

Amendment 4 to Transfer of Appropriation Ordinance No. 1 Fiscal Year 2019

**BY: Calvin Ball
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**Legislative Day No: 13
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Amendment No. 4

1 (This amendment proposes to:

- 2 • Require that the Section 106 of the National Historic Preservation Act review is
3 completed before funds can be used for demolition of historic properties in the 2018
4 Flood Mitigation Plan area;
- 5 • Require that a public hearing is conducted before funds can be used for demolition
6 of historic properties in the 2018 Flood Mitigation Plan area;
- 7 • Indicate that if the County does acquire historic properties in the 2018 Flood
8 Mitigation Plan area that certain protections are put into place before the property
9 is turned over to another entity; and
- 10 • Indicate the County's preference to transfer historic properties that it acquires in
11 the 2018 Flood Mitigation Plan area to a public/private urban development
12 organization.)

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15 On page 3, immediately following line 25, insert the following:

16 “Section 4. And Be It Further Enacted by the County Council of Howard County,
17 Maryland that, in the current expense budget and capital budget attached to this Act or
18 incorporated by reference, no funds shall be used to demolish historic structures in the
19 2018 Flood Mitigation Plan area until the following conditions are met:

- 20 1. A Section 106 of the National Historic Preservation Act review, as defined in the
21 Department of Interior Standards, is conducted; and
- 22 2. A public hearing is conducted by the County Executive with the Directors of the
23 Department of Public Works and the Department of Planning and Zoning to:
24 present the results of the Section 106 review; present the plan and timeline for
25 implementation of the projects identified in the 2016 McCormick Taylor H&H
26 study and in later McCormick Taylor evaluations, including post-2018
27 evaluations; present an independent fiscal and constructability study for bored

1 tunnels to divert floodwaters; present a structural stabilization and
2 waterproofing plan for all County-owned historic contributing structures;
3 present the results from the evaluation of obtaining funding from Program
4 Open Space to create a community park; and hear testimony from the public on
5 all of the issues above. At least 30 days prior to the public hearing, the County
6 shall post all of the items to be presented on the County's website along with
7 notice of the date, time, and place of the hearing.

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9 **Section 5. And Be It Further Enacted** by the County Council of Howard County,
10 Maryland that, no funds from the current expense budget and capital budget attached
11 to this Act or incorporated by reference be used by the County to acquire property
12 within the Historic District unless at closing a covenant or deed restriction is
13 recorded on the property that specifies that if the County decides to transfer the
14 property at any point, it shall only transfer the property to a non-profit economic
15 development organization created to support and revitalize Ellicott City with the
16 mission to retain and expand its historic character, economic opportunity, and health
17 and well-being of its residents and employees.

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19 **Section 6. And Be It Further Enacted** by the County Council of Howard County,
20 Maryland that, no funds from the current expense budget and capital budget attached
21 to this Act or incorporated by reference be used by the County to acquire property
22 within the Historic District unless at closing a covenant or deed restriction is
23 recorded on the property that specifies that if the County decides to transfer the
24 property at any point, it shall only transfer the property with preservation protections
25 such as easements in place.”.

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27 Renumber the remainder of the bill accordingly.
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