

**Amendment 2 to Council Resolution No. 16 - 2022**

**BY: Liz Walsh**

**Legislative Day 5**

**Date: March 7, 2022**

**Amendment No. 2**

*(This amendment requests that the County Executive identify an alternative to the conveyance in fee simple of the subject property given the public obligation and purpose to protect Main Street, Ellicott City.)*

1 On the title page, strike the title in its entirety and substitute the following:

2 “A RESOLUTION requesting that the County Executive identify an alternative to the  
3 conveyance in fee simple of that portion of land containing a total of 1,669 square feet or  
4 0.0383 acres owned by Howard County, Maryland located on Main Street in Ellicott  
5 City.”.

6

7 On page 1, in line 11, strike the comma and substitute “; and”.

8

9 On page 1, strike beginning in line 12 through line 24 on page 2, and substitute the following:

10 “WHEREAS, Ellicott City suffered two catastrophic floods, in 2016 and again in 2018;  
11 nearly all of the public work in and around Main Street since has been to repair,  
12 reconstruct or demolish and remove what remained; and

13

14 WHEREAS, on December 7, 2020 this County Council unanimously approved the  
15 Ellicott City Watershed Master Plan (the “2020 Watershed Master Plan”) to provide

1 policies and implementing actions for protecting and enhancing flood-impacted Ellicott  
2 City and the surrounding New Cut, Tiber and Hudson watersheds; and  
3 WHEREAS, pending completion of the largest and last-planned upstream floodworks  
4 project, “stream constriction points and floodwater flows in the Downtown core”  
5 predominate at the very location of the County property, per figure 34 from the 2020  
6 Watershed Master Plan, as seen in Exhibit C, and

7  
8 WHEREAS, as noted in the same “Upper Main” framework of the 2020 Watershed  
9 Master Plan: “until the north tunnel [particularly] is completed... this location [the  
10 County property] is particularly vulnerable to floodwaters that leave the channel; and

11  
12 WHEREAS, citing public safety concerns, the County Administration recently confirmed  
13 its intent to retain in its own possession, custody and control the many buy-out properties  
14 acquired lower down on Main Street and presumably elsewhere throughout town until the  
15 County’s completion of all identified upstream floodworks projects: reporting to the  
16 County Council in November 2021, the Department of Public Works explained: “in the  
17 interim state, what we call the interim state, through the ‘EC Safe and Sound Plan,’ the  
18 County Administration made a determination that we need to retain use and control of  
19 those buildings through at least the execution and the completion of the EC Safe and  
20 Sound Plan and that was made with the determination that if we do get into a situation  
21 where we have a flood watch or warning that we would be able to control or restrict  
22 occupancy of those buildings and thus force them to be vacated or be able to secure them  
23 so that they couldn’t be used in certain scenarios, for instance a flood watch;” and

24  
25 WHEREAS, that same obligation and public purpose to protect who and what is still here  
26 on Main Street, Ellicott City—by keeping persons from known, inherently dangerous  
27 public spaces in the event of predicted or actual flood risk, and by keeping those same  
28 most flood-prone areas appropriately maintained, secured and free from potential

1 debris—mandates that the county retain fee-simple ownership, custody and control of the  
2 County property in this so-called interim state; the first two of the several identified  
3 upstream floodworks projects only now are getting underway.

4  
5 NOW, THEREFORE, BE IT RESOLVED by the County Council of Howard County,  
6 Maryland, this \_\_\_\_\_ day of \_\_\_\_\_, 2022, to request that the County  
7 Executive identify an alternative to the conveyance in fee simple of that portion of the  
8 County property as described in Exhibit A and as shown in Exhibit B, containing  
9 approximately 1,669 square feet or 0.0383 acres of land in total.”.

10  
11 Attach Exhibit C attached to this amendment to the Resolution.  
12  
13

Exhibit C

1  
2  
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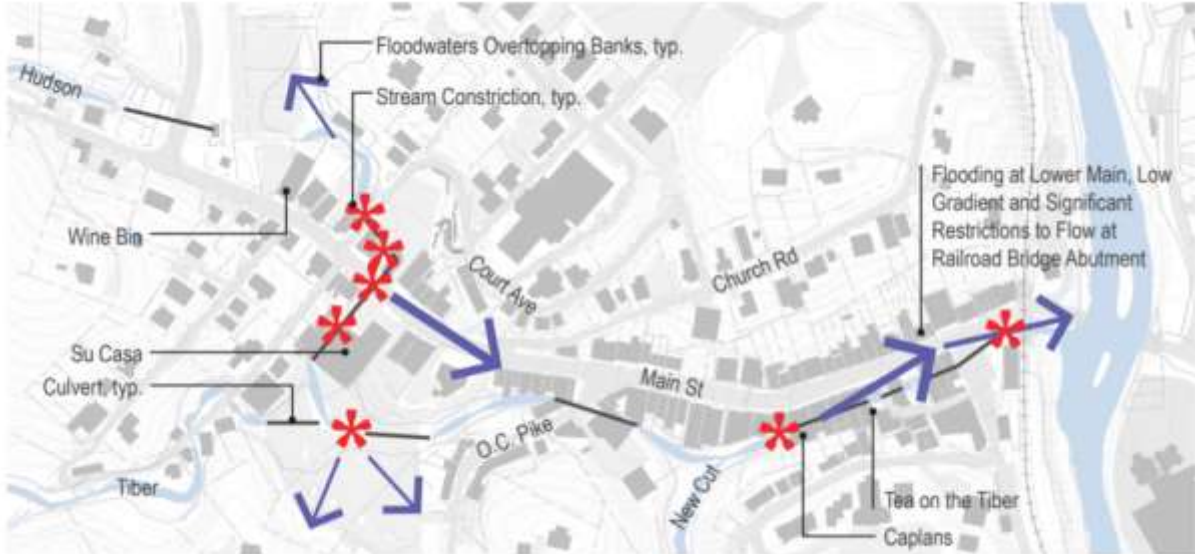


Figure 34: Stream Constriction Points and Floodwater Flows in the Downtown Core

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