

INTRODUCED 05.05.2025
PUBLIC HEARING 05.19.2025
COUNCIL ACTION 05.21.2025
EXEC. ACTION 05.23.2025
EFFECTIVE DATE 07.23.2025

County Council of Howard County, Maryland

2025 Legislative Session

Legislative Day No. 6

Bill No. 44 2025

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

Short Title: Authorize – Installment Purchase Agreements – Capital Project G0164 -\$16,947,400

Title: AN ACT to authorize and empower Howard County, Maryland, to enter into installment purchase agreements to acquire development rights in agricultural lands located within the County (Project No. G-0164), for an aggregate purchase price of not more than for \$16,947,400, plus interest thereon; providing that the County's obligation to pay the purchase price under and interest on such agreements shall be a general obligation of the County made upon its full faith and credit; and to levy taxes upon the assessable property within the County sufficient, together with the portion of the transfer tax imposed on transfers of real property in Howard County which is dedicated to agricultural land preservation and other available funds, to provide for the payment of the purchase price under and interest on any agreements so entered into; and providing for and determining various matters in connection therewith.

Introduced and read first time May 5, 2025. Ordered posted and hearing scheduled.

By order Michelle Harrod
Michelle Harrod, 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 May 19, 2025 and concluded on May 19, 2025.

By order Michelle Harrod
Michelle Harrod, Administrator

This Bill was read the third time on May 21, 2025 and Passed, Passed with amendments _____, Failed _____.

By order Michelle Harrod
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 23 day of May, 2025 at 5 a.m./p.m.

By order Michelle Harrod
Michelle Harrod, Administrator

Approved by the County Executive May 23, 2025

Calvin Ball
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.

Recitals

On May 23, 2013, the County Council of Howard County (the “County Council”) passed Council Bill No. 31-2013 (“Council Bill No. 31-2013”), which bill was approved by the County Executive and enacted on May 31, 2013 and became effective on July 31, 2013. Council Bill No. 31-2013 authorized and empowered Howard County, Maryland (the “County”) to enter into installment purchase agreements (each, an “Installment Purchase Agreement”) to acquire development rights in agricultural lands located within the County (Project No. G-0163), on or before July 31, 2017, as such date was extended to August 1, 2021 by Council Bill No. 47-2017 (“Council Bill No. 47-2017”), enacted on June 1, 2017 and became effective on August 1, 2017, and as such date was extended to August 3, 2025 by Council Bill No. 40-2021, enacted on May 26, 2021 and became effective on August 3, 2021 (“Council Bill No. 40-2021”).

In accordance with the provisions of Section 606 of the Charter of the County, the County Council adopted a Capital Budget for the fiscal year ending June 30, 2025 (the “2025 Capital Budget”). The 2025 Capital Budget appropriated \$15,000,000 into Project No. G-0164 for the acquisition of development rights in agricultural lands within the County and transferred \$4,744,000 of the remaining appropriation reauthorized by Council Bill 40-2021 from Project No. G-0163 to Project No. G-0164. The County has used a portion of the authorization under Council Bill No. 40-2021 to enter into Installment Purchase Agreements, but up to \$1,947,400 of such authorization is expected to expire unused on August 3, 2025.

Accordingly, as part of the Capital Budget for the fiscal year ending June 30, 2026 (the “2026 Capital Budget”), it is necessary that the County be reauthorized and re-empowered to enter into such Installment Purchase Agreements for the unused portion of the prior authorization from Council Bill 40-2021 for the aggregate purchase price of not more than \$1,947,400, plus interest thereon. Further, as part of the 2026 Capital Budget, it is necessary that the County be authorized and empowered to enter into such Installment Purchase Agreements for the aggregate purchase price of not more than \$15,000,000, plus interest thereon. As such, the County shall be authorized to enter into such Installment Purchase Agreements for the total aggregate purchase price of not more than \$16,947,400, plus interest thereon.

1 **Now, therefore, in accordance with the provisions of Article VI of the Charter of Howard**
2 **County:**

3 **Section 1. Be it enacted by the County Council of Howard County, Maryland,** That Howard
4 County, Maryland (the "County"), is hereby authorized and empowered to enter into installment purchase
5 agreements (each, an "Installment Purchase Agreement") to acquire development rights in agricultural
6 lands located within the County (Project No. G-0164), at one time or from time to time within four years
7 from the date this Act becomes effective, for an aggregate purchase price of not more than \$16,947,400,
8 plus interest thereon; provided that such maximum aggregate purchase price shall be reduced by the
9 aggregate purchase price under any Installment Purchase Agreements entered into by the County under
10 the authorization contained in Council Bill No. 40-2021 between the date of pre-filing of this Act and the
11 effective date of this Act. The County's obligation to make payments of the purchase price under the
12 Installment Purchase Agreements authorized hereby and to pay interest thereon under each such
13 Installment Purchase Agreement shall be a general obligation of the County and shall be made upon its
14 full faith and credit. Such obligation may be evidenced by the applicable Installment Purchase
15 Agreement or by a separate certificate of payment or other instrument of indebtedness.

16 **Section 2. Be it further enacted by the County Council of Howard County, Maryland,** That
17 the County shall select the properties for which development rights are to be acquired and shall negotiate
18 the purchase price for such development rights and all other conditions of the Installment Purchase
19 Agreement, subject to and in accordance with Sections 15.500 to 15.520, inclusive, of the Howard
20 County Code, as amended from time to time, and this Act.

21 **Section 3. Be it further enacted by the County Council of Howard County, Maryland,** That
22 the County Council of Howard County, by an ordinance or ordinances adopted from time to time in
23 accordance with Article VI of the Charter of Howard County and other applicable provisions of law, shall
24 approve and provide for (a) the acquisition of the development rights in each particular parcel of
25 agricultural property which is to be the subject of an Installment Purchase Agreement, (b) the form and
26 content of each Installment Purchase Agreement, including, without limitation, (i) the aggregate purchase

1 price thereunder (or the maximum aggregate purchase price and the method of determining the final
2 purchase price subject to such limitation) and the dates of payments of installments of the purchase price
3 (not exceeding twenty years from the date of execution and delivery of the Installment Purchase
4 Agreement), (ii) the interest rate or rates per annum (or the method of determining such rate or rates)
5 payable on, any Installment Purchase Agreement from time to time under this Act, and (iii) the required
6 signatures on such documents.

7 **Section 4. Be it further enacted by the County Council of Howard County, Maryland, That**
8 for the purpose of paying the purchase price under and interest on such Installment Purchase Agreements
9 as the same shall become payable, the County Council of Howard County shall levy annually ad valorem
10 taxes upon the assessable property in Howard County sufficient, together with the portion of the transfer
11 tax imposed on transfers of real property in Howard County which is dedicated to agricultural land
12 preservation and other available funds, to pay the purchase price under and interest on such Installment
13 Purchase Agreements until all of such purchase price and interest has been paid in full.

14 **Section 5. Be it further enacted by the County Council of Howard County, Maryland, That**
15 any Installment Purchase Agreements entered into from time to time under this Act are specifically
16 exempt from the provisions of Sections 19-205 and 19-206 of the Local Government Article of the
17 Annotated Code of Maryland, as amended, and any successor provision of law.

18 **Section 6. Be it further enacted by the County Council of Howard, County, Maryland, That**
19 this Act shall take effect sixty-one (61) days after its enactment.



HOWARD COUNTY DEPARTMENT OF FINANCE

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SUBJECT – Testimony for Ordinance Authorizing Bond Sale

April 22, 2025

To: Brandee Ganz
Chief Administrative Officer

From: Rafiu O. Ighile *RI*
Director of Finance

The County enters into Installment Purchase Agreements (IPA) for the acquisition of development rights in agricultural lands within the County through its Agland Preservation Program. Council Bill 31-2013, Council Bill 47-2017, and Council Bill 40-2021 authorized the IPAs for project G-0163 through August 2025. The proposed legislation will re-authorize \$1,947,400 of the authorization for G-0163 but it is expected to expire unused on August 3, 2025. The proposed legislation will also authorize an additional \$15 million of IPA authority in project G-0164 which was previously approved as part of the FY 2025 Capital Budget.

The IPAs are negotiated and are part of an ongoing County effort. As has been done in the past, the specific terms will be reviewed by the Agricultural Board, County Executive and County Council.

Fiscal Impact

The Department does not anticipate any fiscal impact in the current year as debt service/repayment begins the year following the IPA. The fiscal impact in future years will depend on the actual cost of the land.

Cc: Jennifer Sager
Angela Price
John Vu

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on _____, 2025.

May 23
Michelle Harrod
Michelle R. Harrod, 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 _____, 2025.

Michelle R. Harrod, 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 _____, 2025.

Michelle R. Harrod, 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 _____, 2025.

Michelle R. Harrod, 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 _____, 2025.

Michelle R. Harrod, 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 _____, 2025.

Michelle R. Harrod, Administrator to the County Council