COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND
AGENDA

Legislative Session 2023, Legislative Day No. 5
March 6, 2023

Legislative Session
Council Chambers*
7:00 P.M.

A. Call to Order

B. Invocation (Ms. Rodvien)

C. Pledge of Allegiance

D. Presentation

E. Ethics Statement

F. Invitation to Audience

G. Announcement of Items Not Appearing

H. Preliminary Motion

I. Approval of Minutes

February 21, 2023 – Legislative Day No. 4

J. Introduction of Bills

BILL NO. 16-23 – AN ORDINANCE concerning: Public Ethics – FOR the purpose of defining "quasi-governmental entity"; repealing a provision that allows for the disclosure of a complainant; prohibiting the acceptance of gifts from certain entities; prohibiting retaliation against a complainant; requiring the disclosure of certain gifts and relationships in financial disclosure statements; amending the terms for disclosing certain real property and business interests; allowing the public inspection of certain records by electronic means; and generally relating to public ethics.
Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 17-23 – AN ORDINANCE concerning: Payment in Lieu of Taxes – The Villages at Marley Station, Glen Burnie, Maryland – Amendment – FOR the purpose of authorizing the County Executive to enter into a certain amendment to the agreement for payment in lieu of County real property taxes for a certain property located in Glen Burnie, Maryland.
Introduced by Mr. Smith, Chair
(by request of the County Executive)
and by Ms. Pickard

BILL NO. 18-23 – AN ORDINANCE concerning: Planning and Development – Master Plan for Water Supply and Sewerage System – FOR the purpose of amending the Master Plan for Water Supply and Sewerage Systems, 2022 to alter certain maps; and generally relating to the Master Plan for Water Supply and Sewerage Systems.
Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 19-23 – AN ORDINANCE concerning: Public Safety – Ban the Bag Act of Anne Arundel County – FOR the purpose of prohibiting the retail distribution of plastic bags in Anne Arundel County; defining certain terms; establishing the duties of retail establishments; making a violation a Class C civil offense; providing for the enforcement of the prohibition on plastic bags; allowing retail establishments to distribute paper and reusable bags at no cost until a certain date; providing for a delayed effective date; and generally relating to public safety.
Introduced by Ms. Rodvien, Ms. Hummer, and Ms. Pickard

K. Introduction of Resolutions

RESOLUTION NO. 3-23 – RESOLUTION approving the determination of certain improved County-owned property at the corner of Yellow Springs South and Wye Mills South in Laurel, Maryland, as surplus property
Introduced by Mr. Smith, Chair
(by request of the County Executive)

RESOLUTION NO. 4-23 – RESOLUTION approving the determination of certain improved County-owned property near Eagle Harbor South in Laurel, Maryland, as surplus property
Introduced by Mr. Smith, Chair
(by request of the County Executive)

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

BILL NO. 3-23 **(As Amended)** – AN ORDINANCE concerning: Zoning – Small Business Districts – Religious Facilities – Outside Storage – FOR the purpose of allowing religious facilities as a permitted use in Small Business Districts; repealing a certain prohibition on outside storage as an accessory use in Small Business Districts; allowing outside storage as a permitted use in Small Business Districts if the outside storage is accessory to a permitted use and limited to a certain percentage of the allowed lot coverage; and generally relating to zoning.
Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 6-23 **(As Amended) (Amendments Proposed)** – AN ORDINANCE concerning: Subdivision and Development – Zoning – Accessory Dwelling Units – FOR the purpose of exempting accessory dwelling units from impact fees; amending the definitions of "density" and "dwelling unit, accessory"; repealing certain parking requirements for accessory dwelling units; amending the conditional use requirements for accessory dwelling units; allowing accessory dwelling units in use as of a certain date to be exempt from certain conditional use requirements; and generally relating to subdivision and development and zoning.
Introduced by Ms. Rodvien, Ms. Pickard, Ms. Hummer, and Mr. Smith

BILL NO. 7-23 – AN ORDINANCE concerning: Personnel – Positions in the Classified Service – Position Control – FOR the purpose of decreasing and increasing certain positions in the Office of Law, Police Department, Department of Detention Facilities, and Office of Finance in the classified service approved as part of the annual budget and appropriation ordinance; and generally relating to personnel.
Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 8-23 – AN ORDINANCE concerning: Personnel – Positions in the Classified Service – FOR the purpose of amending the pay grade for a position in the Public Safety and Criminal Justice class; adding new positions in the Recreation and Parks class; amending the pay schedule for Park Ranger employees; decreasing and increasing certain positions in the Department of Recreation and Parks approved as part of the annual budget and appropriation ordinance; and generally relating to personnel.
Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 9-23 – AN ORDINANCE concerning: Subdivision and Development – Adequate Public Facilities – Public Schools – FOR the purpose of extending the termination date established by Bill No. 85-21 for certain provisions related to adequate public facilities and public schools.
Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 10-23 **(Amendments Proposed)** – Floodplain Management, Erosion and Sediment Control, and Stormwater Management – Subdivision and Development – Water Quality Improvement Projects – FOR the purpose of defining "water quality improvement project"; exempting certain water quality improvement projects from the prohibition against development in natural feature areas; and generally relating to floodplain management, erosion and sediment control, and stormwater management, and subdivision and development.
Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 11-23 – AN ORDINANCE concerning: Zoning – Mixed Use Districts – Uses Under the Optional Method of Development – FOR the purpose of transferring certain permitted uses allowed under the optional method of development in mixed use districts from the retail and service or other categories to the office or industrial categories; and generally relating to zoning.
Introduced by Ms. Hummer and Ms. Pickard

M. Other Business

N. Adjournment

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ACCESSIBILITY POLICY

Anyone with a disability who requires a reasonable accommodation to fully participate in 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 Lcorby@aacounty.org or by telephone at 410-222-1401. TTY users, please call Maryland Relay via 7-1-1.

* Council meetings are also broadcast on Arundel TV. To find a list of local cable channels or to access Arundel TV you may visit: www.aacounty.org/services-and-programs/government-television. For more details on all the ways to participate please visit: www.aacounty.org/services-and-programs/county-council-meeting-participation

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND
Minutes of
Legislative Session 2023, Legislative Day No. 4
February 21, 2023 – 7:00 P.M.

The County Council meeting was called to order by Chair Smith at 7:00 P.M. It was opened with the Invocation, given Ms. Fiedler, and was followed by the Pledge of Allegiance. The meeting was held in the County Council Chambers in Annapolis, Maryland. There were approximately 15 persons in the audience.

The following members of the County Council were present:

Pete Smith	First District
Nathan Volke	Third District
Julie K. Hummer	Fourth District
Amanda Fiedler	Fifth District
Lisa D.B. Rodvien	Sixth District
Shannon Leadbetter	Seventh District

Allison Pickard, Second District, was absent.

The County Auditor's Office was represented by Michelle Bohlayer. Matthew Bennett, Legislative Counsel, was also present.

ETHICS STATEMENT

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

INVITATION TO AUDIENCE

The Chair opened Invitation to Audience.

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

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

PRELIMINARY MOTION

On motion of Ms. Rodvien, seconded by Mr. Volke, 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. Rodvien, seconded by Mr. Volke, the minutes of the meeting of February 6, 2023 were approved as presented.

INTRODUCTION OF BILLS

BILL NO. 12-23 – AN ORDINANCE concerning: Conveyance of Surplus Property – Improved County-Owned Property – Part of the Dorsey Run Road Right-of-Way in Annapolis Junction, Maryland – FOR the purpose of approving the conveyance of certain County-owned property comprised of approximately 2.9245 acres of land, being part of the Dorsey Run Road right-of-way, in Annapolis Junction, Maryland.
Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 13-23 – AN ORDINANCE concerning: Licenses and Registrations – Special Events – Permitting – FOR the purpose of establishing a uniform permitting process for special events; defining certain terms; requiring certain persons to obtain a permit to hold special events; requiring the permit application to contain certain information; establishing the basis for granting or denying the permit application; establishing fees and fee waivers for special event permit applications; requiring reimbursement of costs incurred by the County and allowing for the waiver of such reimbursement; requiring certain inspections be performed; allowing for the termination of permits in certain circumstances; and generally relating to licenses and registrations.
Introduced by Mr. Smith, Chair
(by request of the County Executive)

BILL NO. 14-23 – AN ORDINANCE concerning: General Provisions – Fair Housing – Denial of Rental Application – Notice – FOR the purpose of requiring a landlord provide a denied renter written notice of the reason for a refusal to rent or denial of the rental application within a certain number of days of a request by the denied renter; making a failure to provide written notice a Class C civil offense; and generally relating to general provisions.
Introduced by Ms. Rodvien and Ms. Hummer

BILL NO. 15-23 – AN ORDINANCE concerning: Zoning – Residential Districts – Business Complexes as a Conditional Use – FOR the purpose of allowing business complexes as a conditional use in R1 residential zoning districts; adding the conditional use requirements for business complexes in a residential district; allowing a business complex in a residential district to include certain additional uses allowed in C1 or C3 commercial zoning districts; and generally relating to zoning.
Introduced by Ms. Fiedler

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 2-23 – RESOLUTION approving the determination of certain improved County-owned property, known as 100 Summit Avenue in Glen Burnie, Maryland, as surplus property
Introduced by Mr. Smith, Chair
(by request of the County Executive)

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

BILL NO. 2-23 (As Amended)

The Chair called for Bill No. 2-23, as amended, An Ordinance concerning: Private Disposition of Surplus Real Property – Approval of Terms and Conditions – Overlea Drive in Severna Park, Maryland – For the purpose of approving the terms and conditions under which the County may transfer its interest in real property determined to be surplus, consisting of approximately 0.058 acres, and located on the North Side of Overlea Drive in Severna Park, Maryland to Chessie Homes, LLC; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Kelly Kenney, Office of Law, Susan Herrold, Office of Central Services, and Christopher Daniels, Office of Central Services.

Mr. Baron explained the background and purpose of the bill.

Ms. Fiedler asked for support of the bill.

The Chair called for the public hearing on Bill No. 2-23, as amended.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 2-23, as amended.

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

The Chair called Bill No. 2-23, as amended, An Ordinance concerning: Private Disposition of Surplus Real Property – Approval of Terms and Conditions – Overlea Drive in Severna Park, Maryland; and the Administrative Officer read a portion of the title.

Bill No. 2-23, as amended, was passed by the following roll call:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Mr. Volke, Ms. Hummer, Mr. Smith
Nay – None
Absent – Ms. Pickard

BILL NO. 3-23

The Chair called for Bill No. 3-23, An Ordinance concerning: Zoning – Small Business Districts – Religious Facilities – For the purpose of allowing religious facilities as a permitted use in Small Business Districts; and generally relating to zoning; and the Administrative Officer read a portion of the title.

Pete Baron, Director, Government Affairs, was accompanied by Kelly Kenney, Office of Law, Tom Burke, Department of Public Works, and Lynn Miller, Office of Planning and Zoning.

Mr. Baron explained the background and purpose of the bill.

The Chair called for the public hearing on Bill No. 3-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 3-23.

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

The Chair called Bill No. 3-23, An Ordinance concerning: Zoning – Small Business Districts – Religious Facilities; and the Administrative Officer read a portion of the title.

Amendment No. 1

The Administrative Officer read a brief summary of the amendment:

This amendment repeals a prohibition on outside storage as an accessory use in small business districts; and allows outside storage as permitted use in small business districts if the outside storage is accessory to a permitted use and is limited to 10% of the allowed lot coverage.

Ms. Fiedler, Sponsor, explained the purpose of the amendment.

The Administration gave its support.

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

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Mr. Volke, Ms. Hummer, Mr. Smith
Nay – None
Absent – Ms. Pickard

The Chair stated that Bill No. 3-23 will be heard on March 6, 2023.

BILL NO. 4-23

The Chair called for Bill No. 4-23, An Ordinance concerning: Current Expense Budget – Board of Education – Supplementary Appropriation and Transfer of Funds – For the purpose of transferring appropriations of funds between major categories in the Local Education Fund; making supplementary appropriations from unanticipated revenues to the Local Education Fund for the current fiscal year; and generally relating to transferring appropriations of funds and supplementary appropriations to the current expense budget for the fiscal year ending June 30, 2023; and the Administrative Officer read a portion of the title.

Hannah Dier, Administration, was accompanied by Steven Theroux, Budget Office, Matt Stanski, Board of Education, Melissa Comella, Board of Education, and Kelly Kenney, Office of Law.

Ms. Dier explained the background and purpose of the bill.

Mr. Smith clarified the use of work sessions.

The Chair called for the public hearing on Bill No. 4-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 4-23.

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

The Chair called Bill No. 4-23, An Ordinance concerning: Current Expense Budget – Board of Education – Supplementary Appropriation and Transfer of Funds; and the Administrative Officer read a portion of the title.

Bill No. 4-23 was passed by the following roll call:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Mr. Volke, Ms. Hummer, Mr. Smith
Nay – None
Absent – Ms. Pickard

Mr. Smith clarified that the work sessions are recorded and available on the County's website.

BILL NO. 5-23

The Chair called for Bill No. 5-23, An Ordinance concerning: Current Expense Budget – Supplementary Appropriations – Cattail Creek and Upper Magothy River Waterways Improvement District – Grants Special Revenue Fund – For the purpose of making supplementary appropriations from unanticipated revenues to certain offices, departments, institutions, boards, commissions or other agencies and in certain special funds of the County 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, 2023; and the Administrative Officer read a portion of the title.

Hannah Dier, Administration, was accompanied by Steven Theroux, Budget Office, Grace Tydings, Health Department, Donna Perkins, Health Department, and Kelly Kenney, Office of Law.

Ms. Dier explained the background and purpose of the bill.

The Chair called for the public hearing on Bill No. 5-23.

The Administrative Officer stated there were no submissions of public testimony received ahead of time for Bill No. 5-23.

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

The Chair called Bill No. 5-23, An Ordinance concerning: Current Expense Budget – Supplementary Appropriations – Cattail Creek and Upper Magothy River Waterways Improvement District – Grants Special Revenue Fund; and the Administrative Officer read a portion of the title.

Ms. Rodvien stated that the bill was discussed thoroughly at the work session.

Bill No. 5-23 was passed by the following roll call:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Mr. Volke, Ms. Hummer, Mr. Smith
Nay – None
Absent – Ms. Pickard

BILL NO. 6-23

The Chair called for Bill No. 6-23, An Ordinance concerning: Subdivision and Development – Zoning – Accessory Dwelling Units – For the purpose of exempting accessory dwelling units from impact fees; amending the definitions of "density" and "dwelling unit, accessory"; repealing certain parking requirements for accessory dwelling units; amending the conditional use requirements for accessory dwelling units; allowing accessory dwelling units in use as of a certain date to be exempt from certain conditional use requirements; and generally relating to subdivision and development and zoning; and the Administrative Officer read a portion of the title.

Ms. Rodvien, Sponsor, explained the background and purpose of the bill.

Pete Baron, Director, Government Affairs, was accompanied by Lynn Miller, Office of Planning and Zoning, Andrew McCarra, Inspections and Permits, and Kelly Kenney, Office of Law.

The Administration gave its support.

The Chair called for the public hearing on Bill No. 6-23.

The Administrative Officer stated there were nineteen submissions of written testimony received through the online testimony tool for Bill No. 6-23, which were shared with the Council and posted on the County Council website.

The following persons spoke on Bill No. 6-23:

Marygrace Fitzhenry, Annapolis
Greg Cantori, Annapolis
Erica Smith Ewing, Arlington, VA
Abby Root, Odenton
William "Jeff" Hill, Severna Park
Trudy McFall, Annapolis
Stuart Cohen, Annapolis
Steven Waddy, Severn
Susan Margulies, Annapolis

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

Ms. Fiedler clarified the ADUs would be subject to the inspection, permits, and building laws.

Ms. Rodvien agreed.

Ms. Leadbetter asked if the ADUs would be subject to the same process of well and septic as other areas of the county.

Mr. McCarra agreed.

Ms. Leadbetter asked if EDUs would be required.

Ms. Kenney responded.

Mr. Smith clarified if a small garage apartment would be an ADU and what the parking requirements would be.

Ms. Kenney answered.

There was continued discussion regarding parking for ADUs.

The Chair called Bill No. 6-23, An Ordinance concerning: Subdivision and Development – Zoning – Accessory Dwelling Units; and the Administrative Officer read a portion of the title.

Amendment No. 1

The Administrative Officer read a brief summary of the amendment:

This amendment maintains existing parking requirements for accessory dwelling units.

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

Ms. Leadbetter asked to be added as a co-sponsor.

Ms. Fiedler shared her support of the amendment.

Ms. Rodvien and Ms. Hummer explained their opposition to the amendment.

There was further discussion on the amendment.

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

Aye – Ms. Fiedler, Ms. Leadbetter, Mr. Volke
Nay – Ms. Rodvien, Ms. Hummer, Mr. Smith
Absent – Ms. Pickard

Amendment No. 2

The Administrative Officer read a brief summary of the amendment:

This amendment strikes a conditional use requirement that the principal single-family detached dwelling or the accessory dwelling unit be owner-occupied and that notice of this requirement be recorded.

Ms. Rodvien, Sponsor, explained the purpose of the amendment.

Mr. Smith shared his support of the amendment.

The Administration gave its support.

Ms. Fiedler asked a clarifying question regarding short term rentals.

Ms. Rodvien responded.

Ms. Hummer expressed her support of the amendment.

On motion of Ms. Hummer, seconded by Ms. Rodvien, Amendment No. 2 was adopted by the following roll call vote:

Aye – Ms. Fiedler, Ms. Rodvien, Ms. Leadbetter, Mr. Volke, Ms. Hummer, Mr. Smith
Nay – None
Absent – Ms. Pickard

Amendment No. 3

The Administrative Officer read a brief summary of the amendment:

This amendment removes the authorization to use the property as a whole for short-term rentals and substitutes a provision to allow the short-term rental of the principal single-family dwelling or accessory dwelling unit if the principal single-family dwelling or accessory dwelling unit is owner-occupied.

Ms. Rodvien, Sponsor, withdrew the amendment.

The Chair stated that Bill No. 6-23 will be heard on March 6, 2023.

OTHER BUSINESS

Ms. Fiedler gave a statement on the capacity issues at Anne Arundel County Animal Care and Control.

ADJOURNMENT

There being no further business, on motion of Ms. Fiedler, seconded by Ms. Rodvien, the meeting adjourned at 8:30 P.M.

Respectfully submitted,

By Anna Macaulay

For Laura Corby
Administrative Officer

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 5

Bill No. 16-23

Introduced by Mr. Smith, Chair
(by request of the County Executive)

By the County Council, March 6, 2023

Introduced and first read on March 6, 2023
Public Hearing set for April 3, 2023
Bill Expires June 9, 2023

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

AN ORDINANCE concerning: Public Ethics

FOR the purpose of defining "quasi-governmental entity"; repealing a provision that allows for the disclosure of a complainant; prohibiting the acceptance of gifts from certain entities; prohibiting retaliation against a complainant; requiring the disclosure of certain gifts and relationships in financial disclosure statements; amending the terms for disclosing certain real property and business interests; allowing the public inspection of certain records by electronic means; and generally relating to public ethics.

BY renumbering: §§ 7-1-101(23) through (25), respectively, to be 7-1-101(24) through (26), respectively; and 7-6-104(k) to be 7-6-104(l)
Anne Arundel County Code (2005, as amended)

BY adding: §§ 7-1-101(23); 7-5-112; and 7-6-104(k)
Anne Arundel County Code (2005, as amended)

BY repealing and reenacting, with amendments: §§ 7-4-106(c); 7-5-106(b); 7-6-104(a) and (e)(2); 7-6-105(a); and 7-6-107(a)
Anne Arundel County Code (2005, as amended)

SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland*, That §§ 7-1-101(23) through (25), respectively, and 7-6-104(k) be renumbered to be §§ 7-1-101(24) through (26), respectively, and 7-6-104(l).

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.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged.

SECTION 2. *And be it further* enacted, That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

ARTICLE 7. PUBLIC ETHICS

TITLE 1. IN GENERAL

7-1-101. Definitions.

In this article, the following words have the meanings indicated unless a different definition is adopted for a particular provision or the context clearly requires a different meaning.

***

(23) "QUASI-GOVERNMENTAL ENTITY" MEANS AN ENTITY THAT IS CREATED BY STATE OR COUNTY STATUTE, THAT PERFORMS A PUBLIC FUNCTION, AND THAT IS SUPPORTED IN WHOLE OR IN PART BY THE STATE BUT IS MANAGED PRIVATELY.

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TITLE 4. PROCEDURES FOR COMPLAINT

7-4-106. Confidentiality.

(c) **Permission by respondent.**

[[(1)**]]** The Ethics Commission may release any information at any time if the respondent agrees in writing to the release.

[[(2) On request of the respondent, the Ethics Commission at any time shall disclose the identity of the complainant to the respondent.**]]**

TITLE 5. CONFLICTS OF INTEREST

7-5-106. Solicitation or acceptance of gifts or honoraria.

(b) **Accepting gifts.** Except as provided in subsection (c), an employee may not knowingly accept a gift, directly or indirectly, from any person whom the employee knows or has reason to know:

***

(3) has a financial interest that may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of the employee's official duties; **[[**or**]]**

(4) is a lobbyist with respect to matters within the jurisdiction of the employee**[[**.**]]**; OR

(5) IS AN ASSOCIATION OR AN ENTITY ACTING ON BEHALF OF AN ASSOCIATION THAT IS ENGAGED ONLY IN REPRESENTING COUNTIES OR MUNICIPAL CORPORATIONS.

7-5-112. Retaliation prohibited.

AN EMPLOYEE MAY NOT RETALIATE AGAINST AN INDIVIDUAL FOR REPORTING OR PARTICIPATING IN AN INVESTIGATION OF A POTENTIAL VIOLATION OF THIS ARTICLE.

TITLE 6. FINANCIAL DISCLOSURE

7-6-104. Content of statement.

(a) **Generally.** A statement required by this title shall contain schedules disclosing the information and interests specified in this section, if known, for the individual making the statement for the applicable period under this title. AN INDIVIDUAL WHO IS REQUIRED TO DISCLOSE THE NAME OF A BUSINESS UNDER THIS SECTION SHALL DISCLOSE ANY OTHER NAMES THAT THE BUSINESS IS TRADING AS OR DOING BUSINESS AS.

(e) **Gifts.**

(2) The statement shall include a schedule of each gift with a value of at least $20 or a series of gifts from one person with a cumulative value of at least $50 received during the applicable period by the individual or by another person at the direction of the individual, directly or indirectly, from or on behalf of a person that is:

(i) a lobbyist;

(ii) regulated by the County; **[[or]]**

(iii) AN ASSOCIATION OR A PERSON ACTING ON BEHALF OF AN ASSOCIATION THAT IS ENGAGED ONLY IN REPRESENTING COUNTIES OR MUNICIPAL CORPORATIONS; OR

(IV) otherwise an entity doing business with the County OR AN INDIVIDUAL ACTING ON BEHALF OF AN ENTITY DOING BUSINESS WITH THE COUNTY.

(K) **Relationship with University of Maryland Medical System, State or local government, or quasi-governmental entity.**

(1) THE STATEMENT SHALL INCLUDE A SCHEDULE OF EACH FINANCIAL OR CONTRACTUAL RELATIONSHIP WITH:

(I) THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM;

(II) A GOVERNMENTAL ENTITY OF THE STATE OR A LOCAL GOVERNMENT IN THE STATE; OR

(III) A QUASI-GOVERNMENTAL ENTITY OF THE STATE OR LOCAL GOVERNMENT IN THE STATE.

(2) FOR EACH INTEREST REPORTED, THE SCHEDULE SHALL INCLUDE:

(I) A DESCRIPTION OF THE RELATIONSHIP;

(II) THE SUBJECT MATTER OF THE RELATIONSHIP; AND

(III) THE CONSIDERATION RECEIVED DURING THE REPORTING PERIOD.

7-6-105. Interests attributable to individual making statement.

(a) **Real property and business entity interests.** The following are deemed to be interests of the individual under § 7-6-104(b), (c), and (d):

(1) an interest held by a spouse or a child of the individual, if the interest was controlled, directly or indirectly, by the individual at any time during the applicable period;

(2) an interest held AT ANY TIME DURING THE APPLICABLE PERIOD by:

(I) a business entity in which the individual held a **[[**30%**]]** 10% or greater interest **[[**at any time during the applicable period**]]**; **[[**and**]]**

(II) A BUSINESS ENTITY DESCRIBED IN PARAGRAPH (I) IN WHICH THE BUSINESS ENTITY HELD A 25% OR GREATER INTEREST;

(III) A BUSINESS ENTITY DESCRIBED IN PARAGRAPH (II) IN WHICH THE BUSINESS ENTITY HELD A 50% OR GREATER INTEREST; AND

(IV) A BUSINESS ENTITY IN WHICH THE INDIVIDUAL DIRECTLY OR INDIRECTLY, THROUGH AN INTEREST IN ONE OR A COMBINATION OF OTHER BUSINESS ENTITIES, HOLDS A 10% OR GREATER INTEREST; AND

(3) an interest held by a trust or an estate in which, at any time during the applicable period, the individual held a reversionary interest, was a beneficiary, or was a settlor of a revocable trust.

7-6-107. Public record.

(a) **Open records; fees.**

(1) Except as provided in **[[**paragraph**]]** PARAGRAPHS (3) AND (4), the Ethics Commission shall maintain the statements submitted under this title and make the statements available to the public:

(I) for examination and copying during normal business hours; OR

(II) BY ELECTRONIC TRANSMISSION AT ANY TIME.

(2) The Ethics Commission may charge a reasonable fee and adopt regulations for the examination and copying of a statement.

(3) **[[**After December 6, 2018, the**]]** THE Ethics Commission **[[**shall**]]** MAY not provide public access to a portion of a statement filed under this title that the filing party has identified as the filing party's home address.

(4) THE ETHICS COMMISSION MAY NOT PROVIDE PUBLIC ACCESS TO INFORMATION RELATED TO CONSIDERATION RECEIVED FROM:

(I) THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM;

(II) A GOVERNMENTAL ENTITY OF THE STATE OR A LOCAL GOVERNMENT IN THE STATE; OR

(III) A QUASI-GOVERNMENTAL ENTITY OF THE STATE OR LOCAL GOVERNMENT IN THE STATE.

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: 16-23

INTRO. DATE: March 6, 2023

FISCAL NOTE

BILL: AN ORDINANCE CONCERNING: ETHICS LAW CHANGES REQUIRED BY STATE ETHICS COMMISSION

SUMMARY OF LEGISLATION

The purpose of the ordinance is to make changes to the Public Ethics Article of the County Code required by the State Ethics Commission and requested by the County Ethics Commission.

FISCAL IMPACT

There is no fiscal impact to the County.

Chris Trumbauer
Budget Officer

3/1/2023
Date

Prepared by: Bo Zhou, Budget Analyst

cc: Billie Penley, Acting Controller

ANNE ARUNDEL COUNTY OFFICE OF LAW

Legislative Summary

To: Members, Anne Arundel County Council

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

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

Date: March 6, 2023

Subject: Bill No. 16-23 – Public Ethics

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. 16-23.

Background

State law requires counties to have public ethics laws, and that certain provisions be similar to State law. Local public ethics laws may be modified to the extent necessary to make them relevant to a particular jurisdiction. (General Provisions Article of the Maryland Code, §§ 5-806 through 5-820). House Bill 363 and 1058, enacted during the 2021 Legislative Session, made changes to State ethics laws. On February 15, 2022, the State Ethics Commission identified changes that local governments are required to make to remain in compliance with State ethics law requirements. Thereafter, the County Ethics Commission also requested several changes to the law.

As required by State law and regulations, the County Ethics Commission submitted a draft of the changes reflected in this legislation to the State Ethics Commission, and, on September 16, 2022, the State Ethics approved the draft.

Purpose

The purpose of Bill No. 16-23 is make changes to the Public Ethics Article of the County Code required by the State Ethics Commission and requested by the County Ethics Commission.

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

Bill No. 16-23

SECTION 1.

This Section renumbers provisions of §§ 7-1-101 and 7-6-104 for additions to those sections.

SECTION 2.

Section 7-1-101 of the County Code is modified to add a definition of "quasi-governmental entity", as required by the State Ethics Commission. The County Ethics Commission requested the definition to include entities created by County statute. This was approved by the State Ethics Commission.

Section 7-4-106 of the County Code is modified at the request of the County Ethics Commission to remove paragraph (c)(2) which allows the County Ethics Commission to disclose the identity of the complainant to the respondent at any time. Under § 7-4-101(d), a copy of a complaint that is not dismissed within 45 days of filing is transmitted to a respondent.

Subsection 7-5-106(b) of the County Code is modified as required by the State Ethics Commission to prohibit the acceptance of a gift by an employee from a person or entity that the employee knows is an association or entity acting on behalf of an association engaged solely in representing counties or municipal corporations.

Section 7-5-112 is being added to the County Code as required by the State Ethics Commission. It prohibits retaliation by an employee against an individual for reporting or participating in the investigation of an alleged violation of the Public Ethics Article.

Subsection 7-6-104(a) of the County Code is modified as required by the State Ethics Commission to require that, when filing a financial disclosure statement, an employee include all names a business is trading as or doing business as.

Subparagraph 7-6-104(e)(2)(iii) of the County Code is modified as required by the State Ethics Commission to require that, when filing a financial disclosure statement, an employee include certain gifts from an association or person acting on behalf of an association engaged only in representing counties or municipal corporations.

Subparagraph 7-6-104(e)(2)(iv) of the County Code is modified at the request of the County Ethics Commission to require that, when filing a financial disclosure statement, an employee include certain gifts from individuals acting on behalf of entities doing business with the County.

Subsection 7-6-104(k) is being added to the County Code as required by the State Ethics Commission. It requires that, when filing a financial disclosure statement, an employee include a financial or contractual relationship with the University of Maryland Medical System, a State governmental or quasi-government entity, or a local governmental or quasi-governmental entity. The subsection also specifies what must be listed in the disclosure for the reported interests.

Paragraph 7-6-105(a)(2) is modified as required by the State Ethics Commission to expand the definition of real property and business interests that must be reported on an employee's financial disclosure statement.

Paragraph 7-6-107(a)(1) of the County Code is being modified at the request of the County Ethics Commission to allow the County Ethics Commission to make financial disclosure statements available to the public by electronic transmission.

Paragraph 7-6-107(a)(4) is being added to the County Code as required by the State Ethics Commission. It prohibits disclosure of information in employee financial disclosure statements related to consideration received from the University of Maryland Medical System, State governmental or quasi-government entities, or local governmental or quasi-governmental entities.

SECTION 3.

This section provides that the bill takes effect 45 days after it becomes law.

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

cc: Honorable Steuart Pittman, County Executive
Christine Anderson, Chief Administrative Officer
Jeff Amoros, Chief of Staff
Peter Baron, Chief Strategy Officer
Chris Trumbauer, Budget Officer
Michael Botsaris, Executive Director, Anne Arundel County Ethics Commission

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 5

Bill No. 17-23

Introduced by Mr. Smith, Chair
(by request of the County Executive)

and by Ms. Pickard

By the County Council, March 6, 2023

Introduced and first read on March 6, 2023
Public Hearing set for April 3, 2023
Bill Expires June 9, 2023

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

AN ORDINANCE concerning: Payment in Lieu of Taxes – The Villages at Marley Station, Glen Burnie, Maryland – Amendment

FOR the purpose of authorizing the County Executive to enter into a certain amendment to the agreement for payment in lieu of County real property taxes for a certain property located in Glen Burnie, Maryland.

WHEREAS, Anne Arundel County Council Bill No. 67-22, enacted on July 25, 2022, approved the terms and conditions for payments in lieu of taxes ("PILOT") for property located at 7841 Bruton Drive, Glen Burnie (the "Property"), and authorized the County Executive to enter into a PILOT Agreement (the "Agreement");

WHEREAS, the parties entered into the Agreement on September 12, 2022;

WHEREAS, it has been demonstrated that it has become necessary to amend the terms of the Agreement pertaining to the number of units available for households of limited income; now, therefore,

SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland*, That the County Executive is hereby authorized to enter into the Amendment to Agreement between Anne Arundel County and Fairfield Marley Station LP, the owner of the Property, as more fully described in the Amendment to Agreement, attached to this Ordinance as Exhibit A.

SECTION 2. *And be it further enacted*, That, all other terms and conditions of Bill No. 67-22 and the Agreement not specifically changed in the Amendment to Agreement shall remain in full force and effect.

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

**AMENDMENT TO AGREEMENT BETWEEN
FAIRFIELD MARLEY STATION LP
AND ANNE ARUNDEL COUNTY, MARYLAND**

THIS AMENDMENT TO AGREEMENT, made this _______ day of _____________ , 2023, by and between Anne Arundel County, Maryland, a body corporate and politic (hereinafter referred to as the "County"), and Fairfield Marley Station LP, a limited partnership formed in the State of Delaware (hereinafter referred to as the "Owner").

WHEREAS, pursuant to Anne Arundel County Council Bill No. 67-22, adopted on July 25, 2022, the County Council of Anne Arundel County, Maryland, approved the terms and conditions for payments in lieu of taxes for seven hundred and fifty-seven (757) units of rental housing, located at 7841 Bruton Drive, Glen Burnie, currently identified under the Tax Account Number 3000-2066-7800 (the "Property"), for the purpose of providing rental housing to low income households (the "Project"); and authorized the County Executive to enter into the payment in lieu of taxes Agreement (the "Agreement");

WHEREAS, the parties entered into the Agreement on September 12, 2022 (the "Agreement");

WHEREAS, the Owner has demonstrated to the County that an amendment to the Agreement is necessary;

WHEREAS, pursuant to Anne Arundel County Council Bill No. ___-23, adopted _____________, the County Council of Anne Arundel County, Maryland, approved the terms and conditions for payments in lieu of taxes for the Project, and authorized the County Executive to enter into this Amendment to Agreement; and

NOW, THEREFORE, THIS AGREEMENT, WITNESSETH: In consideration of the mutual covenants, terms, and agreements hereof and pursuant to the power and authority of

§ 7-506.1 of the Tax-Property Article of the Annotated Code of Maryland, it is agreed as follows:

1. Paragraph 1(b) of the Agreement shall be replaced with the following: "(b) that, with Payment in Lieu of Taxes ("PILOT"), it will make at least five hundred eighty-four (584) units (including vacant units) available to households earning 60% and below the area median income; and as of December 31, 2026, it will make at least seven hundred and forty-five (745) units (including vacant units) available to households earning 60% and below the area median income."

2. In Paragraph 9 of the Agreement, "July 1, 2022" shall be replaced with "July 1, 2023".

3. All other provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the County has caused this Amendment to Agreement to be signed in its name by the County Executive, to be attested to by the Secretary of the County Executive, and to have the County Seal affixed hereto; and the Owner has caused this Agreement to be signed in its name by its General Partner, duly attested to by its Secretary.

ATTEST:

Fairfield Marley Station LP,
a Delaware limited partnership

By: FRH Marley Station LLC,
a Delaware limited liability company,
its General Partner

By: FRH GP LLC,
a Delaware limited liability company,
its Non-Member Manager

By: ___________________________
Name:
Title:

ATTEST: ANNE ARUNDEL COUNTY, MARYLAND

____________________________ By: _________________________________(Seal)
Christine M. Anderson
Chief Administrative Officer

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

By:____________________________________ _________________________
Office of Law Date

APPROVED:

By:____________________________________ _________________________
Controller Date

ANNE ARUNDEL COUNTY, MARYLAND
OFFICE OF THE BUDGET

BILL NUMBER: 17-23

INTRO. DATE: March 6, 2023

FISCAL NOTE

BILL: AN ORDINANCE CONCERNING: PAYMENT IN LIEU OF TAXES – THE VILLAGES AT MARLEY STATION, GLEN BURNIE, MARYLAND – AMENDMENT

SUMMARY OF LEGISLATION

The purpose of the legislation is to amend an existing Payment in Lieu of Taxes ("PILOT") Agreement with Fairfield Marley Station LP. The amendment will

- provide the owner with more time to meet the income restrictions of the current PILOT;
- slightly lower the number of total units required to be restricted to 60% and below the area median income; and
- enable the owner to house property management staff on site.

The additional time is needed due to slower than anticipated turnover of the units. Additionally, without amendment of the PILOT agreement, over-income residents would need to be evicted from the property in order for the property to be in compliance with the current PILOT agreement restrictions. This bill also amends the start date of the PILOT to July 1, 2023, given the owner has paid full taxes for fiscal year 2023.

FISCAL IMPACT

As this is an amendment to the existing PILOT agreement, there no fiscal impact.

Chris Trumbauer
Chris Trumbauer
Budget Officer

3/1/2023
Date

Prepared by: Hujia Hasim
cc: Billie Penley, Acting Controller

ANNE ARUNDEL COUNTY OFFICE OF LAW

Legislative Summary

To:	Members, Anne Arundel County Council	
From:	Kelly Phillips Kenney, Supervising County Attorney	/s/
Via:	Gregory J. Swain, County Attorney	/s/
Date:	March 6, 2023	
Subject:	Bill No. 17-23 – Payment in Lieu of Taxes – The Villages at Marley Station, Glen Burnie, Maryland – Amendment	

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. 17-23.

Background

Anne Arundel County Council Bill No. 67-22, adopted on July 25, 2022, approved the terms and conditions for payments in lieu of taxes ("PILOT") for property known as The Villages at Marley Station, which is located at 7841 Bruton Drive, Glen Burnie (the "Property"), and authorized the County Executive to enter into a PILOT Agreement consistent with those terms and conditions. The PILOT Agreement was entered into on September 12, 2022, and a copy is attached hereto as Exhibit 1.

PILOT Agreements are authorized by State law for certain types of properties, including but not limited to, housing for persons of limited income, subsidized housing, housing commission or housing authority properties, and housing for senior citizens. Md. Code Ann., Tax-Prop., §§ 7-501, *et seq.* The State law allows a county to exempt those specific properties from county real property taxes if certain conditions are met, including entry into an agreement for a negotiated amount in lieu of property taxes. The agreement must be entered with the owner of the property and the governing body of the county, which in Anne Arundel County, requires approval by both the County Council and the County Executive. Once a PILOT is in place and the conditions are met, the owner pays the negotiated amount, rather than any County real property taxes.

The PILOT Agreement entered into pursuant to Bill No. 67-22 provides that 757 units will be available to households earning 60% and below the area median income. Since the time the PILOT Agreement was entered into, the owner of the Property has determined that it needs

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

additional time to subject existing units to income restrictions required by the Agreement to avoid displacing current residents.

Purpose

The purpose of Bill No. 17-23 is to authorize the County Executive to enter into an Amendment to PILOT Agreement with Fairfield Marley Station LP to decrease the number of units currently required to be available for households of limited income, and to provide a deadline for making additional units available for households of limited income.

Bill No. 17-23

SECTION 1.

This section authorizes the County Executive to enter into the Amendment to the PILOT Agreement, which is attached to the Ordinance as Exhibit A. The Amendment to the PILOT Agreement sets forth a new paragraph 1(b), which revises the number of units that are to be made available to various income levels. Specifically, five hundred eighty-four (584) units (including vacant units) shall be initially available to households earning 60% and below the area median income; and as of December 31, 2026, that number of units shall be at least seven hundred and forty-five (745) units (including vacant units). Paragraph 9 is also amended to change the first date for the Owner to provide financial reports to the County from July 1, 2022 to July 1, 2023.

SECTIONS 2.

This specifically provides that all other terms of Bill No. 67-22 and the PILOT Agreement remain in full force and effect.

SECTION 3.

This section provides that the Ordinance shall take effect 45 days from the date it becomes law.

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

cc: Honorable Steuart Pittman, County Executive
Christine Anderson, Chief Administrative Officer
Jeff Amoros, Chief of Staff
Peter Baron, Chief Strategy Officer
Chris Trumbauer, Budget Officer
Jenny Jarkowski, Planning and Zoning Officer
Cindy Carrier, Long Range Planning
Erin Shearman Karpewicz, Arundel Community Development Services
Billie Penley, Acting Controller

**AGREEMENT BETWEEN
FAIRFIELD MARLEY STATION LP
AND ANNE ARUNDEL COUNTY, MARYLAND**

THIS AGREEMENT, Made this 12 day of September, 2022, by and between Anne Arundel County, Maryland, a body corporate and politic (hereinafter referred to as the "County"), and Fairfield Marley Station LP, a limited partnership formed in the State of Delaware (hereinafter referred to as the "Owner").

WHEREAS, the Owner is the owner of seven hundred and fifty-seven (757) units of rental housing, located at 7841 Bruton Drive, Glen Burnie currently identified under the Tax Account Number 3000-2066-7800 (the "Property"), for the purposes of providing rental housing to low income households (the "Project"); and

WHEREAS, Section 7-506.1 of the Tax-Property Article of the Annotated Code of Maryland, as amended, provides, among other things, that real property in the County may be exempt from County property tax if:

(i) the real property is owned by a person engaged in constructing or operating housing structures or projects; and

(ii) the real property is used for a housing structure or project that is constructed or substantially rehabilitated under a federal, state or local government program that:

(1) funds construction, or insures its financing in whole or in part, or

(2) provides interest subsidy, rent subsidy or rent supplements; and

(iii) the owner and the governing body of the county enter into an agreement for the payment of a negotiated sum in lieu of applicable County property taxes on the Property; and

(iv) the owner:

(1) agrees to continue to maintain the real property as rental

housing for lower income persons under the requirements of the government programs and to renew any annual contributions contract or other agreement for rental subsidy or supplement; or

(2) enters into an agreement with the County to allow the property or the portion of the property which was maintained for lower income persons to remain as housing for lower income persons for a term of at least five (5) years; and

WHEREAS, the Owner will operate the Project as rental housing for low income households and intends to comply with Section 7-506.1 of the Tax-Property Article of the Annotated Code of Maryland; and

WHEREAS, the Owner has demonstrated to the County that an agreement for payments in lieu of taxes is necessary; and

WHEREAS, pursuant to Anne Arundel County Council Bill No. 67-22, adopted July 25, 2022, the County Council of Anne Arundel County, Maryland, approved the terms and conditions for payments in lieu of taxes for the Project, and authorized the County Executive to enter into this Agreement.

NOW, THEREFORE, THIS AGREEMENT, WITNESSETH: In consideration of the mutual covenants, terms, and agreements hereof and pursuant to the power and authority of Section 7-506.1 of the Tax-Property Article of the Annotated Code of Maryland, it is agreed as follows:

1. The Owner agrees: (a) that it will operate the Project as rental housing for low income households and will limit rents pursuant to the Low Income Housing Tax Credit Covenant between the Owner and the Community Development Administration, a unit of the Division of Development Finance of the Maryland Department of Housing and Community Development (herein the "Extended Use Covenant"); (b) that, with Payment in Lieu of Taxes ("PILOT"), it will make seven hundred fifty-seven (757) units available to households earning 60% and below the area median income; (c) that the Project qualifies and will continue to qualify in all respects under

the provisions of said Section 7-506.1 of the Tax-Property Article of the Annotated Code of Maryland.

2. Beginning ***in Fiscal Year 2023 (July 1, 2022)***, the Property shall be exempt from ordinary County property taxes. The payments to be made hereunder by the Owner to the County with respect to the Project shall be in lieu of all ordinary County taxes on real property under the Tax-Property Article of the Annotated Code of Maryland. The payments to be made hereunder by the Owner to the County shall be made by the Owner first and accepted by the County through Fiscal Year 2062.

3. This Agreement shall be in effect through ***Fiscal Year 2062, ending June 30, 2062***, or until one of the following occurs: (a) the Project is not owned or used for the provision of rental housing and related facilities to low income households at limited rents, pursuant to the Extended Use Covenant; (b) the Project does not comply with Section 7-506.1 of the Tax-Property Article of the Annotated Code of Maryland, as amended; or (c) the payment in lieu of taxes is not necessary for the continued financial feasibility of the Project, as solely determined by the County pursuant to Paragraph 9 of this Agreement.

4. If at any time during the term of this Agreement, the County real property taxes are less than the PILOT, the Owner shall pay the ordinary County real property taxes payable had the Property not been tax exempt. The Owner shall not be required to pay both County real property taxes and payment in lieu of taxes.

5. For ***Fiscal Year 2023 (July 1, 2022 through June 30, 2023)***, the Owner's annual payment in lieu of taxes shall be equal to **$218,120**. For ***Fiscal Year 2024 through Fiscal Year 2062***, the annual payment in lieu of taxes shall be equal to the previous year's fiscal payment plus an annual adjustment factor of four percent (4%) per annum.

6. By July 30th of each year, the County shall bill the Owner for the payment, which is due by September 30th of that year, as set forth in this Agreement.

7. Payments due hereunder will be considered delinquent thirty (30) days after the due date of the bill sent to the Owner. Interest and penalties at the rate as set forth in the County Code for overdue property taxes per month shall be charged and collected by the County on all amounts remaining unpaid thirty (30) days after the due date.

8. If the Owner is in default for one hundred eighty (180) days for any payments required under any of the provisions of this Agreement, the County may, at its option, declare a default by providing written notice of the default to the Owner and to the holders of all mortgages or deeds of trust. If within thirty (30) days of such notice, the payments have not been brought current, then the County may, at its option, declare all amounts due as follows: a sum equal to the total real property taxes which would have been due from the Owner in the absence of this Agreement for the period covered by the outstanding payments, plus all interest and penalties, if any, less any portion of such payment actually paid under this Agreement. To enforce its rights under this Paragraph, the County may renegotiate this Agreement, foreclose, or seek any other remedy available at law or in equity. Notwithstanding anything to the contrary which is or might be contained in this Agreement, payments due under this Paragraph shall be considered a first lien against the Property and superior to any other liens placed upon the Property. Further, notwithstanding anything to the contrary contained herein, the County hereby agrees that any cure of any default made or tendered on behalf of the Owner by a partner of the Owner or its affiliate or a mortgagee of the Owner shall be deemed to be a cure by the Owner, and accepted or rejected on the same basis as if made or tendered by the Owner. A partner of the Owner or its affiliate or a mortgagee, in each case who has provided its address to the County, shall have a period of thirty

(30) days after receipt of notice, or such longer period of time as may set forth for the Owner herein, the right, but not the obligation, to cure a default prior to exercise of remedies by the County hereunder.

9. Beginning on July 1, 2022 and for each successive five (5) year period from that date throughout the term of this Agreement, the Owner shall submit to the County Office of Finance complete audited financial reports for the Project for the previous five (5) years and a projection of Project's income and expenses for the next five (5) year period. If based on a review of the audited financial reports and the projections for the Project, the County determines that the Project has net cash from the operation of the Project after payment of all expenses (including, but not limited to, reimbursement of all certified development and construction costs, management fees, investor servicing fees, debt service payments (including any payments from Surplus Cash required to be made by the Owner under any first priority or subordinate debt loan documents), anticipated costs to meet the physical and social needs of the Project, reasonable asset management fees to the general partner, payments of deferred developer fee, taxes owed to the State, and the payments required under this Agreement) and an eight percent (8%) return on the tax credit equity investment, calculated on a cumulative basis, then the County may modify the PILOT at that time to require the Owner to apply such net cash toward the difference between taxes otherwise payable had the Property not been exempt from ordinary County real property taxes based on the assessment for Anne Arundel County real property taxes for the Project and the payments required under this Agreement, or the County may decide that a PILOT is no longer needed and may choose to discontinue its obligations under this Agreement.

10. The Owner shall not make any transfer or exchange of the Property which would change its use as a residential rental property during the period of the PILOT.

11. This Agreement may be assigned to a holder of a mortgage or deed of trust or its successor in the event of a foreclosure, provided that the assignee shall be subject to the terms and conditions of this Agreement.

12. For the purposes of this Agreement, all notices shall be hand-delivered or mailed by first class mail or certified mail, return receipt requested. Notices shall be given to the parties as follows:

TO COUNTY:	Office of Finance Anne Arundel County, Maryland MS 1103 44 Calvert Street Annapolis, Maryland 21401
With a copy to:	Anne Arundel County Office of Law 2660 Riva Road, 4th Floor Annapolis, Maryland 21401
TO OWNER:	Fairfield Marley Station LP 5355 Mira Sorrento Place Suite 100 San Diego, California 92121 Attention: Jenna Woods
With a copy to:	Fairfield Marley Station LP 5355 Mira Sorrento Place Suite 100 San Diego, California 92121 Attention: Mike Alcantara

Each notice that is sent by one party to the other party at the listed address shall be presumed to have been received three (3) days after the date of mailing; except when prior written notice is given by one party to the other that a party or an address has changed. Notwithstanding any provision to the contrary contained in this Agreement, any person or party not listed in this paragraph shall not be entitled to notice as may be required by this Agreement, unless one party notifies the other party that additional notice shall also be sent to such person or party.

13. This Agreement shall inure to the parties hereto and their respective successors, assigns, and/or legal representatives, except that this Agreement shall not survive a sale or transfer of the Property or the sale or transfer of the partnership interest of the Owner in lieu of the sale of the Property (excluding transfers made to effectuate initial finance closing), unless the continued financial need for the PILOT can be demonstrated and the transfer of this agreement is approved by the County Council.

14. This Agreement shall be constued to be effective retroactive to July 1, 2022.

15. It is understood and agreed by the execution of this Agreement that the County does not waive any rights of governmental immunity which it may have in any damage suits against it, and that the County reserves the right to plead governmental immunity in such suit in law or in equity or such pleading as is appropriate notwithstanding the execution of this Agreement.

16. This Agreement shall be governed by Maryland law and any actions between the parties hereto shall be brought in and vest jurisdiction and venue solely in the Circuit Court for Anne Arundel County.

IN WITNESS WHEREOF, the County has caused this Agreement to be signed in its name by the County Executive, to be attested to by the Secretary of the County Executive, and to have the County Seal affixed hereto; and the Owner has caused this Agreement to be signed in its name by its General Partner, duly attested to by its Secretary.

ATTEST:

Fairfield Marley Station LP,
a Delaware limited partnership

By: FRH Marley Station LLC,
a Delaware limited liability company,
its General Partner

By: FRH GP LLC,
a Delaware limited liability company,
its Non-Member Manager

By: DocuSigned by: Jenna Woods
1796E78DC5E440B
Name: Jenna Woods
Title: Senior Vice President &
Corporate Secretary

ATTEST:

DocuSigned by: Sandra Ballard
5753B71E8AE34E0

ANNE ARUNDEL COUNTY, MARYLAND

By: DocuSigned by:
CBC47D9EB95C44A (Seal)
Matthew J. Power
Chief Administrative Officer

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

By: DocuSigned by: Kelly Kenney
982178E97CE8442...
Kelly Phillips Kenney
Supervising County Attorney

9/30/2022
Date

APPROVED:

By: DocuSigned by: Billie Penley
991B74E9C597407...
Controller

10/3/2022
Date

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 5

Bill No. 18-23

Introduced by Mr. Smith, Chair
(by request of the County Executive)

By the County Council, March 6, 2023

Introduced and first read on March 6, 2023
Public Hearing set for April 3, 2023
Bill Expires June 9, 2023

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

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, 2022 to alter certain maps; and generally relating to the Master Plan for Water Supply and Sewerage Systems.

SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland*, That the maps of the Anne Arundel County Master Plan for Water Supply and Sewerage Systems, 2022, as amended (the "Plan") are hereby amended as follows:

1. As shown on Exhibit A, attached hereto, on Sewer Map S-3, change the sewer service category on Tax Map 23, Parcel 31, Lot 2 from Future Service to Planned Service.

2. As shown on Exhibit B, attached hereto, on Water Map W-4, change the water service category on Tax Map 22, that portion of Parcel 73 that is east of Grover Road from No Public Service to Planned Service; and in addition adjust the water service area boundary to remove this portion of the parcel from the Rural Water Pressure Zone and include this portion of the parcel in the Glen Burnie High Water Pressure Zone.

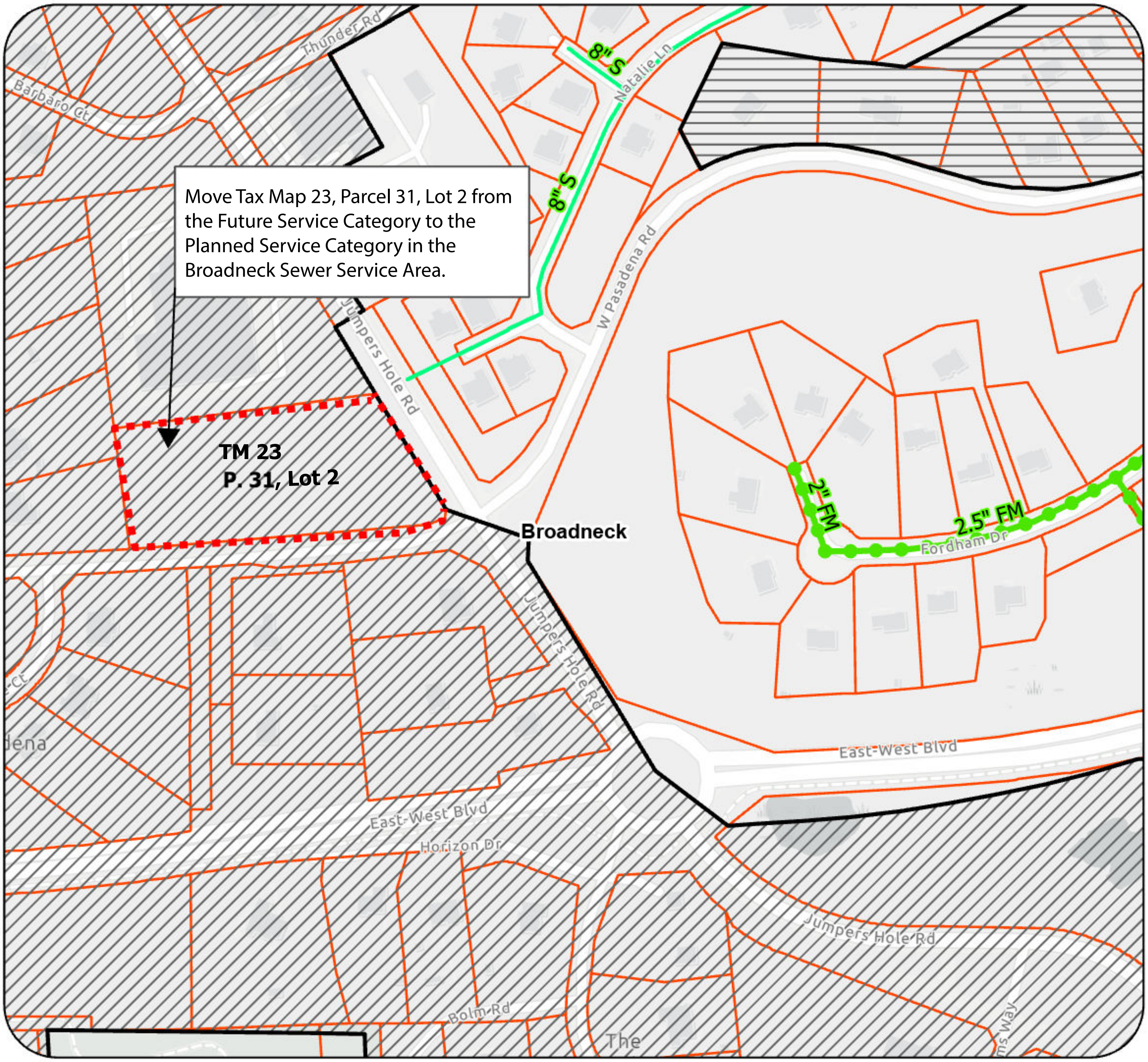
3. As shown on Exhibit C, attached hereto, on Water Map W-5, change the water service category on Tax Map 38, Parcel 26, Lots 1-3 from No Public Service to Planned Service; and in addition adjust the water service area boundary to remove these lots from the Rural Water Pressure Zone and include these lots in the Herald Harbor Water Pressure Zone.

SECTION 2. *And be it further enacted*, That a certified copy of the Plan as amended by this Ordinance shall be permanently kept on file with the Administrative Officer to the County Council and the Office of Planning and Zoning.

SECTION 3. *And be it further enacted*, That a certified copy of the map amendments to the Plan shall be permanently kept on file with the Administrative Officer to the County Council and the Office of Planning and Zoning.

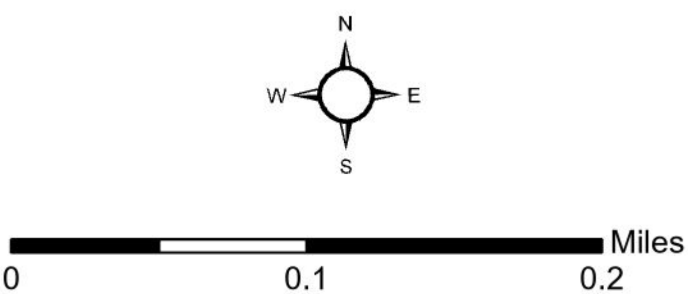
SECTION 4. *And be it further enacted*, That this Ordinance shall take effect 45 days from the date it becomes law or upon approval of the Maryland Department of the Environment under the authority granted by § 9-507 of the Environment Article of the State Code, whichever is later. If approved, in whole or in part, after the 45 days the approved provisions of this Ordinance shall take effect on the date the notice is received by the Office of Planning and Zoning. If disapproved, in whole or in part, the disapproved portions of this Ordinance shall be null and void without further action by the County Council. The Office of Planning and Zoning, within 5 days after receiving any notice from the Maryland Department of the Environment, shall forward a copy to the Administrative Officer to the County Council.

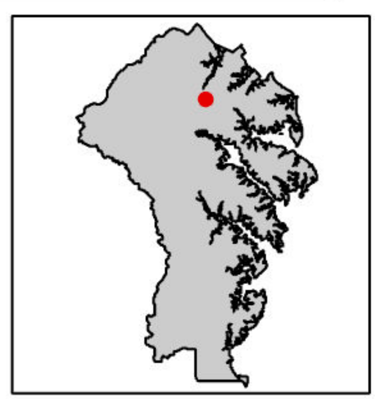
Sewer Map S-3



Legend

Sewer Service Categories
- Existing Service
- Future Service
- No Public Service
- Other
- Planned Service
- Sewer Service Category Change

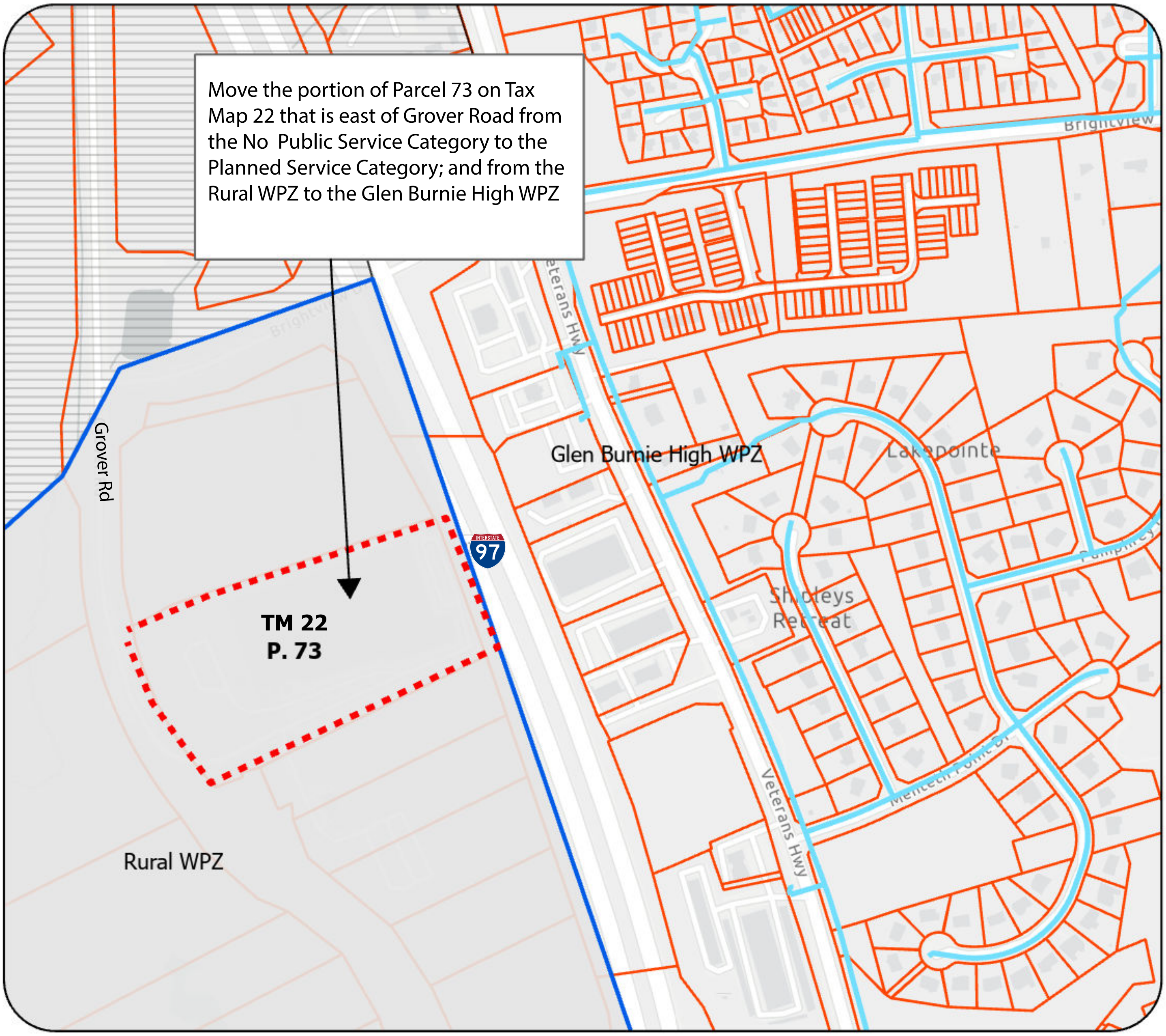




Date Revised: 2/8/23

Bill No. 18-23
Exhibit B

Water Map W-4

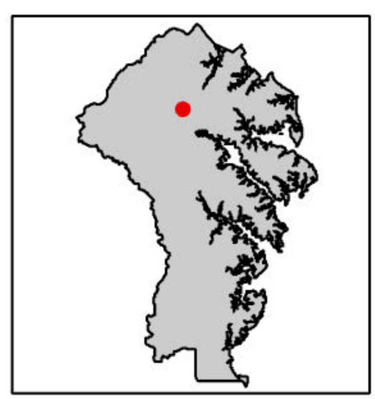


Legend

- Water Pressure Zones
- Water Service Categories
  - Existing - Annapolis
  - Existing Service
  - Future Service
  - No Public Service
  - Other
  - Planned Service
- Water Pressure Zone Change

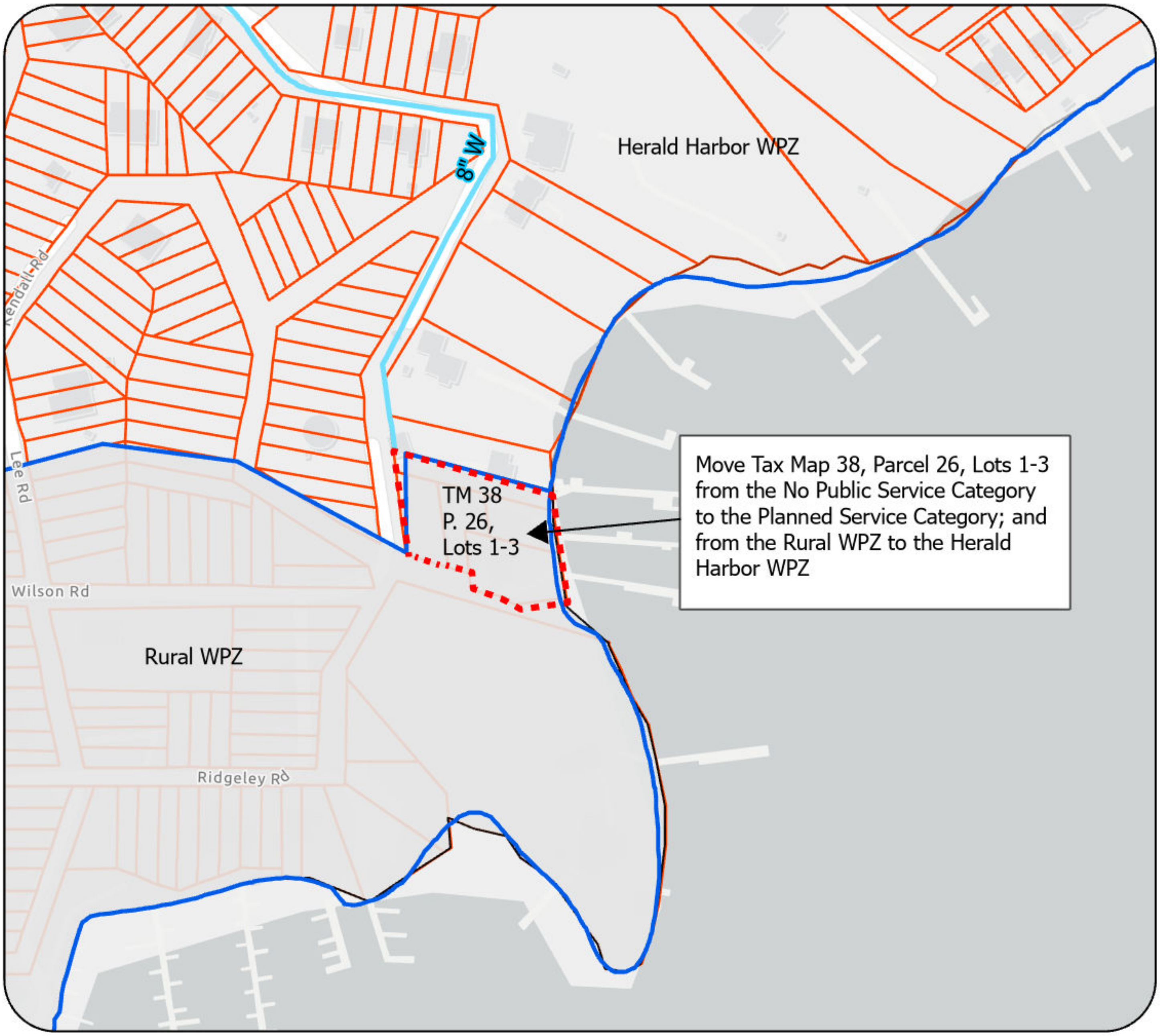
N
W E
S

Miles
0 0.1 0.2



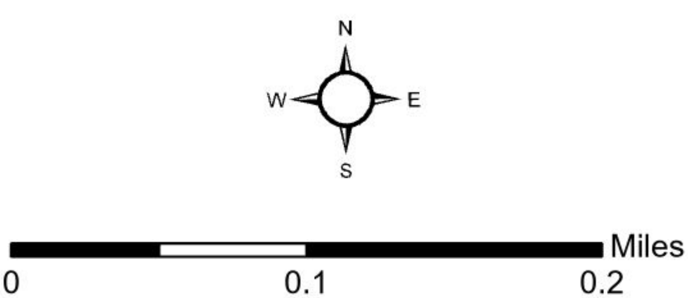
Date Revised: 2/8/23

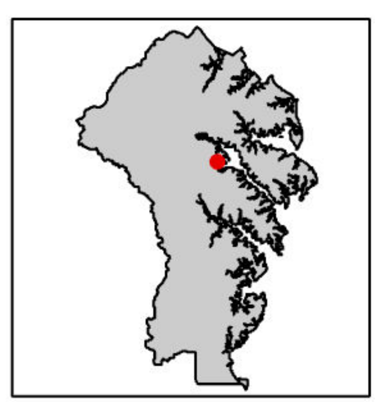
Water Map W-5



Legend

- Water Pressure Zones
- Water Service Categories
  - Existing - Annapolis
  - Existing Service
  - Future Service
  - No Public Service
  - Other
  - Planned Service
- Water Pressure Zone Change





Date Revised: 2/8/23

ANNE ARUNDEL COUNTY, MARYLAND
OFFICE OF THE BUDGET

BILL NUMBER: 18-23

INTRO. DATE: March 6, 2023

FISCAL NOTE

BILL: **AN ORDINANCE CONCERNING: PLANNING AND DEVELOPMENT – MASTER PLAN FOR WATER SUPPLY AND SEWERAGE SYSTEMS**

SUMMARY OF LEGISLATION

The purpose of this legislation is to amend the Master Plan for Water Supply and Sewerage Systems, 2012 to alter certain maps; and generally relating to the Master Plan for Water Supply and Sewerage Systems.

FISCAL IMPACT

There is no estimated fiscal impact associated with this legislation.

Chris Trumbauer
Budget Officer

3/1/2023
Date

Chris Trumbauer
Budget Officer

Prepared by: Samantha Chiriaco, Budget Analyst

cc: Billie Penley, Acting Controller

ANNE ARUNDEL COUNTY OFFICE OF LAW

Legislative Summary

To:	Members, Anne Arundel County Council	
From:	Kelly Phillips Kenney, Supervising County Attorney	/s/
Via:	Gregory J. Swain, County Attorney	/s/
Date:	March 6, 2023	
Subject:	Bill No. 18-23 – Planning and Development – Master Plan for Water Supply and Sewerage Systems	

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. 18-23.

Background

The County Master Plan for Water Supply and Sewerage Systems, 2022, as amended (the "Plan") was originally adopted by this Council in 2022. Any amendments to the plan must also be approved by the Council.

Purpose

The purpose of Bill No. 18-23 is to approve several amendments to the Plan that will apply to specific properties as shown in the Exhibits.

Bill No. 18-23

SECTION 1.

Three amendments to the Plan are set forth in this section. The first is to change the sewer service of the property shown on Exhibit A from Future Service to Planned Service.

The second and third changes both change the water service categories for two pieces of property as shown on Exhibits B and C from No Public Service to Planned Service and to adjust the water service area boundary for both properties from one pressure zone to another.

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

SECTIONS 2 AND 3.

These sections require that a certified copy of the Plan and map amendments be kept on file with the Administrative Officer to the County Council and the Office of Planning and Zoning ("OPZ").

SECTION 4.

This section provides that the Ordinance shall take effect 45 days from the date it becomes law or upon approval by the Maryland Department of the Environment ("MDE"), whichever is later. Section 9-507 of the Environment Article of the State Code requires that MDE approve or disapprove a proposed revision or amendment to the Plan. The County is required to have a Plan that is approved by MDE. (Md. Code Ann., Envir., § 9-503).

Consistent with the provisions in § 9-507, **Section 4** of the Ordinance also provides that, if the changes to the Plan are approved by MDE, in whole or in part, 45 days after the date it becomes law, the Ordinance shall take effect upon OPZ's receipt of MDE's approval. If the amendments are disapproved, in whole or in part, by MDE, the disapproved portions of the Ordinance become null and void without further action by the County Council. Lastly, **Section 4** requires OPZ to send a copy of the notice from MDE to the Administrative Officer to the County Council.

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

cc: Honorable Steuart Pittman, County Executive
Christine Anderson, Chief Administrative Officer
Jeff Amoros, Chief of Staff
Peter Baron, Chief Strategy Officer
Chris Trumbauer, Budget Officer
Jenny Jarkowski, Planning and Zoning Officer
Cindy Carrier, Long Range Planning

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 5

Bill No. 19-23

Introduced by Ms. Rodvien, Ms. Hummer, and Ms. Pickard

By the County Council, March 6, 2023

Introduced and first read on March 6, 2023
Public Hearing set for April 3, 2023
Bill Expires on June 9, 2023

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

AN ORDINANCE concerning: Public Safety – Ban the Bag Act of Anne Arundel County

FOR the purpose of prohibiting the retail distribution of plastic bags in Anne Arundel County; defining certain terms; establishing the duties of retail establishments; making a violation a Class C civil offense; providing for the enforcement of the prohibition on plastic bags; allowing retail establishments to distribute paper and reusable bags at no cost until a certain date; providing for a delayed effective date; and generally relating to public safety.

BY adding: § 12-7-109
Anne Arundel County Code (2005, as amended)

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

ARTICLE 12. PUBLIC SAFETY

TITLE 7. MISCELLANEOUS PROVISIONS

12-7-109. Plastic bags prohibited.

(A) **Definitions.** IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(1) "FOOD SERVICE FACILITY" MEANS AN ESTABLISHMENT LICENSED UNDER § 11-6-101 OF THIS CODE.

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) "PLASTIC CARRYOUT BAG" MEANS A PLASTIC BAG THAT IS PROVIDED BY A RETAIL ESTABLISHMENT TO A CUSTOMER AT THE POINT OF SALE AND IS NOT A REUSABLE CARRYOUT BAG.

(II) "PLASTIC CARRYOUT BAG" INCLUDES A COMPOSTABLE PLASTIC BAG THAT MEETS THE SPECIFICATIONS OF THE AMERICAN SOCIETY OF TESTING AND MATERIALS INTERNATIONAL STANDARD SPECIFICATION FOR COMPOSTABLE PLASTICS D6400.

(III) "PLASTIC CARRYOUT BAG" DOES NOT INCLUDE A PLASTIC BAG USED TO CONTAIN, PACKAGE, OR WRAP:

1. BAKERY GOODS OR UNWRAPPED PREPARED FOODS;

2. BULK ITEMS, INCLUDING FRUIT, VEGETABLES, NUTS, GRAINS, CANDY, OR SMALL HARDWARE ITEMS;

3. RAW MEAT OR SEAFOOD, OR OTHER FOODS THE STATE OR CONSISTENCY OF WHICH IS NOT CONDUCIVE TO THE USE OF ANYTHING OTHER THAN PLASTIC CARRYOUT BAGS;

4. NEWSPAPERS; OR

5. FRESH FLOWERS, POTTED PLANTS, OR HERBS.

(3) "POINT OF SALE" MEANS THE PHYSICAL OR VIRTUAL PLACE WHERE A CUSTOMER EXECUTES PAYMENT FOR GOODS OR SERVICES OR RECEIVES GOODS OR SERVICES.

(4) "RETAIL ESTABLISHMENT" MEANS A STORE, FOOD SERVICE FACILITY, OR ANY OTHER ESTABLISHMENT THAT PROVIDES BAGS TO ITS CUSTOMERS AS A RESULT OF THE SALE OF GOODS OR SERVICES.

(5) "REUSABLE CARRYOUT BAG" MEANS A BAG WITH STITCHED HANDLES THAT IS MADE OF CLOTH OR OTHER WASHABLE FABRIC OR A DURABLE MATERIAL SUITABLE FOR MULTIPLE REUSE, IS SPECIFICALLY DESIGNED AND MANUFACTURED FOR MULTIPLE REUSE, AND IS NOT MADE OF PLASTIC FILM.

(B) **Prohibition.** A RETAIL ESTABLISHMENT MAY NOT PROVIDE A PLASTIC CARRYOUT BAG TO A CUSTOMER.

(C) **Duties of retail establishments.**

(1) EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3), A RETAIL ESTABLISHMENT SHALL CHARGE, COLLECT, AND RETAIN AT LEAST 10 CENTS FOR EACH PAPER CARRYOUT BAG AND REUSABLE CARRYOUT BAG THAT IT PROVIDES TO A CUSTOMER.

(2) A RETAIL ESTABLISHMENT MAY NOT CHARGE FOR A PAPER CARRYOUT BAG PROVIDED BY A PHARMACIST IF THE PAPER CARRYOUT BAG CONTAINS PRESCRIPTION DRUGS.

(3) A RETAIL ESTABLISHMENT MAY PROVIDE FREE REUSABLE CARRYOUT BAGS FOR A NINE-DAY PERIOD EACH YEAR FROM APRIL 22 THROUGH APRIL 30.

(4) (I) A RETAIL ESTABLISHMENT SHALL POST NOTICES THAT ADVISE CUSTOMERS TO BRING REUSABLE CARRYOUT BAGS OR TO PURCHASE REUSABLE CARRYOUT BAGS AND THAT EACH PAPER CARRYOUT BAG IS SUBJECT TO A CHARGE OF AT LEAST 10 CENTS.

(II) THE NOTICES SHALL BE POSTED AT EACH PLACE WHERE CUSTOMER SHOPPING CARTS ARE KEPT AND AT EACH POINT OF SALE, AND SHALL BE IN ENGLISH AND IN THE LANGUAGE OF ANY LIMITED ENGLISH PROFICIENT POPULATION THAT CONSTITUTES AT LEAST 3% OF THE COUNTY POPULATION AS MEASURED BY THE MOST RECENT UNITED STATES CENSUS.

(5) A RETAIL ESTABLISHMENT MAY NOT ADVERTISE, HOLD OUT, OR STATE TO THE PUBLIC, DIRECTLY OR INDIRECTLY, THAT REIMBURSEMENT OF ANY PART OF THE MONEY COLLECTED UNDER PARAGRAPH (1) WILL BE ASSUMED OR ABSORBED BY THE STORE OR REFUNDED TO THE CUSTOMER.

(6) A RETAIL ESTABLISHMENT SHALL INDICATE ON THE CONSUMER TRANSACTION RECEIPT THE NUMBER OF PAPER AND REUSABLE CARRYOUT BAGS PROVIDED BY THE STORE AND THE TOTAL AMOUNT OF MONEY CHARGED PER TYPE OF BAG.

(D) **Violations; enforcement.**

(1) A VIOLATION OF THIS SECTION IS A CLASS C CIVIL OFFENSE. THE COUNTY MAY ENFORCE THIS SECTION THROUGH INJUNCTIVE PROCEEDINGS OR ANY OTHER APPROPRIATE PROCEEDINGS.

(2) A RETAIL ESTABLISHMENT SHALL BE GIVEN A WARNING FOR THE FIRST OFFENSE.

(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPHS (II) AND (III), MULTIPLE VIOLATIONS DURING A CONSUMER TRANSACTION AT A SINGLE POINT OF SALE CONSTITUTES A SINGLE OFFENSE.

(II) THE PROVISION OF ONE OR MORE PLASTIC CARRYOUT BAGS PER CONSUMER TRANSACTION AT A SINGLE POINT OF SALE IS A SINGLE OFFENSE.

(III) THE FAILURE TO CHARGE, COLLECT, OR RETAIN AT LEAST 10 CENTS PER PAPER OR REUSABLE CARRYOUT BAG THAT A RETAIL ESTABLISHMENT PROVIDES TO A CUSTOMER IS A SINGLE OFFENSE.

(4) A FINE MAY NOT BE IMPOSED AGAINST A RETAIL ESTABLISHMENT MORE THAN ONCE IN A SEVEN-DAY PERIOD.

(5) (I) THE DEPARTMENT OF HEALTH SHALL ENFORCE THIS SECTION AT ALL FOOD SERVICE FACILITIES.

(II) THE DEPARTMENT OF INSPECTIONS AND PERMITS SHALL ENFORCE THIS SECTION AT ALL RETAIL ESTABLISHMENTS THAT ARE NOT FOOD SERVICE FACILITIES.

(III) THE NAME AND ADDRESS OF ANY RETAIL ESTABLISHMENT FOUND TO VIOLATE THIS SECTION, INCLUDING THE DATE OF THE VIOLATION, THE NATURE OF THE VIOLATION, AND THE AMOUNT OF ANY FINE IMPOSED, SHALL BE POSTED ON THE COUNTY'S WEBSITE.

SECTION 2. *And be it further enacted*, That a retail establishment may provide paper carryout bags and reusable carryout bags at no cost until November 1, 2023.

SECTION 3. *And be it further enacted*, That, except as provided in Section 2 of this Ordinance, this Ordinance shall take effect on October 1, 2023.

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 5

Resolution No. 3-23

Introduced by Mr. Smith, Chair
(by request of the County Executive)

By the County Council, March 6, 2023

RESOLUTION approving the determination of certain improved County-owned property at the corner of Yellow Springs South and Wye Mills South in Laurel, Maryland, as surplus property

WHEREAS, § 8-3-202 of the County Code authorizes the County Executive to dispose of real property owned by the County when the County Executive, with the approval of the County Council by resolution, has determined that the real property is surplus property; and

WHEREAS, in accordance with § 8-3-202(a) of the County Code, the County Executive inquired whether any office, department, or agency of the County has a present need, or reasonably anticipates a future need, for the property described herein (the "Property"), and no such present or future need has been identified; and

WHEREAS, the County Executive has determined that the Property is surplus property and wishes to dispose of it in accordance with Article 8, Title 3, Subtitle 2 of the County Code; and

WHEREAS, in accordance with § 8-3-202(b) of the County Code, prior to the introduction of this Resolution, notice was mailed to each adjacent property owner and to the community association representing the area in which the Property is located; and

WHEREAS, the County Council, after a public hearing on this Resolution, finds that the public interest will be furthered by declaring the Property to be surplus property; now, therefore, be it

Resolved by the County Council of Anne Arundel County, Maryland, That in accordance with § 8-3-202 of the County Code, it hereby approves the County Executive's determination that the following property, located in the Fourth Councilmanic District, is surplus property:

BEING known and designated as a Wellsite, between lots 60 and 61, a 0.25 acre parcel of land, more or less, located at the corner of Yellow Springs South and Wye Mills South, as shown on a plat entitled "Maryland City - Section 8", said plat being recorded among the Land Records of Anne Arundel County in Plat Book 32, Page 26;

AND BEING all that parcel of land described as Parcel No. 1 in a Deed dated November 13, 1997, from Anne Arundel County, Maryland to Maryland City Civic Association, Inc., and recorded on April 20, 1999, in the Land Records of Anne Arundel County, Maryland, in Deed Book 9131, at page 655, which reverted to the County by operation of law when Maryland City Civic Association, Inc. forfeited its corporate charter on or about October 1, 2015;

and be it further

Resolved, That a copy of this Resolution be sent to County Executive Steuart Pittman.

ANNE ARUNDEL COUNTY, MARYLAND
OFFICE OF THE BUDGET

RES. NUMBER: 3-23

DATE: March 6, 2023

FISCAL NOTE

RESOLUTION: **APPROVING THE DETERMINATION OF CERTAIN IMPROVED COUNTY-OWNED PROPERTY AT THE CORNER OF YELLOW SPRINGS SOUTH AND WYE MILLS SOUTH IN LAUREL, MARYLAND, AS SURPLUS PROPERTY**

SUMMARY OF LEGISLATION

The purpose of this resolution is to declare certain property surplus so the County can proceed with disposition in accordance with Article 8, Title 3, Subtitle 2 of the Anne Arundel County Code.

FISCAL IMPACT

There is no fiscal impact to declare a property surplus. Any future fiscal impact, if applicable, will be detailed in the ordinance disposing of the property.

Chris Trumbauer
______________________ 3/1/2023
Chris Trumbauer **Date**
Budget Officer

Prepared by: Kyle Madden, Budget Analyst

cc: Billie Penley, Acting Controller

ANNE ARUNDEL COUNTY OFFICE OF LAW

Legislative Summary

To: Members, Anne Arundel County Council

From: Christine Neiderer, Senior Assistant County Attorney /s/

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

Date: March 6, 2023

Subject: Resolution No. 3-23 – Approving the determination of certain improved County-owned property at the corner of Yellow Springs South and Wye Mills South in Laurel, Maryland, as surplus property

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This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Resolution No. 3-23.

Background

Section 8-3-202 of the County Code authorizes the County Executive to dispose of real property owned by the County when the County Executive, with the approval of the County Council by resolution, has determined that the real property is surplus property. In determining whether property is surplus property, the County Executive inquired whether any office, department, or agency of the County has a present need, or reasonably anticipates a future need, for the property, and no such current or future need has been identified. Prior to the introduction of this Resolution, notice was mailed to each adjacent property owner and to the community association representing the area in which the property is located.

The County conveyed to the Maryland City Civic Association, Inc. ("Association") certain property known and designated as a Wellsite, comprised of 0.25 acres, and located at the corner of Yellow Springs South and Wye Mills South, in Laurel, Maryland ("Property"), by deed dated November 13, 1997, and recorded in the Land Records of Anne Arundel County in Book 9131, Page 655 ("Deed"). The Deed included a reversion clause which provided that, in the event the Association does not use or ceases to use the Property for purposes consistent with its mission as a Civic Association, ownership of the Property would automatically revert to the County. The Association's corporate charter was forfeited on October 1, 2015, resulting in the reversion of the Property to the County.

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

The County Executive has determined that the Property identified on the plat entitled "Section 8 – Maryland City," attached hereto as Exhibit 1, is surplus property and wishes to dispose of it in accordance with Article 8, Title 3, Subtitle 2 of the County Code.

Purpose

The purpose of Resolution No. 3-23 is to approve the County Executive's determination that the Property is surplus.

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

cc: Honorable Steuart Pittman, County Executive
Christine Anderson, Chief Administrative Officer
Jeff Amoros, Chief of Staff
Peter Baron, Chief Strategy Officer
Chris Trumbauer, Budget Officer
Susan Herrold, Acting Central Services Officer

1701

1701

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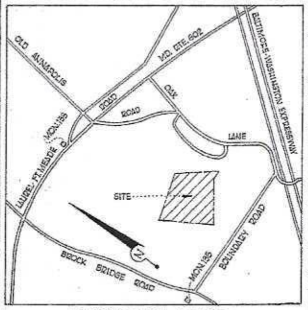

VICINITY MAP
SCALE: 1"=2000'

CURVE	RADIUS	DELTA	TAN.	LEN.	CHD. BEARING - CHD.
4-5	155.00'	16°27'-04"	22.41'	44.51'	S85°26'-28"E 44.35'
28-29	150.00'	13°28'-02"	17.71'	35.26'	S26°-23'-09"E 35.18'
43-44	105.00'	13°42'-25"	12.62'	25.12'	S69°46'-40"W 25.06'
52-53	25.00'	90°-00'-00"	25.00'	39.27'	S48°-40'-00"E 35.36'
53-54	378.84'	09°-42'-07"	32.15'	64.15'	S08°-31'-04"E 64.07'
55-43	105.00'	76°-17'-35"	82.47'	139.81'	S24°-46'-41"W 129.71'
42-56	155.00'	76°-17'-35"	121.74'	206.39'	N24°-46'-41"E 191.48'
51-56	328.84'	09°-42'-07"	27.91'	55.68'	N08°-31'-04"W 55.62'
58-59	25.00'	90°-00'-00"	25.00'	39.27'	N41°-20'-00"E 35.36'
60-61	115.00'	80°-17'-58"	97.01'	161.17'	S53°-31'-04"E 148.30'
62-63	338.62'	21°-37'-53"	68.74'	125.96'	S24°-11'-04"E 125.21'
64-65	25.00'	90°-00'-00"	25.00'	39.27'	S10°-00'-00"W 35.36'
66-67	25.00'	90°-00'-00"	25.00'	39.27'	S80°-00'-00"E 35.36'
68-80	100.00'	15°-20'-52"	13.47'	26.79'	S27°-19'-34"E 26.71'
29-69	150.00'	15°-20'-52"	20.21'	40.18'	N27°-19'-34"W 40.06'
70-71	25.00'	90°-00'-00"	25.00'	39.27'	N10°-00'-00"E 35.36'
72-73	25.00'	90°-00'-00"	25.00'	39.27'	N80°-00'-00"W-35.36'
74-75	283.62'	21°-37'-53"	54.18'	107.06'	N24°-11'-04"W 106.44'

CURVE DATA

NO	NORTH	EAST	NO	NORTH	EAST	NO	NORTH	EAST	NO	NORTH	EAST	NO	NORTH	EAST
1	458849.90	851365.32	2	458954.69	851358.61	3	458962.66	851360.26	4	459011.39	851510.12	5	459008.37	851414.33
6	459018.51	851572.50	7	459060.16	851691.81	8	459083.46	851755.91	9	459114.02	851501.66	10	459221.71	852114.39
11	459196.52	852118.04	12	459069.94	852233.01	13	459028.10	852290.37	14	458918.41	852296.24	15	458906.76	852321.15
16	458816.65	852584.24	17	458775.10	852412.92	18	458763.51	852395.50	19	458669.81	852461.46	20	458644.88	852426.57
21	458550.68	852492.53	22	458501.53	852526.95	23	458471.58	852484.18	24	458400.24	852553.65	25	458357.56	852521.62
26	458187.20	852218.53	27	458180.77	852228.81	28	458126.05	852144.93	29	458094.54	852160.56	30	458077.72	852113.48
31	457993.13	851998.52	32	457958.09	851998.60	33	457922.61	851891.35	34	457812.46	851734.68	35	457783.00	851712.72
36	457714.61	851687.96	37	457868.18	851622.44	38	457883.22	851643.92	39	457952.35	851609.52	40	458038.84	851534.96
41	458034.68	851527.81	42	458152.57	851467.65	43	458197.09	851444.89	44	458188.45	851421.37	45	458182.65	851397.04
46	458270.21	851576.23	47	458296.65	851385.37	48	458566.06	851321.35	49	458647.38	851262.94	50	458689.50	851304.45
51	458795.46	851297.66	52	458800.00	851368.52	53	458776.65	851395.01	54	458713.29	851404.51	55	458314.87	851499.25
56	458328.43	851547.89	57	458724.85	851453.21	58	458772.85	851444.97	59	458806.40	851468.32	60	458612.94	851510.40
61	458724.77	851689.64	62	458295.50	851791.65	63	458181.28	851842.94	64	458144.41	851868.75	65	458109.59	851862.61
66	458155.54	852032.83	67	458149.40	852067.85	68	458101.45	852101.22	69	458130.18	852142.16	70	458178.08	852108.61
71	458212.90	852114.15	72	458166.95	851944.53	73	458173.09	851909.71	74	458209.96	851883.90	75	458307.06	851840.29
76	458370.29	851825.26	77	458400.40	851843.81	78	458441.86	851936.17	79	458482.84	851907.49	80	458449.04	851882.25
81	458467.59	851802.14	82	458736.38	851738.28	83	458862.84	851567.20	84	458956.47	851417.53	85	458969.05	851582.63
86	459010.54	851699.79	87	458919.79	851779.55	88	459017.35	852016.70	89	458966.59	852108.21	90	459017.41	852119.14
91	459068.43	852025.89	92	459030.23	851778.37	93	459066.15	851817.95	94	459176.38	852136.34			

COORDINATES

CURVE	RADIUS	DELTA	TAN.	LEN.	CHD. BEARING - CHD.
76-77	25.00'	90°-00'-00"	25.00'	39.27'	N31°-37'-53"E 35.36'
77-78	269.76'	21°-37'-53"	51.54'	101.84'	N65°-48'-57"E 101.24'
79-80	219.76'	21°-37'-53"	41.98'	82.97'	S65°-48'-57"W 82.48'
80-81	25.00'	90°-00'-00"	25.00'	39.27'	N58°-22'-07"W 35.36'
82-83	165.00'	80°-17'-58"	139.18'	231.24'	N53°-31'-04"W 212.78'
3-84	205.00'	16°-06'-24"	29.01'	51.63'	S85°-36'-48"E 51.44'

CURVE DATA

OWNERS DEDICATION

We, Maryland Escrow Inc., a Maryland Corporation by Paul L. Plack, Vice President, and James W. Leyko, Secretary, owners of the property shown and described hereon, hereby adopt this plan of subdivision, establish the minimum building restriction lines, dedicate the streets, alleys, walks, and parks to public use, such lands to be deemed to be dedicated automatically at such times as street extensions adjacent thereto are dedicated in adjoining property.

There are no suits, actions-at-law, leases, liens, mortgages, trusts, easements or rights-of-way affecting the property in this plan of subdivision except as shown.

MARYLAND ESCROW INC.

By: Paul L. Plack — 8/22/62
Paul L. Plack, Vice President — Date

MARYLAND ESCROW INCORPORATED 1961 MARYLAND

Attest: James W. Leyko — 8/22/62
James W. Leyko, Secretary — Date

ENGINEERS CERTIFICATE

I hereby certify that the plan shown hereon is correct, that it is a subdivision of part of the land conveyed by Paul Green and Alice Green, his wife; Norman L. Arons Jr. and Judith F. Arons, his wife; and Gertrude Feuerring, unmarried, to Maryland Escrow Inc., by two deeds dated April 19, 1961 and recorded among the Land Records of Anne Arundel County in Liber G.T.C. 1470, Folio 112 and Liber G.T.C. 1470, Folio 124.

Carl H. Uhrig — 8/22/62
Carl H. Uhrig, Registered Land Surveyor No. 2283 — Date

Any lot transferred will have a minimum width and area substantially as shown hereon and only one principle building will be built on each lot.

The requirements of Sections 72 A, B, C, and D of the Annotated Code of Maryland, 1939 Edition and the requirements of Section 72-B of the Annotated Code of Maryland, 1947 Supplement, insofar as they relate to the making of this plat have been complied with.

Paul L. Plack — 8/22/62
Maryland Escrow Inc., Vice President — Date

Carl H. Uhrig — 8/22/62
Carl H. Uhrig, Registered Land Surveyor No. 2283. — Date

NOTICE TO TITLE EXAMINERS

*(1) This plat has been approved subject to an agreement dated the 5 day of Oct. 1962 with the Board of County Commissioners of Anne Arundel County.

(2) No sale or contract of sale of said lots shown hereon to be made until the necessary improvements have been satisfactorily completed, or a contract guaranteed by a surety bond or a certified check has been entered into by the developer as provided in Section III-D-2a or b of the Subdivision Regulations.

(3) That no building permits will be issued for any construction in this development until the requirements of (2) above have been complied with. * Recorded in Liber L.N. F1601 folio 176

Coordinates shown hereon are based on the Maryland State System of Plane Coordinates as projected by the Planning and Zoning Commission of Anne Arundel County, and are established from Monument No. 133 located on Maryland Route No. 602 and Monument No. 135 located on Brock Bridge Road.

The rear five feet of each lot is reserved as an easement for utilities.

ANNE ARUNDEL COUNTY PLANNING AND ZONING COMMISSION
APPROVED:

Francis W. Roesler — 10-5-62
Francis W. Roesler, Chairman — Date

ANNE ARUNDEL COUNTY HEALTH DEPARTMENT
APPROVED:

J. Howard Beard — 10-5-62
J. Howard Beard, County Health Officer Public Systems — Date

SECTION 8
MARYLAND CITY

FOURTH ELECTION DISTRICT ANNE ARUNDEL COUNTY, MD.

SCALE: 1"= 100' — AUGUST 21, 1962

100 50 0 100 200 300

JOHN E. HARMS, JR. AND ASSOCIATES
CONSULTING ENGINEERS & LAND SURVEYORS
8 CRAIN HIGHWAY, N.W. — GLEN BURNIE, MD.

FILED
1962 OCT -5 PM 3:56

Resolution No. 3-23
Legislative Summary
Exhibit 1

PLAT NO 1701, PLAT BOOK 32, PAGE 26

13-60-4

1701 MSA S5U1235 - 4377

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 5

Resolution No. 4-23

Introduced by Mr. Smith, Chair
(by request of the County Executive)

By the County Council, March 6, 2023

RESOLUTION approving the determination of certain improved County-owned property near Eagle Harbor South in Laurel, Maryland, as surplus property

WHEREAS, § 8-3-202 of the County Code authorizes the County Executive to dispose of real property owned by the County when the County Executive, with the approval of the County Council by resolution, has determined that the real property is surplus property; and

WHEREAS, in accordance with § 8-3-202(a) of the County Code, the County Executive inquired whether any office, department, or agency of the County has a present need, or reasonably anticipates a future need, for the property described herein (the "Property"), and no such present or future need has been identified; and

WHEREAS, the County Executive has determined that the Property is surplus property and wishes to dispose of it in accordance with Article 8, Title 3, Subtitle 2 of the County Code; and

WHEREAS, in accordance with § 8-3-202(b) of the County Code, prior to the introduction of this Resolution, notice was mailed to each adjacent property owner and to the community association representing the area in which the Property is located; and

WHEREAS, the County Council, after a public hearing on this Resolution, finds that the public interest will be furthered by declaring the Property to be surplus property; now, therefore, be it

Resolved by the County Council of Anne Arundel County, Maryland, That in accordance with § 8-3-202 of the County Code, it hereby approves the County Executive's determination that the following property, located in the Fourth Councilmanic District, is surplus property:

BEING known and designated as a Wellsite, Lot 38, a 0.1637 acre parcel of land, more or less, as shown on a plat entitled "Maryland City - Section 7", said plat being recorded among the Land Records of Anne Arundel County in Plat Book 32, Page 10.

AND BEING all that parcel of land described as Parcel No. 2 in a Deed dated November 13, 1997 from Anne Arundel County, Maryland to Maryland City

Civic Association, Inc., and recorded on April 20, 1999, in the Land Records of Anne Arundel County, Maryland, in Deed Book 9131, at page 655, which reverted to the County by operation of law when Maryland City Civic Association, Inc. forfeited its corporate charter on or about October 1, 2015;

and be it further

Resolved, That a copy of this Resolution be sent to County Executive Steuart Pittman.

ANNE ARUNDEL COUNTY, MARYLAND
OFFICE OF THE BUDGET

RES. NUMBER: 4-23

DATE: March 6, 2023

FISCAL NOTE

RESOLUTION: **APPROVING THE DETERMINATION OF CERTAIN IMPROVED COUNTY-OWNED PROPERTY NEAR EAGLE HARBOR SOUTH IN LAUREL, MARYLAND, AS SURPLUS PROPERTY**

SUMMARY OF LEGISLATION

The purpose of this resolution is to declare certain property surplus so the County can proceed with disposition in accordance with Article 8, Title 3, Subtitle 2 of the Anne Arundel County Code.

FISCAL IMPACT

There is no fiscal impact to declare a property surplus. Any future fiscal impact, if applicable, will be detailed in the ordinance disposing of the property.

Chris Trumbauer
Chris Trumbauer
Budget Officer

3/1/2023
Date

Prepared by: Kyle Madden, Budget Analyst

cc: Billie Penley, Acting Controller

ANNE ARUNDEL COUNTY OFFICE OF LAW

Legislative Summary

To: Members, Anne Arundel County Council

From: Christine Neiderer, Senior Assistant County Attorney /s/

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

Date: March 6, 2023

Subject: Resolution No. 4-23 – Approving the determination of certain improved County-owned property near Eagle Harbor South in Laurel, Maryland, as surplus property

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This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Resolution No. 4-23.

Background

Section 8-3-202 of the County Code authorizes the County Executive to dispose of real property owned by the County when the County Executive, with the approval of the County Council by resolution, has determined that the real property is surplus property. In determining whether property is surplus property, the County Executive inquired whether any office, department, or agency of the County has a present need, or reasonably anticipates a future need, for the property, and no such current or future need has been identified. Prior to the introduction of this Resolution, notice was mailed to each adjacent property owner and to the community association representing the area in which the property is located.

The County conveyed to the Maryland City Civic Association, Inc. ("Association") certain property known and designated as a Wellsite, comprised of 0.1637 acres, more or less, identified as Lot 38 on the plat entitled "Section 7 – Maryland City" ("Property"), attached hereto as Exhibit 1, ("Property"), by deed dated November 13, 1997, and recorded in the Land Records of Anne Arundel County in Book 9131, Page 655 ("Deed"). The Property is located along Eagle Harbor South, in Laurel, Maryland. The Deed included a reversion clause which provided that, in the event the Association does not use or ceases to use the Property for purposes consistent with its mission as a Civic Association, ownership of the Property would automatically revert to the County. The Association's corporate charter was forfeited on October 1, 2015, resulting in the reversion of the Property to the County.

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

The County Executive has determined that the Property is surplus property and wishes to dispose of it in accordance with Article 8, Title 3, Subtitle 2 of the County Code.

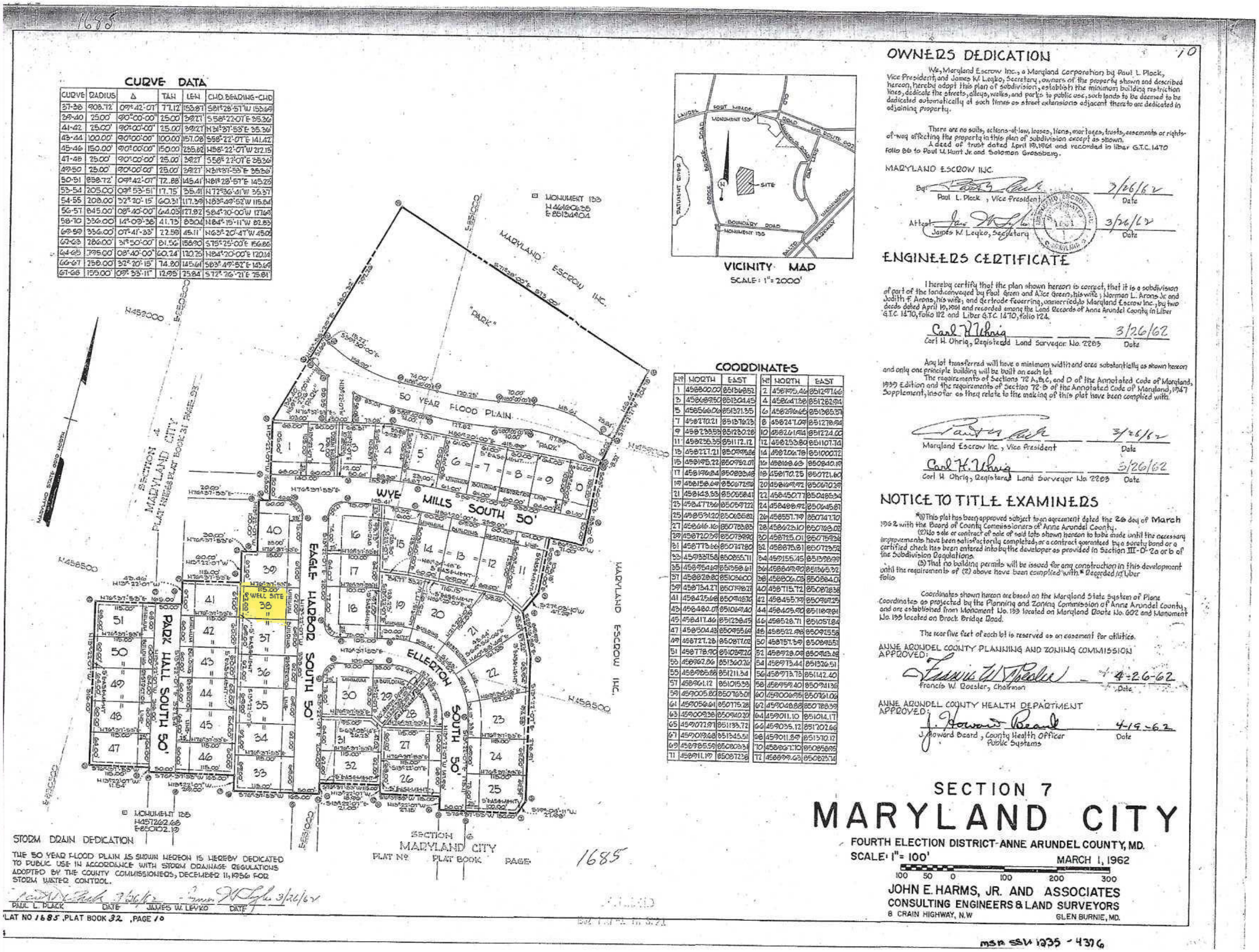
Purpose

The purpose of Resolution No. 4-23 is to approve the County Executive's determination that the Property is surplus.

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

cc: Honorable Steuart Pittman, County Executive
Christine Anderson, Chief Administrative Officer
Jeff Amoros, Chief of Staff
Peter Baron, Chief Strategy Officer
Chris Trumbauer, Budget Officer
Susan Herrold, Acting Central Services Officer

Resolution No. 4-23
Legislative Summary
Exhibit 1



ANNE ARUNDEL COUNTY
OFFICE OF THE COUNTY AUDITOR

To: Councilmembers, Anne Arundel County Council

From: Michelle Bohlayer, County Auditor

Date: March 1, 2023

Subject: Auditor's Review of Legislation for the March 6, 2023 Council Meeting

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Bill 3-23: Zoning – Small Business Districts – Religious Facilities (As Amended)	**Summary of Legislation** This bill allows religious facilities as a permitted use in Small Business Districts. We commented on this bill in our letter dated February 16, 2023. At the February 21, 2023 Council meeting, this bill was amended to repeal a prohibition on outside storage as an accessory use in Small Business Districts and allows outside storage as permitted use in Small Business Districts if the outside storage is accessory to a permitted use and is limited to 10% of the allowed lot coverage. We have no further comments on this bill.
Bill 6-23: Subdivision and Development – Zoning – Accessory Dwelling Units (As Amended)	**Summary of Legislation** This bill exempts accessory dwelling units from impact fees; amends the definitions of density and dwelling unit, accessory; repeals certain parking requirements for accessory dwelling units; amends the conditional use requirements for accessory dwelling units; and allows accessory dwelling units in use as of a certain date to be exempt from certain conditional use requirements. We commented on this bill in our letter dated February 16, 2023. At the February 21, 2023 Council meeting, this bill was amended to strike a conditional use requirement that the principal single-family detached dwelling or the accessory dwelling unit be owner-occupied and that notice of this requirement be recorded in the County land records. We have no further comments on this bill.

Bill 7-23:
Personnel – Positions in the Classified Service – Position Control

Summary of Legislation

This bill removes the one Secretary III position and adds one Management Assistant II position in the Office of Law (Law). It also decreases one Secretary II and one Office Support Assistant I positions and increases two Office Support Specialist positions in the Police Department (Police). This bill decreases one Correctional Program Specialist II position and adds one Program Manager position in the Department of Detention Facilities (Detention). It also decreases one Office Support Assistant II position and increases one Financial Reporting Manager position in the Office of Finance (Finance). The positions that are being decreased were included in the Fiscal Year 2023 Approved Budget (FY23 Budget).

The Management Assistant II Law position is to provide advanced technical support work to support Law technology issues across a variety of computer platforms. The two Office Support Specialist Police positions are to provide promotional opportunities as well as higher level duties based on the administrative needs of Animal Care and Control. The Program Manager Detention position is for a Training and Correctional Standards Compliance Director to provide a training and compliance program. The Financial Reporting Manager Finance position is for an EMS Administrator to operate the County ambulance billing program.

Review of Fiscal Impact

The one vacant Secretary III Law position will be converted to a Management Assistant II position. Annual salary costs for one Management Assistant II position ranges from approximately \$62,100 to \$110,800. This position is new and no funds were included in the FY23 Budget, however, funds for annual salary costs totaling \$52,170 were included in the FY23 Budget for the one vacant Secretary III position. The FY23 fiscal impact of the Management Assistant II position will depend on the hiring date, negotiated salary, and associated benefits. Law intends to fill the position as soon as possible.

The one vacant Secretary II and one vacant Office Support Assistant I Police positions will be converted to two Office Support Specialist positions. Annual salary costs for one Office Support Specialist positions ranges from approximately \$37,900 to \$59,300. These positions are new and no funds were included in the FY23 Budget, however, funds for annual salary costs totaling \$85,869 were included in the FY23 Budget for the two existing positions. The FY23 fiscal impact of the Office Support Specialist positions will depend on the hiring date, negotiated salary, and associated benefits. Police intends to fill the positions as soon as possible.

Also, one of five vacant Correctional Program Specialist II Detention positions will be converted to a Program Manager position. Annual salary costs for one Program Manager position ranges from approximately \$72,000 to \$128,500. This position is new and no funds

Bill 7-23 (continued)	were included in the FY23 Budget, however, funds for annual salary costs totaling $74,751 were included in the FY23 Budget for the vacant Correctional Program Specialist II position. The FY23 fiscal impact of the Program Manager position will depend on the hiring date, negotiated salary, and associated benefits. Detention intends to fill the position as soon as possible. One of two vacant Office Support Assistant II Finance positions will be converted to a Financial Reporting Manager position. Annual salary costs for one Financial Reporting Manager position ranges from approximately $83,500 to $149,000. This position is new and no funds were included in the FY23 Budget, however, funds for annual salary costs totaling $45,035 were included in the FY23 Budget for the one vacant Office Support Assistant II position. The FY23 fiscal impact of the Financial Reporting Manager position will depend on the hiring date, negotiated salary, and associated benefits. Finance intends to fill the position as soon as possible.
Bill 8-23: Personnel – Positions in the Classified Service	**Summary of Legislation** This bill amends the pay grade and work week of the Police Fleet Coordinator position, amends the title of the Park Ranger position, and adds a Park Ranger II position. In addition, the bill removes 22 Park Ranger positions in the Department of Recreation and Parks that were included in the FY23 Budget and adds 22 Park Ranger I positions in the FY23 Budget. **Review of Fiscal Impact** This bill includes a two-grade increase for the currently occupied Police Fleet Coordinator position based on a job study of the existing position because of added duties and a growing vehicle fleet. The revised pay grade for the Police Fleet Coordinator position reflects a 10% increase in the minimum and maximum salaries. Assuming a 10% increase in the current salary for the Police Fleet Coordinator, the total annual increase is approximately $8,000. Police advised that there are enough funds to absorb the salary increase in their FY23 Budget. There is no immediate fiscal impact related to the name change from Park Ranger to Park Ranger I and the creation of the new classification of Park Ranger II, however, the Park Ranger I and II positions are intended to be a proficiency series. If the proficiency series is approved by the Administration, the positions could be reclassified upon evaluation by the Office of Personnel without review or approval by the Council.

Bill 9-23: **Subdivision and Development – Adequate Public Facilities – Public Schools**	**Summary of Legislation** This bill extends the termination date established by Bill 85-21 for certain provisions related to adequate public facilities and public schools from May 1, 2023 until September 1, 2023. **Review of Fiscal Impact** This bill does not have a direct fiscal impact because the extension continues the provisions from Bill 85-21 that are currently in effect. If the date remains as May 1, 2023 and the provisions from Bill 85-21 are no longer in effect, this could result in increased future residential development and could potentially increase the amount of impact and permit fees and taxes collected by the County if certain proposed development projects were no longer placed on the school waiting list.
Bill 10-23: **Floodplain Management, Erosion and Sediment Control, and Stormwater Management – Subdivision and Development – Water Quality Improvement Projects**	**Summary of Legislation** This bill defines water quality improvement project and exempts certain water quality improvement projects from the prohibition against development in natural feature areas. **Review of Fiscal Impact** The Office of Planning and Zoning (OPZ) does not expect a fiscal impact from this bill, however, it may reduce workload for both OPZ and permit preparation costs for certain Watershed Protection and Restoration Fund (WPRF) capital projects because modifications would no longer be required for certain water quality improvement projects. This bill may impact WPRF projects and certain non-profit and other private sector water quality projects in the County.
Bill 11-23: **Zoning – Mixed Use Districts – Uses Under the Optional Method of Development**	**Summary of Legislation** This bill transfers certain permitted uses allowed under the optional method of development in mixed use districts from the retail and service or other categories to the office or industrial categories. **Review of Fiscal Impact** This bill has no fiscal impact.

AMENDMENT TO BILL NO. 6-23, AS AMENDED
(Subdivision and Development – Zoning – Accessory Dwelling Units)

March 6, 2023

Introduced by Ms. Rodvien

Amendment No. 4

On page 1 of the amended bill, in line 1, after the colon insert "Public Works –"; in line 4, after "from" insert "capital facility connection charges and"; in line 8, after the second "to" insert "public works,"; in line 9, after "development" insert a comma; in line 11, after the section symbols insert "13-5-813(k)(1);"; and after line 16, insert:

"**ARTICLE 13. PUBLIC WORKS**

TITLE 5. UTILITIES

13-5-813. Water and wastewater system connection charges and assessments.

(k) **Properties exempt from all or part of capital facility connection charges.**

(1) Religious facilities, parsonages, housing for the elderly of moderate means, incorporated nonprofit community association facilities, structures for nonprofit veterans and military service organizations exempt from taxation under section 501(c)(19) of the Internal Revenue Code with a rated capacity of 500 people or fewer pursuant to the Fire Prevention Code, **[[and]]** nonprofit educational structures, AND ACCESSORY DWELLING UNITS, AS DEFINED IN § 18-1-101 OF THIS CODE, are exempt from capital facility connection charges.".

(This amendment exempts accessory dwelling units from capital facility connection charges.)

AMENDMENT TO BILL NO. 6-23, AS AMENDED
(Subdivision and Development – Zoning – Accessory Dwelling Units)

March 6, 2023

Introduced by Mr. Volke

Amendment No. 5

On page 1 of the amended bill, in line 4, after "exempting" insert "certain".

On page 2, in line 16, after "UNITS" insert ", PROVIDED THAT THE ACCESSORY DWELLING UNIT IS NOT CONSTRUCTED DURING THE NEW CONSTRUCTION OF A PRINCIPAL SINGLE-FAMILY DETACHED DWELLING".

(This amendment limits the exemption from impact fees for accessory dwelling units to only accessory dwelling units that are not part of the new construction of a principal single-family detached dwelling.)

AMENDMENT TO BILL NO. 6-23, AS AMENDED
(Subdivision and Development – Zoning – Accessory Dwelling Units)

March 6, 2023

Introduced by Mr. Volke

Amendment No. 6

On page 1 of the amended bill, in line 5, strike "repealing" and substitute "amending".

On page 3, after line 12, amend the chart as follows:

"**Use**	**Parking**
~~[[~~Dwellings; accessory units~~]]~~	**[[**1**]]** 0.5 space for each dwelling unit~~]]~~"

(This amendment reduces the number of required parking spaces for accessory dwelling units from 1 space per unit to ½ a space per unit.)

AMENDMENT TO BILL NO. 6-23, AS AMENDED
(Subdivision and Development – Zoning – Accessory Dwelling Units)

March 6, 2023

Introduced by Ms. Rodvien

Amendment No. 7

On page 4 of the amended bill, strike in their entirety lines 7 through 10, inclusive, and substitute:

"(7) THE PRINCIPAL SINGLE-FAMILY DETACHED DWELLING OR ACCESSORY DWELLING UNIT MAY BE USED FOR SHORT-TERM RESIDENTIAL RENTALS, AS DEFINED IN ARTICLE 11 OF THIS CODE, IF THE PRINCIPAL SINGLE-FAMILY DETACHED DWELLING OR ACCESSORY DWELLING UNIT IS OWNER-OCCUPIED.".

(This amendment allows the short-term rental of the principal single-family detached dwelling or accessory dwelling unit if the principal single-family detached dwelling or accessory dwelling unit is owner-occupied.)

AMENDMENT TO BILL NO. 6-23, AS AMENDED
(Subdivision and Development – Zoning – Accessory Dwelling Units)

March 6, 2023

Introduced by Ms. Fiedler and Ms. Leadbetter

Amendment No. 8

On page 4 of the amended bill, after line 15, insert:

"(9) A VARIANCE MAY NOT BE GRANTED TO REDUCE THE MINIMUM SETBACK REQUIREMENTS TO AN ADJACENT LOT LOCATED IN A RESIDENTIAL DISTRICT.".

(This amendment prohibits a variance for an accessory dwelling unit that reduces the minimum set back requirements to an adjacent lot located in a residential district.)

AMENDMENT TO BILL NO. 10-23
(Floodplain Management, Erosion and Sediment Control, and Stormwater Management – Subdivision and Development – Water Quality Improvement Projects)

March 6, 2023

Introduced by Mr. Smith, Chair
(by request of the County Executive)

Amendment No. 1

On page 2 of the proposed bill, in line 26, strike "AND" and substitute "OR".

(This amendment makes a certain stylistic change to the definition of "water quality improvement project".)

AMENDMENT TO BILL NO. 10-23
(Floodplain Management, Erosion and Sediment Control, and Stormwater Management – Subdivision and Development – Water Quality Improvement Projects)

March 6, 2023

Introduced by Mr. Smith, Chair
(by request of the County Executive)

Amendment No. 2

On page 1 of the proposed bill, in line 7, after the semi-colon, insert "exempting certain water quality improvement projects from the site development plan process;"; and in line 18, strike "§16-2-101" and substitute "§§ 16-2-101; and 17-4-101".

On page 3, after line 2, insert:

"**TITLE 4. SITE DEVELOPMENT**

17-4-101. Scope.

This title applies to site development only and does not apply to:

***

(6) accessory uses to farming, such as farm stores or stands that sell farm products or value-added farm products directly to consumers, that:

***

(ii) have a proposed cumulative limit of disturbance of less than 5,000 square feet; **[[or]]**

(7) a temporary use authorized under § 18-2-203 of this Code; OR

(8) A WATER QUALITY IMPROVEMENT PROJECT AS DEFINED IN § 16-1-101 OF THIS CODE.".

(This amendment exempts certain water quality improvement projects from the site development plan process.)