



Howard County Council

George Howard Building
3430 Court House Drive
Ellicott City, Maryland 21043-4392

COUNCILMEMBERS

Deb Jung, Chair
District 4

Liz Walsh, Vice Chair
District 1

Opel Jones
District 2

Christiana Rigby
District 3

David Yungmann
District 5

Minutes - Approved

Legislative Work Session
Joint Meeting with Board of Education
Tuesday, June 25, 2024
Hybrid Meeting (Virtual and In-Person Meeting)
Video Streamed on <https://cc.howardcountymd.gov/watch-us>
9:45 a.m.

Chair Jung opened the meeting at 9:51 a.m.

Council members present: Liz Walsh, Opel Jones, Christiana Rigby, Deb Jung, and David Yungmann

BoE members present: Jennifer Mallo, Chair; Yun Lu, PhD, Vice Chair; Antonia Watts; Linfeng Chen, Ph.D.; Jacky McCoy; Jolene Mosley; and Robyn C. Scates, Esq.

Staff present: Michelle Harrod, Council Administrator; Theo Wimberly, Administrative Manager; Ervens Jean-Pierre, Legislative Analyst; Lisa German, Acting County Auditor; Rebecca Gold, Auditor; Gary Kuc, County Solicitor; Amanda Mihill, Assistant County Solicitor; Isaiah Anderson, Executive Assistant I; and Virginia Gambrell, Administrative Aide.

Administration staff: Noted below.

Agenda

Adequate Public Facilities Ordinance (APFO)

Howard County Code requirement to conduct a meeting with the Council, Board of Education, and the County Executive to discuss school capacity that exceeds APFO threshold.

Howard County Code Section 16.1103. Adequate school facilities.

- (d) *Joint Special Work Meeting on Schools Nearing Capacity.* Upon receiving written notification from the Howard County Public School System that a school or school region has reached 95 percent capacity utilization and is projected to exceed 110 percent capacity utilization within five years as well as the Board of Education's proposed solution to address the projected overcrowding, the County Council shall hold a joint special work meeting. The Council shall invite the County Executive and the Board of Education to attend the meeting and participate in a collaborative working discussion of school capacity needs and the Board's proposed solution. The Council shall give the

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general public three weeks' notice before the meeting to allow the public to provide written comment.

There was discussion between the County Council, Board of Education, Howard County Public School System, and Department of Planning and Zoning regarding Adequate school facilities. This included the current school capacity. Mr. Lubeley and Mr. Rogers provided information to the Council and BoE referencing Attachment 5 (page 9) of the **Board of Education AFPO Report**, (a related document to Council 76-2024). The report contains a list of constrained schools and potential solutions, specifically Bryant Woods Elementary and Roslyn Rise development.

There was continued discussion about student projection/yields , including the impact of development; Boundary Review/Redistricting; the possibility of an emergency Redistricting; solutions for school overcrowding; open enrollment; and the timing of the solutions.

APFO, Pre K, and the Kirwan mandate were discussed. Ms. Walsh and Ms. Jung highlighted the potential to use the High Ridge building for mandated Pre K programming. The issues of capacity of various schools; school schedules, State capital standards; and the State capacity calculation vs. Howard County capacity were discussed.

Lastly, there was a discussion about maximizing matching State funding (Build to Learn funds)

Affordable Housing Work Group

Issue postponed to July Monthly Meeting.

APFO Next Steps

Issue postponed to July Monthly Meeting.

CR76-2024 - Introduced by The Chairperson at the request of the County Executive

Short Title: Adopting the School Capacity Chart

Title: A RESOLUTION adopting the School Capacity Chart, pursuant to the Adequate Public Facilities Act of Howard County, to designate the elementary school regions, and the elementary schools, middle schools, and high schools constrained for new residential development during each of the following ten years as based on the definition of program capacity as defined by Howard County Public School System policy and requiring a certain joint special work meeting in accordance with Section 16.1103(d) of the Howard County Code.

CR77-2024 - Introduced by The Chairperson at the request of the County Executive

Short Title: Adopting the Housing Unit Allocation Chart

Title: A RESOLUTION adopting the Housing Unit Allocation Chart pursuant to the Adequate Public Facilities Act of Howard County.

Mr. Bronow gave a summary of the APFO Housing Allocation Chart. There was a discussion about the 10% cap for the Rolling Average; and Activity Center regions with respect to local zoning. Ms. Walsh and Ms. Jung will meet with DPZ offline.

CB37-2024 - Introduced by Christiana Rigby

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Short Title: School facilities surcharge amendment for single family detached dwellings.

Title: AN ACT to alter the school facilities surcharge for single-family detached dwelling in accordance with Chapter 744 of the Acts of the General Assembly of 2019; and generally relating to the school facilities surcharge.

expires – 08/12/2024; extended – 09/16/2024; extended twice – 10/21/2024

Sec. 20.142.(c)(4) [Surcharge enacted.]

- (4) Before enacting a local law to adjust the amount of the school facilities surcharge under this subsection, the County Council shall consider the following issues when determining the amount:
- (i) The capital costs for the construction of new public schools and additions to existing public schools;
 - (ii) The anticipated amount of the state contribution for school construction funding;
 - (iii) The average percentage of student enrollments that will be generated by the residential new construction;
 - (iv) The impact of school redistricting by the Howard County Board of Education;
 - (v) The potential for charging different amounts for differently sized residential new construction units;
 - (vi) The effect on affordable housing units; and
 - (vii) Sources of tax and fee revenue for the County, including the transfer tax.

This issue may be heard during the July Work Session.

Council requested follow up:

- *Chair Jung requested that Mr. Bronow call Enterprise to inquire about the number of students in their developments which attend Bryant Woods.*
- *Chair Jung requested that Mr. Bronow report back on what developments received Activity Center allocations.*
- *Mr. Rogers will look into the capacity inconsistency at Clemons Crossing Elem.*

Meeting adjourned at 12:10pm.

Visit the Council's website (<http://cc.howardcountymd.gov>) to view legislation, send written testimony, and sign-up electronically to testify at public hearings.

Persons needing accommodations to fully participate in the meeting, please contact the Council Office, 410-313-2001.

Legislative Work Session and Joint Meeting with Board of Education - Participants
Tuesday, June 25, 2024

Board of Education

Jennifer Mallo, Chair
Yun Lu, Vice Chair
Robyn Scates
Jacky McCoy
Antonia Watts
Lamia Ayaz, Student

HCPSS

Bill Barnes, Acting Superintendent
Dan Lubeley
Timothy Rogers

Howard County PTA

Terri Marcus

Executive Office

Angela Cabellon

DPZ

Lynda Eisenberg
Jeff Bronow
Jessica Bellah

DILP

Bob Frances
Don Mock