

Introduced 2-1-21  
Public Hearing 2-16-21  
Council Action 2-16-21  
Executive Action 2-17-21  
Effective Date 2-17-21

## County Council Of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 3

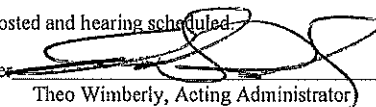
Bill No. 15 -2021

Introduced by: The Chairperson at the request of the County Executive

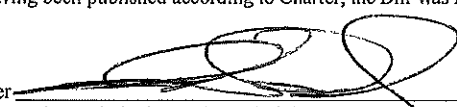
AN ACT making emergency appropriations pursuant to Section 610(b) of the Howard County Charter and amending the Annual Budget and Appropriation for Fiscal Year 2021 in order to receive grant funding from the United States Department of the Treasury to provide rent and utility assistance; and declaring that this Act is an Emergency Bill necessary to meet a public emergency affecting life, health or property.

---

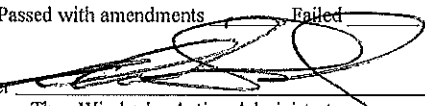
Introduced and read first time February 1, 2021. Ordered posted and hearing scheduled.

By order   
Theo Wimberly, Acting Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on February 16, 2021.

By order   
Theo Wimberly, Acting Administrator


This Bill was read the third time on February 16, 2021 and Passed  Passed with amendments  Failed

By order   
Theo Wimberly, Acting Administrator

Sealed with the County Seal and presented to the County Executive for approval this 16 day of February, 2021 at    a.m./p.m.

By order   
Theo Wimberly, Acting Administrator

Approved by the County Executive February 17, 2021

  
Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

1           **WHEREAS**, Council Bill No. 25-2020 (CB25) is known as the Annual Budget and  
2 Appropriation Ordinance of Howard County, Fiscal Year 2021 and contains the capital and  
3 operating budget for the fiscal year beginning July 1, 2020 and ending June 30, 2021; and  
4

5           **WHEREAS**, because of the health emergency related to COVID-19, the United States  
6 Department of the Treasury has awarded grant funds in the amount of \$9,735,056 to provide rent  
7 and utility assistance; and  
8

9           **WHEREAS**, grant funds can be used to pay up to nine months of past due rent or utilities  
10 for residents that suffered a COVID-related loss of income, reduction in hours, or medical  
11 illness; and  
12

13           **WHEREAS**, residents who already received three or six months of rental assistance, as  
14 well as residents who are still unemployed, could be eligible for additional assistance from this  
15 grant; and  
16

17           **WHEREAS**, following the passage of SAOs 2, 3, 4 and 5, all of Fiscal Year 2021, there  
18 is not enough spending authority in the Grant Fund, Contingency Reserve to accept the grant  
19 funding awarded by the United States Department of the Treasury; and  
20

21           **WHEREAS**, the Fiscal Year 2021 budget needs to be amended to receive and  
22 appropriate the additional unexpected emergency grant funding; and  
23

24           **WHEREAS**, pursuant to Section 610(b) of the Howard County Charter, this Emergency  
25 Bill is necessary to meet a public emergency affecting life, health or property.  
26

27           **NOW, THEREFORE,**  
28

29           *Section 1. Be It Enacted by the County Council of Howard County, Maryland, that the following*  
30 *emergency appropriation of grant funds is authorized and approved for the fiscal year beginning*  
31 *July 1, 2020 and ending June 30, 2021, as shown below:*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

**Department of Housing and Community Development– US Department of the Treasury –  
Emergency Rental Assistance**

2600000000 – 516190 – 6100000000 – 999999999910000000122200

Fiscal Year 2021 Appropriation before transfer	\$0
Plus grant funding	<u>\$9,735,056</u>
Fiscal Year 2021 Appropriation after transfer	<b>\$9,735,056</b>

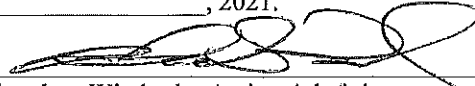
*Section 2. And Be It Further Enacted that the grant total for the Department of Housing and Community Development, as reflected on page 112 of Council Bill No. 25-2020, is amended to be \$12,305,412.*

*Section 3. And Be It Further Enacted the Grant Fund total for Fiscal Year 2021, as reflected on page 116 of Council Bill No. 25-2020, is amended to be \$43,375,179 and, in the current expense budget attached to Council Bill No. 25-2020 or incorporated by reference, all subtotals, totals, and other calculated figures shall be adjusted, as needed, to accommodate this Act.*

*Section 4. And Be It Further Enacted by the County Council of Howard County, Maryland that this Act is adopted as an emergency measure to address an immediate emergency affecting public health, safety, or welfare and having been passed by two-thirds of its members, this Act shall be effective immediately upon its enactment.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on \_\_\_\_\_, 2021.

  
\_\_\_\_\_  
Theodore Wimberly, Acting Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Theodore Wimberly, Acting Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Theodore Wimberly, Acting Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Theodore Wimberly, Acting Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Theodore Wimberly, Acting Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Theodore Wimberly, Acting Administrator to the County Council

**Office of the County Auditor**  
**Auditor's Analysis**

**Council Bill No. 15-2021**

Introduced: February 3, 2021

Auditor: Owen Clark

---

Fiscal Impact:

The fiscal impact of this legislation in Fiscal Year 2021 is an increase of \$9,735,056 in grant appropriations to provide pandemic support as noted in the Purpose. This will increase the County's operating budget (specifically for the Department of Housing and Community Development) by the same amount.

**NOTE:** There is \$659,017 remaining in the Grant Contingency Fund. Rather than utilizing this available appropriation, the Administration has indicated they intend to save the Grant Contingency Fund for smaller grants that may come up later in FY 2021.

See Other Comments, which shows the FY 2021 use of the Grant Contingency Fund and legislation which increased the Operating Budget.

Purpose:

The purpose of this legislation is to amend and increase the FY 2021 budget in order to receive approximately \$9.7 million Emergency Rental Assistance Program Grant funds from the U.S. Department of the Treasury (Treasury).

Other Comments:

The Administration estimates \$8.7 million will be utilized for rent assistance and \$1 million will be used for utility assistance.

Ninety percent of the Emergency Rental Assistance Program funds must be used for direct financial assistance, such as rent, utilities, home energy costs, and other expenses related to housing. The remaining portion of these funds may be used for housing stability services, such as case management and administrative costs. Program Funding expires December 31, 2021.

According to the Department of Housing and Community Development (DHCD), draft grant agreements with non-profit partners are being developed to expedite funding once legislation is approved. *We have asked DHCD if there are costs associated with this effort.*

Applications for assistance will be filed through these selected non-profit partners. Residents will be eligible for up to 9 months of past due rent (minus any assistance that they have received from prior rental assistance grants). There is no maximum assistance amount per resident.

The non-profit partners will verify past due balances, past assistance received, and provide funds to landlords directly to bring resident accounts current. To protect vulnerable residents, DHCD is also considering direct payments to property owners that provide evidence of residents with past due balances who are unable to apply for assistance on their own.

These funds cannot be used for foreclosure assistance. The DHCD will use a portion of the \$6.7 million in emergency COVID-19 relief from Council Bill 3-2021 for funding foreclosure prevention.

Fiscal Year 2021 Grant Funding:

The Grant Contingency Fund is an appropriation authority which allows the acceptance of Grant Funds during the current fiscal year. For FY 2021, \$5 million was appropriated in the Grant Contingency Fund. Noted below is the use of this appropriation to date:

<b>Beginning Balance</b>	<b>\$ 5,000,000</b>	<b>Description</b>
<b>Less:</b>		
SAO2-2021	(644,475)	DPW Truck Replacement
SAO3-2021	(502,264)	Human Trafficking Prevention
SAO4-2021	(688,226)	Elections - COVID Response
SAO5-2021	(2,506,018)	State COVID-related Relief
<b>Ending Balance</b>	<b>\$ 659,017</b>	

Summary of Grant Funding received that increased the County's FY 2021 Operating Budget:

<b>Beginning Operating Budget</b>	<b>\$ 1,757,513,545</b>	<b>Description</b>
<b>Plus:</b>		
CB10-2021	3,129,502	State Funds for Restaurants/Hotels
CB15-2021	9,735,056	U.S. Treasury Rental Relief
<b>Ending Operating Balance<sup>1</sup></b>	<b>\$ 1,770,378,103</b>	

<sup>1</sup>Ending Operating Balance does not include the \$6.5 million transfer from County's Fund Balance approved through CB3-2021.