



## Yesterday, Parents were Told They weren't Experiencing Reality

On Monday, September 25, the County Council held a work session to discuss possible amendments on the legislation to modify the county's adequate public facilities ordinance (APFO). The two bills under consideration are CB61-2017 and CB62-2017. Several APFO-related topics were on the agenda but they were only able to cover hospital facilities, roads, and schools.

First the good. The testimony by the president of Howard County Hospital, Mr. Snelgrove brought to light the increasing pressure that our hospital facilities are facing. The county faces pressure due to the closure of the Laurel Hospital, a disproportionate rate of growth, high birth rates, an aging population, and the Opioid epidemic. These issues are further compounded by a state funding mechanism that hamstrings the Hospital's ability to deliver services.

A question was asked on whether there should be an APFO test on hospitals and Mr. Snelgrove stated that the hospital was a nonprofit private entity. It is not clear what that means, but to the extent that the hospital exists to serve the public and relies on public dollars for certain services, the county has the obligation to look at impacts on hospitals.

Another topic of discussion was road safety and traffic studies. Perhaps this was the highlight of the work session, because a resident of the county who was an expert on transportation was able to provide some clear suggestions on an otherwise confusing session that lacked direction. Dr. Lei Zhang suggested that the county institute some sort of a mitigation system when certain traffic sensitive areas reach a critical level. He also suggested that traffic studies be performed by the county instead of the developer to reduce conflict of interest.

Now for the bad. It started off with an absurd claim that the problems that the families of the nearly 9,000 children are facing were not real. Then the county administration brought in a presentation titled "Amendments to CB61 and 62", which was only intended to prove that new development was not creating the problem, and lastly, two representatives from the developers somehow ended up at the table and were able to peddle their talking points as part of the work session. This in stark contrast to an expert such as Dr. Zhang who contributed substantial points.

The administration's presentation had serious flaws. The charts presented the number of new development overlaid on 2016 school capacity. I think the charts were intended to provide a specific narrative and were essentially meaningless. A more helpful chart would show the incremental impact due to addition of new development. It's not like a new seat can be added to a school even if the increase in enrollment is by just one student. The incremental impact is to create overcrowding, increase in capital costs, and other consequences that can only be measured by student and teacher performance.



The administration presented "new data" based on public input, but all it did was throw out one hypothetical after another hoping that something will stick. Birth rates, resales, family size. The presenters from the administration did not have any definitive answer. The question is then, if they do not have the data to perform the correct analysis and reach a conclusion, who does?

The hypothesis about resales is flawed. The constant claim is that resales are the main reason for the growth. Let's stipulate for a second that resales are the main reason. Even by the numbers the developers cite - 42% of growth is due to new development. This is not an insignificant number. Making such a claim is equivalent to having an illness that destroys the immune system and saying "its not the cold virus that's killing me".

The resales claim is a cover. Resales could be homes built two years ago. The home built 10 or 15 years ago when the economics and incremental costs are different will have less impact than a home built two years ago. Furthermore, the county's own data states that 19% of new homes built since 2004 are 55+ communities. These types of homes divert buyers from the existing resale market contributing to this increase.

The administration claimed that household sizes increased by 3.7%, which also plays a role. Again this is a cover. The household size does not matter. What matters is how the county plans for incremental impacts. The administration went on to claim that developments are slowing down. I cannot emphasize how seriously unprepared the presenters were yesterday. This was just another hypothetical. We can talk about "slowing down" trends during planning. The county is currently beyond planning and is experiencing the consequences of poor planning.

On two different occasions, the topic of new taxes on existing residents was broached. This was a distraction. The impact of inserting this topic is to create a wedge issue, which will ultimately quell those advocating for stronger APFO. I urge those going back to the well of "new taxes" on existing residents to focus on strengthening APFO. Let's deal with reducing the impact from 42% of the total growth in schools.

It was also argued that "even if we raised all these dollars from mitigation, it would not obligate us to spend the money on the schools". Currently, the taxpayer is subsidizing developer profits in two ways: extremely low impact fees and reducing spending on future spending on schools and other public facilities. Having more money would mean not having to compromise future spending. Right now, we are spending money that would have gone to schools on other priorities due to a smaller pot. We need a trigger to add money to the pot.

There was a discussion on the length of time developers wait before getting allocations. Why does that matter at this point? The current process including the wait time does not work. We need to increase it!



It is absurd that programmatic solutions are proposed as a way to deal with a massive redistricting due to new development. Programmatic solutions should be used as creative ways to improve delivery of lessons. Not as a way to deal with county growth due to poor planning.

On the impact fees - the 2x or 3x values that have been proposed have no basis on economics. The average home built in Howard County is 2,000 sq. ft. Current school surcharges at \$1.25/sq. ft. is \$2,500. Three time this about is \$7,500. This amount is proposed once the school reached 120% of capacity. An elementary school costs about \$44,000 per student to build.

The fee is ridiculously low, not to mention the unaccounted costs on lesson delivery and low quality that would occur at 120%. The claim that the cost would be passed on to the home buyers is also specious. I think the developers have not reached the threshold at which current prices become uneconomical. They are just pocketing the extra cost that they would have incurred on school surcharges and impact fees.

In the two plus hours of discussion about schools, I did not hear a single word about trailer classes. This is the reality in many of the schools. There are 12 Title I elementary schools in Howard County and six of them are in District 3. Three of the high schools that students from District 3 attend have the highest proportion of students that rely on free and reduced meals (FARM). There are portables and trailers used as class substitutes. Schools have created traffic patterns in hallways to reduce congestion. We need to strengthen the adequate public facilities ordinance and plan better.