits and allowances of members of the County Council as recommended by the Salary Standard Commission.

We commented on this bill in our letter dated March 2, 2022. At the March 7, 2022 Council meeting, the public hearing was held open and the vote on this bill was held until March 21, 2022 due to the midnight voting deadline. We have no further comments on this bill.

**Bill 21-22:
Subdivision and
Development and Zoning –
Cluster Development**

Summary of Legislation

This bill adds subdivision and development and zoning provisions relating to cluster development, exempts applications for cluster development made before a certain date from the provisions, prohibits modifications to certain open space requirements for cluster development, allows cluster development as a conditional use in certain residential zoning districts, adds conditional use requirements for cluster development, repeals the bulk regulations for cluster development in certain residential zoning districts, and repeals the conditional use and special exception use requirements for duplexes and semi-detached dwellings.

We commented on this bill in our letter dated March 2, 2022. At the March 7, 2022 Council meeting, the public hearing was held open and the vote on this bill was held until March 21, 2022 due to the midnight voting deadline. We have no further comments on this bill.

**Bill 22-22:
Hollywood on the Severn
Special Community
Benefit District**

Summary of Legislation

This bill establishes the Hollywood on the Severn Special Community Benefit District (SCBD) to include the Hollywood-on-Severn subdivision. The SCBD shall be administered by the Hollywood-on-Severn Improvement Association, Inc. The purposes of the SCBD are to maintain, acquire, construct, and improve community real and personal property, including waterfront areas and pier; and to provide for the administrative expenses incidental to carrying out these purposes, including insurance costs and the repayment of any loan and interest thereon. The method of taxation will be a uniform assessment for each real property tax account.

We have reviewed the supporting documents and determined the petition meets the requirements for establishing the SCBD. There were 84 qualified “Yes” votes out of 122 eligible properties (68.9%), which satisfies the requirement that at least two-thirds of the property owners approve of establishing the SCBD. There were also 14 qualified “No” votes and 13 votes that did not meet the requirements for qualifying.

Review of Fiscal Impact

This bill has no direct fiscal impact.

**Bill 23-22:
Approval of the Lease
Agreement for Quiet
Waters Retreat**

Summary of Legislation

This bill approves an agreement to lease part of County-owned property known as Quiet Waters Retreat to Chesapeake Conservation Center, LLC (tenant). This bill approves a 30 year lease to the tenant of 5.82 acres of land until such time as a structure with a footprint of up to 14,014 square feet (structure) is constructed within that 5.82 acre area and a certificate of occupancy is issued for the structure, at which time the leased property shall be the structure. This 5.82 acres of land is a portion of Quiet Waters Retreat. Under the terms of the lease, the tenant will pay an annual rent of \$1 and will have the right to renew the lease for two additional terms of 30 years each upon election by the tenant in writing. Payments for utilities and any applicable real property taxes are also due and payable as additional rent.

Review of Fiscal Impact

This lease agreement is the result of the public private partnership with Chesapeake Conservancy, Inc. In 2019, the County purchased the property known as Quiet Waters Retreat. There is an existing capital project (Project #P579800 Quiet Waters Retreat) with a total project cost of \$8,105,000, which was funded with the following sources: County funds (\$380,000), Other Federal Grants – the United States Department of Defense (\$995,000), POS – Acquisition (\$2,730,000), Other State Grants (\$2,000,000), and private funds (\$2,000,000). The County will maintain the park amenities, roads, and property. The tenant will be responsible for structures that they construct.

An existing capital project (Project #P584600 Quiet Waters Park Rehab) will be used to complete a range of improvements to Quiet Waters Park, not just improvements to Quiet Waters Retreat. This project included FY22 funding of \$1,174,000 in Other State Grants. The Department of Recreation and Parks intends to construct amenities on this property but are unable to provide a cost estimate until they are ready to move to construction. The planned development schedule currently includes three phases. They are as follows:

- Phase 1 includes the Conservation Center access road and parking. The County plans to begin their design in spring 2022 and expects construction to begin in summer 2023;
 - Phase 2 includes park development. The County plans to begin design in spring 2022 and expects construction to begin in summer 2023; and
 - Phase 3 includes shoreline work. The County plans to begin design in fiscal year 2024 and expects construction to begin in fiscal year 2026.
-

**Bill 24-22:
Personnel and Public
Ethics – Positions in the
Exempt Service**

Summary of Legislation

This bill amends the County Code to add two new positions to support the Police Accountability Board (Board). These positions are one Executive Director to the Board position and one Administrative Secretary to Department or Agency Head position in the exempt service under the Chief Administrative Officer. The Board is required by the Maryland General Assembly's House Bill 670, also known as the Maryland Police Accountability Act of 2021, and proposed to be established via County Bill 16-22. This bill also requires the Executive Director position to file financial disclosure statements with the County Ethics Commission.

Review of Fiscal Impact

Annual salary and benefit costs for one Executive Director position ranges from approximately \$122,000 to \$248,000 and for one Administrative Secretary ranges from approximately \$55,000 to \$111,000. Both of these positions are new and were not included in the fiscal year 2022 (FY22) Budget.

The FY22 fiscal impact of these two positions will depend on the hiring date, negotiated salary, and associated benefits. Per the Office of the Budget, it is the intention of the Administration to hire both of these positions before the end of the current fiscal year. Given that currently there is no budget for the Board, a supplementary appropriation would be needed to transfer funds to the Board if the County hires these positions during the current fiscal year.

**Bill 25-22:
General Provisions –
Language Access**

Summary of Legislation

This bill requires County agencies to provide equal access to public services, meetings, websites, and webpages for individuals with limited English proficiency. This bill also provides for the coordination, technical assistance, and formulation of minimum standards for equal language access.

Review of Fiscal Impact

The Administration does not expect a large increase in costs related to this bill. Certain departments are already providing similar services, including sign language interpreter services, over the phone interpreter services, and document translation services. For fiscal year 2021, the County spent \$765,980 on translation and interpreter services. For FY22 year-to-date, the County spent \$272,600 on translation and interpreter services. These totals include general fund expenditures and various grant related expenditures.

**Bill 26-22:
Public Works – Weeds and
Vegetation**

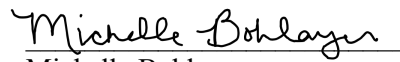
Summary of Legislation

This bill prohibits community associations from allowing rank vegetation and noxious weeds on property and exempts certain stormwater management ponds or devices from the prohibition against allowing rank vegetation and noxious weeds on property.

Review of Fiscal Impact

This bill has no direct fiscal impact. This bill provides clarification of the County's authority and County Code applicability. The stormwater management ponds or devices exemption is a codification of current practice.

Sincerely,


Michelle Bohlayer
County Auditor

**AMENDMENT TO BILL NO. 8-22, AS AMENDED
(Zoning – 2022 Green Infrastructure Master Plan)**

March 21, 2022

Introduced by Ms. Haire

Amendment No. 5

On page 1 of the amended bill, in line 7, after the first semi-colon insert “requiring an annual report of the progress of certain conservation goals;”.

On page 3, after line 25, insert:

“SECTION 6. And be it further enacted, That on or before January 1 of each year, the Office of Planning and Zoning shall provide a report to the County Council on the status of the progress of any conservation goals listed in the January 18, 2022 Green Infrastructure Master Plan.”;

and in line 27, strike “6.” and substitute “7.”.

On page 4, in line 7, strike “7.” and substitute “8.”.

(This amendment requires an annual report on the status of the progress of any conservation goals referenced in the 2022 Green Infrastructure Master Plan.)

**AMENDMENT TO BILL NO. 8-22, AS AMENDED
(Zoning – 2022 Green Infrastructure Master Plan)**

March 21, 2022

Introduced by Ms. Haire and Ms. Lacey

Amendment No. 6

On page 1 of the amended bill, in line 7, after the semicolon insert “making this Ordinance subject to a certain contingency; providing for a special effective date in certain circumstances;”.

On page 4, strike in their entirety lines 7 through 8, inclusive, and substitute:

“SECTION 7. And be it further enacted, That this Ordinance shall take effect contingent upon the following:

1. Within 30 days of the enactment of this Ordinance, the Office of Planning and Zoning shall mail each property newly included in the 2022 Green Infrastructure Master Plan a notice of adoption of the 2022 Green Infrastructure Master Plan, including the website for an interactive map showing the “2022 Green Infrastructure Network” which allows searching of the map by address. The notice must request that property owners whose property is included in the 2022 Green Infrastructure Network provide comments within 60 days of the date of the notice indicating:

(a) whether the property is either “available for conservation” or “subject to property owner plans”; and

(b) whether the Green Infrastructure Master Plan contains any errors.

2. Also within 30 days, the Office of Planning and Zoning shall post on the Office of Planning and Zoning website a notice of adoption of the 2022 Green Infrastructure Master Plan, including a link to an interactive map showing the “2022 Green Infrastructure Network” which allows searching of the map by address. The notice must request that property owners whose property is included in the 2022 Green Infrastructure Network provide comments within 60 days of the date of the notice indicating:

(a) whether the property is either “available for conservation” or “subject to property owner plans”; and

(b) whether the Green Infrastructure Master Plan contains any errors.

3. After the expiration of the 60 days, the Office of Planning and Zoning shall revise the January 18, 2022 Green Infrastructure Master Plan to (a) indicate with a distinct coloring or shading on the map of the 2022 Green Infrastructure Network, all the properties which are:

Amendment No. 6 (continued)

(a) “subject to property owner plans” status of any property for according to any comments received pursuant to Section 5-1 of this Ordinance; and

(b) correct any errors accurately identified by property owner comments.

4. If the requirements of this Section are not met within a total of 180 days, this Ordinance shall be null and void without further action of the County Council.

SECTION 8. *And be it further enacted*, That any ordinance that relies on the “2022 Green Infrastructure Network” may not take effect until the requirements of Section 7 of this Ordinance have been met.

SECTION 9. *And be it further enacted*, That, subject to Section 7 of this Ordinance, this Ordinance shall take effect 45 days from the date it becomes law.”.

(This amendment makes Bill No. 8-22 contingent upon certain notice to property owners of their property being newly included in the 2022 Green Infrastructure Network; allows for property owners to indicate whether their property is available for conservation or subject to owner plans, which will be reflected in the 2022 Green Infrastructure Network; requires the 2022 Green Infrastructure Master Plan be revised to show properties “subject to property owner plans” from the Green Infrastructure Network; and delays the effective date of any ordinances that rely on the Green Infrastructure Network.)

**AMENDMENT TO BILL NO. 8-22, AS AMENDED
(Zoning – 2022 Green Infrastructure Master Plan)**

March 21, 2022

Introduced by Mr. Volke

Amendment No. 7

On page 3 of the amended bill, in line 37, strike “AND”; and in line 38, after “COUNTY” insert “, AND MAY NOT BE USED BY A COUNTY DEPARTMENT, OFFICE, OR AGENCY IN MAKING ANY DECISION”.

(This amendment prohibits the 2022 Green Infrastructure Master Plan from being used by a County department, office, or agency in any decision making.)

**AMENDMENT TO BILL NO. 8-22, AS AMENDED
(Zoning – 2022 Green Infrastructure Master Plan)**

March 21, 2022

Introduced by Ms. Pickard

Amendment No. 8

On page 1 of the amended bill, in line 7, after the first semi-colon insert “requiring a certain annual report;”.

On page 3, in line 35, before “THE” insert “(1)”; and after line 38, insert:

“(2) ON OR BEFORE JULY 1, 2023, AND ON OR BEFORE JULY 1 OF EVERY YEAR FOLLOWING, THE OFFICE OF PLANNING AND ZONING, IN CONJUNCTION WITH THE DEPARTMENT OF RECREATION AND PARKS, SHALL SUBMIT TO THE COUNTY EXECUTIVE AND COUNTY COUNCIL A REPORT ON THE PROGRESS OF THE IMPLEMENTATION OF THE GREEN INFRASTRUCTURE MASTER PLAN. IN COORDINATION WITH THE ANNUAL REPORT THE OFFICE OF PLANNING AND ZONING SHALL UPDATE THE GREEN INFRASTRUCTURE NETWORK MAP TO:

(I) REMOVE ANY AREAS IDENTIFIED AS TECHNICAL ERRORS;

(II) DESIGNATE AREAS IN THE NETWORK WHERE DEVELOPMENT HAS BEEN APPROVED;

(III) DESIGNATE AREAS IN THE NETWORK WHERE LAND HAS BEEN CONSERVED THROUGH ACQUISITION, EASEMENT, OR SIMILAR MECHANISMS; AND

(IV) ADD ANY ADJACENT, CONTIGUOUS AREAS THAT HAVE BEEN CONSERVED THROUGH ACQUISITION, EASEMENT, OR SIMILAR MECHANISMS.”.

(This amendment requires the Office of Planning and Zoning to submit an annual report on the progress of the implementation of the Green Infrastructure Master Plan and, as a part of the annual report, update the Green Infrastructure Network Map to reflect certain changes and additions.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Ms. Pickard and Ms. Fiedler

Amendment No. 36

On page 6 of the amended bill, strike in their entirety lines 45 through 51, inclusive, and substitute:

“(B) Staff.

(1) Executive Director. THERE SHALL BE AN EXECUTIVE DIRECTOR TO THE BOARD WHO IS APPOINTED BY THE COUNTY EXECUTIVE AND CONFIRMED BY RESOLUTION OF THE COUNTY COUNCIL. THE EXECUTIVE DIRECTOR SHALL BE AN ATTORNEY IN GOOD STANDING OF THE STATE OF MARYLAND AND SHALL POSSESS AT LEAST THREE YEARS OF RELEVANT EXPERIENCE. THE EXECUTIVE DIRECTOR SHALL SUPERVISE STAFF ASSIGNED TO THE BOARD AND MANAGE CONTRACTUAL SERVICES AS NEEDED. THE EXECUTIVE DIRECTOR MAY BE REMOVED BY THE COUNTY EXECUTIVE, UNLESS THE COUNTY COUNCIL, BY RESOLUTION ON THE AFFIRMATIVE VOTE OF NOT LESS THAN FIVE MEMBERS, VOTES TO PREVENT THE REMOVAL OF AN EXECUTIVE DIRECTOR APPOINTED BY THE COUNTY EXECUTIVE.

(2) Administrative Secretary. THERE SHALL BE, IN THE EXEMPT SERVICE, AN ADMINISTRATIVE SECRETARY TO THE EXECUTIVE DIRECTOR TO PROVIDE SUPPORT AND ASSISTANCE TO THE BOARD.

(3) Other staff and contractual services. THE BOARD MAY BE ASSIGNED ADDITIONAL STAFF AND PROVIDED WITH CONTRACTUAL SERVICES AS NEEDED AND AS PROVIDED FOR IN THE ANNUAL BUDGET.”.

(This amendment requires an Executive Director of the Police Accountability Board to be appointed by the County Executive and confirmed by resolution of the County Council; requires the Executive Director to be an attorney and manage Board staff; allows a County Executive to remove an Executive Director unless prevented by five affirmative votes of the County Council; and makes certain technical changes to the subsection.)

AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)

March 21, 2022

Introduced by Ms. Lacey and Ms. Rodvien

Amendment No. 37

On page 7 of the amended bill, in line 4, after the period insert “SUCH EXPENSES MAY INCLUDE THE COST OF CHILD CARE AND TRANSPORTATION NECESSARY TO ATTEND A SCHEDULED MEETING OF THE BOARD.”.

(This amendment allows child care and transportation costs to be eligible for reimbursement, if necessary, to attend a scheduled meeting of the board.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Ms. Lacey and Ms. Rodvien

Amendment No. 38

On page 7 of the amended bill, after line 14, insert:

“(3) THE COUNTY EXECUTIVE SHALL ADVERTISE TO SOLICIT APPLICATIONS FOR THE APPOINTEES TO THE ADMINISTRATIVE CHARGING COMMITTEE AT LEAST 30 DAYS PRIOR TO ANY APPOINTMENT.”.

(This amendment requires the County Executive to advertise its appointment positions to the Administrative Charging Committee for at least 30 days prior to appointment.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Ms. Lacey and Ms. Rodvien

Amendment No. 39

On page 7 of the proposed bill, strike in their entirety lines 23 through 25, inclusive, and substitute:

“(B) Appointments. THE APPOINTMENTS THE BOARD MUST MAKE TO THE ADMINISTRATIVE CHARGING COMMITTEE AND HEARING BOARDS SHALL BE MADE FROM AMONG ITS VOTING MEMBERS, UNLESS VOTING MEMBERS ARE UNQUALIFIED OR UNAVAILABLE TO SERVE.”.

(This amendment requires the Police Accountability Board to appoint, from among its voting members, the two civilian members of the Administrative Charging Committee and the civilian members of any Hearing Boards, unless those members are not qualified or are unavailable to serve.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Ms. Lacey and Ms. Rodvien

Amendment No. 40

On page 7 of the amended bill, in line 40, strike “AND”; in line 43, strike the period and substitute “; AND”; and after line 43, insert:

“(IV) A STATEMENT THAT THE COMPLAINANT AFFIRMS UNDER PENALTY OF PERJURY THAT THE CONTENTS OF THE COMPLAINT ARE TRUE TO THE BEST OF THEIR KNOWLEDGE, INFORMATION, AND BELIEF.”.

(This amendment requires a statement of affirmation from the complainant that the contents of the complaint are true to the best of their knowledge, information, and belief.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Ms. Lacey and Ms. Rodvien

Amendment No. 41

On page 7 of the amended bill, after line 49, insert:

“(6) THE PROCESS OF REVIEW BY THE INVESTIGATING UNIT THROUGH DISPOSITION BY THE ADMINISTRATIVE CHARGING COMMITTEE SHALL BE COMPLETED WITHIN 1 YEAR AND 1 DAY AFTER THE FILING OR A COMPLAINT BY A CITIZEN. A LAW ENFORCEMENT AGENCY MUST COMPLETE ITS INVESTIGATION AND REVIEW AS PROMPTLY AS POSSIBLE BUT NOT LATER THAN 8 MONTHS AFTER THE FILING OF THE COMPLAINT.”

(This amendment requires that the review of the investigation will be completed within one year and one day after the filing or complaint by a citizen; and that a law enforcement agency must complete its investigation and review within eight months after filing of the complaint.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Ms. Lacey and Ms. Rodvien

Amendment No. 42

On page 7 of the amended bill, after line 49, insert:

“(6) IN ORDER TO ENSURE THE TIMELY DISPOSITION OF DISCIPLINARY MATTERS BY THE ADMINISTRATIVE CHARGING COMMITTEE, A LAW ENFORCEMENT AGENCY SHALL RESPOND TO A REQUEST FOR INFORMATION, ADDITIONAL INVESTIGATION SUBPOENAS FOR DOCUMENTS OR WITNESSES, AND REVIEW OF BODY CAMERA FOOTAGE WITHIN 10 DAYS OF THE REQUEST.”.

(This amendment requires that a law enforcement agency respond to requests for additional information, investigation subpoenas for documents or witnesses, and review of body camera footage within ten days of the request.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Ms. Lacey and Ms. Rodvien

Amendment No. 43

On page 7 of the amended bill, in line 51, before “**Reporting**” insert “**Oversight and**”.

On page 8, after line 8, insert:

“(3) IN ORDER TO CARRY OUT ITS OVERSIGHT DUTIES, THE BOARD MAY:

(I) OBTAIN INTERNAL REPORTS AND NON-PUBLICLY AVAILABLE DATA FROM THE LAW ENFORCEMENT AGENCIES SUBJECT TO ITS OVERSIGHT;

(II) ACCESS AND REVIEW ALL EVIDENCE REVIEWED AND CONSIDERED BY THE LAW ENFORCEMENT AGENCY IN CONNECTION WITH THE INVESTIGATION OF A COMPLAINT AND THE ADMINISTRATIVE CHARGING COMMITTEE IN CONNECTION WITH A DISCIPLINARY MATTER; AND

(III) ISSUE SUBPOENAS, INTERVIEW WITNESSES, AND EMPLOY OTHER INVESTIGATIVE METHODS NECESSARY TO COMPLETE ITS OBLIGATION TO REVIEW THE OUTCOMES OF DISCIPLINARY MATTERS CONSIDERED BY THE ADMINISTRATIVE CHARGING COMMITTEE.”.

(This amendment allows the Police Accountability Board to review internal reports and non-publicly available data from law enforcement agencies, review evidence considered by the law enforcement agencies and the Administrative Charging Committee, and issue subpoenas, interview witnesses, or use other investigative methods as a part of their oversight duties.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Ms. Lacey and Ms. Rodvien

Amendment No. 44

On page 1 of the amended bill, in line 9, after “staffing,” insert “recordkeeping.”

On page 8, in lines 13 and 16, in each instance, after “BOARD” insert “, THE ADMINISTRATIVE CHARGING COMMITTEE, AND HEARING BOARDS”.

(This amendment requires the Executive Director of the Police Accountability Board to maintain records and a retention schedule for the Board as well as the administrative charging committee and hearing boards.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Ms. Lacey and Ms. Rodvien

Amendment No. 45

On page 1 of the amended bill, in line 11, after the semicolon, insert “establishing the powers of the Administrative Charging Committee;”.

On page 8, in line 23, strike “**Trial**” and substitute “**Hearing**”; in line 25, before “**THE**” insert “**(A) In general.**”; and after line 27, insert:

“(B) Powers of the Administrative Charging Committee.

THE ADMINISTRATIVE CHARGING COMMITTEE SHALL:

(1) REVIEW THE FINDINGS OF A LAW ENFORCEMENT AGENCY’S INVESTIGATION CONDUCTED AND FORWARDED IN ACCORDANCE WITH § 3-104 THE PUBLIC SAFETY ARTICLE OF STATE CODE;

(2) MAKE A DETERMINATION THAT THE POLICE OFFICER WHO IS SUBJECT TO INVESTIGATION SHALL BE:

(I) ADMINISTRATIVELY CHARGED; OR

(II) NOT ADMINISTRATIVELY CHARGED;

(3) IF THE POLICE OFFICER IS CHARGED, RECOMMEND DISCIPLINE IN ACCORDANCE WITH THE LAW ENFORCEMENT AGENCY’S DISCIPLINARY MATRIX ESTABLISHED IN ACCORDANCE WITH § 3-105 OF THE PUBLIC SAFETY ARTICLE OF STATE CODE;

(4) REVIEW ANY BODY CAMERA FOOTAGE THAT MAY BE RELEVANT TO THE MATTERS COVERED IN THE COMPLAINT OF MISCONDUCT;

(5) AUTHORIZE A POLICE OFFICER CALLED TO APPEAR BEFORE AN ADMINISTRATIVE CHARGING COMMITTEE TO BE ACCOMPANIED BY A REPRESENTATIVE;

(6) ISSUE A WRITTEN OPINION THAT DESCRIBES IN DETAIL ITS FINDINGS, DETERMINATIONS, AND RECOMMENDATIONS; AND

(7) FORWARD THE WRITTEN OPINION TO THE CHIEF OF THE LAW ENFORCEMENT AGENCY, THE POLICE OFFICER, AND THE COMPLAINANT.”.

(This amendment corrects the term “Trial Boards” to “Hearing Boards” and adds the powers of the administrative charging committee.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Ms. Pickard, Ms. Rodvien, Mr. Volke, Ms. Lacey, and Ms. Fiedler

Amendment No. 46

On page 5 of the amended bill, strike in their entirety lines 1 through 3, inclusive, and substitute:

“(2) A RESOLUTION TO APPROVE THE APPOINTMENT OF ANY MEMBER MAY NOT BE CONSIDERED OR ACTED ON BY THE COUNTY COUNCIL LESS THEN SEVEN DAYS AFTER ITS DATE OF INTRODUCTION AND SHALL RECEIVE A PUBLIC HEARING.”.

(This amendment prohibits a resolution to confirm the appointment of members to the Police Accountability Board from being voted on immediately and requires a public hearing before a final vote by the Council.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Ms. Fiedler

Amendment No. 47

On page 4 of the amended bill, in line 22, after “INVESTIGATION” insert “A CDS TEST, AND A
REFERENCE REVIEW”.

*(This amendment requires a drug test and a reference check in order to serve as a voting member
on the Police Accountability Board.)*

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Ms. Fiedler

Amendment No. 48

On page 4 of the amended bill, in line 21, after “MEMBERS” insert “SHALL HAVE THE MINIMUM QUALIFICATIONS OF GRADUATION FROM HIGH SCHOOL OR A GED AND”.

(This amendment requires certain minimum educational standards in order to serve as a voting member on the Police Accountability Board.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Ms. Fiedler

Amendment No. 49

On page 4 of the amended bill, in line 25, after “OF” insert “. PLED GUILTY TO, OR RECEIVED PROBATION BEFORE JUDGEMENT FOR THE FOLLOWING:”; in the same line, before “A” insert “1.”; in line 26, after the semi-colon insert:

“2. DOMESTIC VIOLENCE;

3. A FELONY IN MARYLAND;”;

in the same line before “A” insert “4.”; and in line 28, strike the first “OF” and substitute “5.”.

(This amendment disqualifies an applicant from being appointed to the Police Accountability Board if the person has been convicted of, pled guilty to, or received probation before judgment for certain crimes.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Ms. Lacey

Amendment No. 50

On page 1 of the amended bill, in line 11, after the semicolon, insert “providing for the terms of members of the Administrative Charging Committee;”.

On page 8, in line 23, strike “**Trial**” and substitute “**Hearing**”; in line 25, before “**THE**” insert “**(A) In general.**”; and after line 27, insert:

“(B) Terms of Administrative Charging Committee members. A MEMBER OF THE ADMINISTRATIVE CHARGING COMMITTEE MAY NOT SERVE MORE THAN ONE THREE-YEAR TERM.”.

(This amendment limits the term of a member of the Administrative Charging Committee to three years.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Ms. Lacey

Amendment No. 51

On page 7 of the amended bill, after line 49, insert:

“(6) COMPLAINTS OF POLICE MISCONDUCT FILED WITH A LAW ENFORCEMENT AGENCY SHALL BE FORWARDED TO THE POLICE ACCOUNTABILITY BOARD WITHIN THREE DAYS AFTER RECEIPT BY THE LAW ENFORCEMENT AGENCY.”.

(This amendment requires a complaint filed with a law enforcement agency to be forwarded to the Police Accountability Board within three days of receipt of the complaint.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Mr. Volke

Amendment No. 52

On page 3 of the amended bill, in line 6, before “POLICE” insert “COUNTY”; and in the same line, strike “, FIREFIGHTER, PARAMEDIC, OR OTHER EMERGENCY PERSONNEL” and substitute “OR OTHER LAW ENFORCEMENT OFFICER IN THE COUNTY”.

On page 6, in lines 32 through 33, strike “OR STATE”.

(This amendment requires the annual “ride-along” that members of the Police Accountability Board must complete to be in the emergency vehicle of a County police officer or other law enforcement officer in the County.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Mr. Volke

Amendment No. 53

On page 6 of the amended bill, in line 45, strike “SHALL” and substitute “MAY”.

(This amendment allows but does not require an Executive Director of the Police Accountability Board.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Mr. Volke

Amendment No. 54

On page 6 of the amended bill, strike in their entirety lines 45 through 51, inclusive, and substitute:

“(B) Staff.

(1) Executive Director. THERE MAY BE AN EXECUTIVE DIRECTOR TO THE BOARD WHO IS APPOINTED BY THE COUNTY EXECUTIVE AND CONFIRMED BY RESOLUTION OF THE COUNTY COUNCIL. IF THERE IS AN EXECUTIVE DIRECTOR, THE EXECUTIVE DIRECTOR SHALL BE AN ATTORNEY IN GOOD STANDING OF THE STATE OF MARYLAND AND SHALL POSSESS AT LEAST THREE YEARS OF RELEVANT EXPERIENCE. THE EXECUTIVE DIRECTOR SHALL SUPERVISE STAFF ASSIGNED TO THE BOARD AND MANAGE CONTRACTUAL SERVICES AS NEEDED. THE EXECUTIVE DIRECTOR MAY BE REMOVED BY THE COUNTY EXECUTIVE, UNLESS THE COUNTY COUNCIL, BY RESOLUTION ON THE AFFIRMATIVE VOTE OF NOT LESS THAN FIVE MEMBERS, VOTES TO PREVENT THE REMOVAL OF AN EXECUTIVE DIRECTOR APPOINTED BY THE COUNTY EXECUTIVE.

(2) Administrative Secretary. THERE MAY BE, IN THE EXEMPT SERVICE, AN ADMINISTRATIVE SECRETARY TO THE EXECUTIVE DIRECTOR TO PROVIDE SUPPORT AND ASSISTANCE TO THE BOARD.

(3) Other staff and contractual services. THE BOARD MAY BE ASSIGNED ADDITIONAL STAFF AND PROVIDED WITH CONTRACTUAL SERVICES AS NEEDED AND AS PROVIDED FOR IN THE ANNUAL BUDGET.”.

(This amendment allows an Executive Director of the Police Accountability Board to be appointed by the County Executive and confirmed by resolution of the County Council; if there is an Executive Director, this amendment requires the Executive Director to be an attorney and manage Board staff; allows a County Executive to remove an Executive Director unless prevented by five affirmative votes of the County Council; and makes certain technical changes to the subsection.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Mr. Volke

Amendment No. 55

On page 7 of the amended bill, in line 3, after “DIRECTOR” insert “. OR THE COUNTY EXECUTIVE’S DESIGNEE.”.

(This amendment allows a County Executive’s designee to permit expenses to be reimbursed in the event that there is not an Executive Director appointed.)

AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)

March 21, 2022

Introduced by Mr. Volke

Amendment No. 56

On page 8 of the amended bill, in line 12, before the first “THE” insert “IF THERE IS AN EXECUTIVE DIRECTOR.” and in line 13, after “BOARD” insert “, OTHERWISE THE RECORDS SHALL BE MAINTAINED BY THE BOARD”.

(This amendment allows the Executive Director or, in the alternative, the Board, to keep and maintain the records of the Police Accountability Board.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Ms. Rodvien

Amendment No. 57

On page 7 of the amended bill, after line 49, insert:

“(6) COMPLAINTS OF POLICE MISCONDUCT FILED WITH A LAW ENFORCEMENT AGENCY SHALL BE FORWARDED TO THE POLICE ACCOUNTABILITY BOARD WITHIN TEN DAYS AFTER RECEIPT BY THE LAW ENFORCEMENT AGENCY.”.

(This amendment requires a complaint filed with a law enforcement agency to be forwarded to the Police Accountability Board within ten days of receipt of the complaint.)

**AMENDMENT TO BILL NO. 16-22, AS AMENDED
(Police Accountability Board)**

March 21, 2022

Introduced by Ms. Rodvien

Amendment No. 58

On page 8 of the amended bill, after line 8, insert:

“(3) ANNUAL REPORTS AND ANY OTHER REPORTS CREATED BY THE POLICE ACCOUNTABILITY BOARD MUST BE SHARED IN A TIMELY MANNER WITH THE COUNTY EXECUTIVE AND COUNTY COUNCIL, AND AVAILABLE FOR PUBLIC VIEW AT ALL ANNE ARUNDEL COUNTY PUBLIC LIBRARIES.”.

(This amendment requires any annual report or other reports created by the Police Accountability Board to be share in a timely manner with the County Executive and County Council and available for view at all Anne Arundel County Public Libraries.)