

Amendment 86 to Council Bill No. 28 -2023

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Amendment No. 86

(This Amendment makes the following changes to HoCo by Design Chapters 9 and 11:

Chapter 9: Supporting Infrastructure - *Add a new Implementing Action to Policy Statement INF-1 to consider adjusting the Transfer Tax distribution formula to emphasize funding of maintenance and school construction; and*

Chapter 11: Implementation - *Add a new Implementing Action to Policy Statement INF-1 to consider adjusting the Transfer Tax distribution formula to emphasize funding of maintenance and school construction.)*

1 In the *HoCo By Design* General Plan, attached to this Act as Exhibit A, amend the following
2 pages as indicated in this Amendment:

- 3 • Chapter 9: Supporting Infrastructure: page 9.
4 • Chapter 11: Implementation: page 53.

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7 Correct all page numbers, numbering, and formatting within this Act to accommodate this
8 amendment.

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The Committee acknowledged that expanding the tax base is the optimal long-term strategy, but the immediate focus should be to prioritize needs versus wants and take a strategic, comprehensive, long-term approach.

The SAAC urged all stakeholders to prioritize and collectively bring total funding requests more in line with available resources. The Committee also encouraged the County to address ongoing or significant maintenance backlogs that have resulted from years of deferred maintenance. Deferring unmet infrastructure operating and maintenance costs to future years may also lead to larger, more expensive capital costs when facilities fail and require emergency repairs or renovation. The Committee urged the County to fully plan for infrastructure costs, including associated operating budget impacts.

Such decisions are even more critical as the County begins to experience both a slowdown in revenue growth and rising debt burden, which will limit or reduce its capacity to authorize new debt for future capital projects. The County will have to make difficult decisions to prioritize competing infrastructure requests and maintain existing service levels.

Capital Improvement Program (CIP)

The Capital Improvement Program (CIP) provides a plan for maintaining and improving the County's public infrastructure. The County's General Plan and supporting master plans for recreation and parks, human services, schools, community college, water and sewer, solid waste, libraries, police and fire stations, and public facilities guide the identification of new capital projects and maintenance needs funded in the CIP. The County uses an annual debt affordability process to determine reasonable debt levels.

INF-1 Policy Statement

Prioritize Capital Improvement Program requests that directly implement General Plan policies and implementing actions.

Implementing Actions

1. Expand project statements to refer to policies and implementing actions in the General Plan.
2. Make existing and deferred maintenance projects a priority in the Capital Improvement Program, with sustainable funding sources and levels allocated to address ongoing needs and backlog.
3. [Consider adjusting the distribution of the Transfer Tax revenue to prioritize maintenance funding and school construction.](#)

Equity in Capital Planning

Incorporating equity into capital improvement planning processes is an emerging practice across the County, the region, and the nation. In September 2021, the Baltimore Metropolitan Council (BMC) released a report, "Best Practices for CIP Development and Promoting Healthy Communities," that shared best practices in CIP development, including a recommendation for incorporating equity measures in the process. The report suggests that jurisdictions should evaluate their communities and determine the social vulnerability of a population by analyzing factors such as socioeconomic status, household composition, age, disability, race/ethnicity/language, housing, and transportation access.

As noted in the report, Howard County has started to use a system based on BMC's Vulnerable Population Index (VPI) to track whether certain capital investments are being made in an equitable manner. Specifically, the County's Complete Streets Policy involves tracking the percentage of new roadway projects or roadway repairs in priority communities, as identified by the VPI. To produce a percentage figure, the number of projects or repairs located in vulnerable census tracts are divided by the total number of projects and repairs completed countywide.



Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
PS-4 - Revisions to the County’s Zoning Regulations and Subdivision and Land Development Regulations should provide more flexibility for school site development and remove barriers to efficient use of school site property.		
1. The Zoning Regulations update should allow administrative approval of zoning variances as they relate to school facility development.	DPZ HCPSS	Mid-Term
2. Evaluate the applicability of the Subdivision and Land Development Regulations governing reservations of land for public facilities to determine appropriate changes that would increase utilization.	DPZ HCPSS	Mid-Term
PS-5 - The need for school facilities—particularly to support regional early childhood programs in the near term—warrants a more proactive approach to property identification, evaluation, and acquisition for public use.		
1. Continue to review and update policies and regulatory tools to better align school planning needs to changing demographics, market conditions, and land use patterns.	HCPSS	Ongoing
2. Consider a right of first refusal strategy to purchase properties proposed for sale in certain priority geographies.	HCPSS	Long-Term
3. Research models for government and private sector partners to acquire and amass small parcels into sites large enough for school use.	HCPSS Private Partners	Mid-Term
4. Use data/intelligence from the real estate industry to monitor leasing and sale opportunities for site acquisition.	HCPSS	Ongoing
5. Consider purchasing available properties in the near term with leaseback options to tenants as a means to hold land for future school needs.	HCPSS	Mid-Term
INF-1 - Prioritize Capital Improvement Program requests that directly implement General Plan policies and implementing actions.		
1. Expand project statements to refer to policies and implementing actions in the General Plan.	DPW OOB All Agencies	Mid-Term
2. Make existing and deferred maintenance projects a priority in the Capital Improvement Program, with sustainable funding sources and levels allocated to address ongoing needs and backlog.	DPW OOB All Agencies	Mid-Term
<u>3. Consider adjusting the distribution of the Transfer Tax revenue to prioritize maintenance funding and school construction.</u>	Elected Officials	<u>Mid-Term</u>

Table 10-1: Implementation Matrix		
Policy and Implementing Actions	Lead Agency	Timeframe (Mid-Term five-year, Long-Term six+ years, Ongoing)
INF-2 - Prioritize equity in capital improvement planning and programming.		
1. Explore how to implement a diverse and inclusive outreach process for identifying capital needs.	OHRE OOB DCRS All Agencies	Mid-Term
2. Implement a diverse and inclusive outreach process for capital planning.	OOB OHRE All Agencies	Ongoing
3. Work with partners to develop a methodology to identify socially vulnerable communities.	DCRS OHRE DHCD	Mid-term
4. Incorporate equity measures into prioritization processes for capital projects.	All Agencies	Ongoing
INF-3 - Enhance police protection.		
1. Evaluate the need for new or modified police department facilities. Emphasize the need for a third police patrol district to meet future demands. Act upon the feasibility study completed in 2020 to improve the police department firing range at its current location.	HCPD	Ongoing
2. Ensure the police department has adequate staff and equipment based on levels of crime and demand for services.	HCPD	Ongoing
3. Enhance and expand community policing programs. Consider the use of greenways for police patrols on bike or on foot.	HCPD	Ongoing
4. Advocate for “Smart City” or other police-focused technologies that improve police protection and provide real-time information to the police department and other system users.	HCPD	Mid-Term