

## PTACHC Legislative Committee Report for April 1, 2019

Still getting up to speed and trying to figure how to monitor the Board of Education, the County Council, and the Maryland General Assembly.

Maryland General Assembly is down to one week before Sine Die Day ... which is the adjournment day for the General Assembly until next year. Whatever doesn't happen by that day, will not be happening this year.

This is a recap of only a few of the items we are trying to follow and a few potential action items for PTACHC.

### Maryland General Assembly

- **HB 1409** - which is the APFO legislation. As the bill currently stands, it is no longer a bill raising the school facilities surcharge that is charged to developers building new developments. As amended the bill seeks to give permission to our County Council to do so, while prohibiting said charges on units deemed affordable or senior housing.

There is little we can do right now, however, it is possible that something will move and we might reach out to you this week and ask you to call or email your state representatives on this. So, please be on the lookout for the ask and act quickly should it arise.

- **SB 128** - Pertaining to giving control of school calendars back to local authorities was passed by both houses, subsequently vetoed by the governor, and then the veto was overrode by both houses. So, effective July 2019, Howard County Board of Ed and Public School system is back in control of its calendar. We don't currently have any information about whether or not the school calendar for the 2019-20 year will change. Stay tuned.
- **SB653** - We are watching legislation related to state authority for Howard and Carroll Counties to work together on a way to utilize resources across county lines. Specifically, while Howards' system is bursting at the seams, Carroll County is experiencing a reduction in its school aged population and has already shuttered 3 facilities. This legislation does not DO anything other than authorize the counties to work together if they choose to do so and to operate across county lines to potentially open a facility(s) whereby kids from one county could go to a school in another. However, we do feel like this is something to keep an eye on at the local level as there seems to be a lot of details to consider with such an arrangement that was not fleshed out at the state level.

### Howard County Council

- **CB17-2019** - (Introduced by Liz Walsh) - AN ACT altering the number of consecutive years a project or phase of a project must be retested each time the County Council adopts new annual housing unit allocations and school capacity charts under the school capacity test of the Adequate Public Facilities Act of Howard County.

Currently, if a development project fails the schools capacity test for 4 years, it is deemed to have passed regardless of the capacity of surrounding schools. This bill proposes to raise that number to 7 years.

The intent of this bill focuses on the fact that the current rule of 4 years has not allowed the schools enough time to recover from increases in growth.

While we hope that legislation passes at the state level to allow our county to raise developer impact fees, they have one week left to make that happen for this year. At the moment this is only other relief tool we have at our disposal. The Committee is recommending that PTACHC support this piece of legislation.

*Move that PTACHC support passage of CB17-2019 to alter the number of years schools must be retested from 4 years to 7 years. By passing this vote we are saying that 4 years is not enough time for our schools to recover needed capacity to allow increases in housing construction.*

- **CR49-2019** - This piece of legislation seeks to finalize the deal to purchase the school site on Mission Road for the next high school. In conjunction with the sale and purchase of the property at issue, the agreement seeks to give Chase Land, LLC (the owner of the Quarry property), the right and ability to further develop the adjacent property (to that which is being sold for the school site) pursuant to laws and regulations in place on the date of execution of the agreement. This agreement extends for 25 years and passes to subsequent property owners. Generally speaking, this agreement and others like this, give the developer 25 years free of APFO restrictions and any alterations to zoning in the area. They would be subject to no Moratoriums (such as the current pause in development in Ellicott City because of flooding in the watershed) and would be free to continue to operate and/or develop the property as they see fit pursuant to the existing Special Exception to operate that they currently have. They put the Board of Education and the County Council in a difficult spot because we so desperately want and need a new high school.

Also note, that because of the politics of those entities, they may not in a position to speak out against the Agreement. PTACHC does not have the same restrictions. The PTACHC Legislative Committee is recommending that PTACHC take a position in the interests of our children. We are not speaking out against the site choice. That choice has been made. We do feel that the county should not enter into an agreement which gives anyone a position to be free of restrictions related to adequate public facilities, zoning and/or land use moratoriums next to a school. Such agreements are not appropriate for the safety of our children. We want the County Council to continue to pursue acquisition of the said property without these restrictions. We also want the CC and the BOE to communicate extensively on this topic at the upcoming meeting on April 8. Our hope is that if Howard County residents unite to put pressure on, the developer will back down.

Please plan to attend/watch/respond to the meeting on April 8 between Council and Board of Education at 8:30 a.m at the Board of Education building.

Also, April 22 is the date for public testimony on both CB17 (on APFO wait times and CR49 (Mission Road Developer Agreement). Please plan to attend, give testimony, and/or send in testimony to [councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov). Banneker Room of the George Howard Building at 7 pm on April 22.

*Move that PTACHC take a position in concern of CR49-2019 that the County should continue to pursue acquisition of the Mission Road site for High School #13 without the 25 years of allowances to the developer to operate without appropriate regulations and restrictions that are related to the health and safety of the citizens of Howard County and the children at the adjacent school.*

**Board of Education -**

- At a meeting the last week, the Board of Education voted to move forward with putting red light cameras on the school buses. If you were not watching or attending the meeting last week, I recommend you pull it up online and watch the news video clip that was shared with the Board. State legislation has already allowed cameras on school busses. As it stands now, the County Council needs to create some legislation to take this to the next step. We are recommending at this time that PTACHC should preemptively take a position to support the creation and the passing of said legislation.

*Move that PTACHC send to the County Council a letter preemptively supporting the creation and passing of legislation that will further the goal of placing red light cameras on school buses.*