

EXECUTIVE ORDER
22-04

WHEREAS, Section 413 of the Harford County Charter provides that the County Executive may propose changes in the organization of the Executive Branch, including the establishment or abolishment of agencies and in the assignment of functions, powers and duties among agencies; and

WHEREAS, Section 811(j) of the Harford County Charter defines an agency as a subordinate element of government, including all offices, departments, institutions, boards, commissions and corporations of the County government, and, when so specified, all offices, departments, institutions, boards, commissions and corporations which receive or disburse funds; and

WHEREAS, the mission of Housing and Community Development is to provide opportunities for all county residents to obtain and maintain safe, decent and affordable housing and to develop viable communities by creating partnerships and programs that improve quality of life for our citizens; and

WHEREAS, the primary mission of the Office of Economic Development is to facilitate business investment, entrepreneurial development and job creation to expand the local tax base, foster a diverse and sustainable economy as well as improving the economic and quality of life of Harford County; and

WHEREAS, the County Executive has determined that the mission and goals of these two offices is very different and serves very different purposes and serves the citizens in very different ways; and

WHEREAS, the County Executive believes it would be more efficient and better serve the needs of the County to separate the Office of Economic Development and to recreate the Department of Housing and Community Development.

NOW, THEREFORE,

Section 1. Be It Ordered by the County Executive of Harford County, Maryland that Article XXXI, Office of Community Economic Development, of Chapter 9, Boards, Commissions, Councils and Agencies, is hereby repealed and reenacted, with amendments; and that new Article XXXII, Department of Housing and Community Development, is hereby added to Chapter 9, Boards, Commissions, Councils and Agencies, all of Part 4, Administrative Offices and Agencies, of Chapter 9, Boards, Commissions, Councils and Agencies, of the Harford County Code, as amended, all to read as follows:

Chapter 9. Boards, Commissions, Councils and Agencies

Part 4. Administrative Offices and Agencies

Article XXXI. Office of [Community and] Economic Development

§9- 186. Creation.

There shall be an Office of [Community and] Economic Development, which shall be administered by the Director of [Community and] Economic Development. The Office shall be in the Executive Branch and subject to the direction, supervision and control of the County EXECUTIVE.

§ 9- 187. Purpose.

The Office of [Community and] Economic Development is created for advancing the general economic welfare of the citizens of Harford County. The Office shall establish programs and activities to [improve Harford County's communities and] develop economic opportunities pertaining to but not limited to commerce, industry, agriculture, forestry, transportation, travel and tourism in Harford County. In addition, the Office shall cooperate and offer assistance to existing industries and businesses in Harford County and promote and encourage new industries to locate in Harford County [and promote and encourage new industries to locate in Harford County. The Office shall accept and administer federal, state and local housing funding to address the housing needs of residents and assist with housing issues. the Office shall strive to provide opportunities for all county residents to obtain and maintain safe, decent and affordable housing and to develop viable communities by creating partnerships and programs that improve quality of life for our citizens]. The Office shall also consider other matters intended to foster and develop gainful employment of the citizens of Harford County.

§ 9- 188. Powers and duties.

The Office shall:

- A. Investigate and assemble information pertinent to the economic resources and industrial opportunities of the County.
- B. Prepare long-term goals and objectives annually for economic development in Harford County.
- C. Disseminate information in the interest of industrial development by publication, advertising and other means.
- D. Cooperate with any federal, state, local agency, board or commission, including the Departments of Commerce and Housing and Community Development of Maryland, in furtherance of its purpose.
- E. Cooperate with any interested private concern, civic organization or subdivision thereof in furtherance of its purpose.
- F. Function as an ombudsman for local business.
- G. Promote and encourage new industries to locate in Harford County.

- H. [Provide for full and complete participation in federally or state funded housing programs presently in existence, as well as those enacted from time to time for families of low and moderate income, including those programs which are substantially related in nature.
- I. Accept grants from state and federal governments for the support of safe and affordable housing for residents of Harford County.
- J. Promote the well-being and best interest of all citizens of Harford County, Maryland, with respect to housing opportunities.
- K. Provide information to the citizens of Harford County concerning their opportunity to participate in the housing programs.
- L.] Carry out such other duties as may be provided from time to time by directive of the County Executive or by legislative act.

§ 9- 188.1. Administrative fees.

- A. The Director of the Office of [Community and] Economic Development is authorized to charge fees for the application and approval of industrial revenue bonds and the refunding of such bonds.
- B. Such fees shall not exceed the maximum annual fee allowed pursuant to state law for an industrial revenue bond or refunding of such bond.
- C. All fees collected under this section shall be deposited in a separate account and shall be expended for economic development purposes.

§ 9- 188.2. Economic Development Opportunity Loan Fund.

- A. Economic Development Opportunity Loan Fund.
 - (1) The Economic Development Opportunity Loan Fund shall be maintained and administered by Harford County, Maryland in accordance with provisions of this act.
 - (2) The Economic Development Opportunity Loan Fund is a special, continuing non-lapsing fund which shall be available in perpetuity for the purposes of providing financial assistance to businesses in accordance with the provisions of this act.
 - (3) Subject to the provisions of any applicable resolution regarding the application of amounts in the Economic Development Opportunity Loan Fund, the Treasurer shall separately hold and shall account for the Economic Development Opportunity Loan Fund. An applicant for a loan pursuant to this act shall certify its best estimate as to the effect such loan will have upon the employment and the tax base of the County.

- (4) The cost of administering the Economic Development Opportunity Loan Fund shall be paid from grants and awards from amounts received from borrowers pursuant to loan agreements.
- B. Approval. A resolution adopted by the County Council of Harford County, Maryland upon written recommendation of the County Executive of Harford County, Maryland, shall set forth the terms and provisions of such loan, including security, rate of interest and terms of repayment. The resolution may provide that the loan made by the County may be considered to be in parity with loans made by other financial institutions for the purposes set forth in this act. A resolution of the County Council of Harford County, Maryland approving a loan to be made pursuant to this act shall contain a finding concerning the impact of the loan upon the employment and tax base of the County, and the finding of the County Council of Harford County, Maryland shall be conclusive and binding for all purposes.
- C. Waiver. A loan made by the County pursuant to this act shall be evidenced by a loan agreement. The loan agreement shall contain a provision whereby the borrower acknowledges and agrees that the borrower's loan obligation is cancelable only upon repayment in full. The County may, with the approval of the County Council, consider a "conditional loan agreement" in an amount not to exceed \$125,000 that involves significant capital expenditure, job creation and continuing presence in Harford County for the term of the loan. All principal and accrued interest would be deferred over the term of the loan. In the event that all of the performance criteria of the loan are met over the term, all outstanding deferred principal and accrued interest would be forgiven at the end of the loan term.
- D. Amount/terms. Any loan made by the County pursuant to this act shall not exceed in the aggregate \$200,000 to any one business; provided, however, that the loan made by the County may be combined with other loans made by other financial institutions for the same purposes and may exceed \$200,000 in the aggregate as long as the amount advanced by the County does not exceed \$200,000. All documents containing the terms and provisions of the loan shall be signed by the County Executive of Harford County, Maryland. All recording costs and out of pocket expenses concerning the loan shall be paid by the borrower.
- E. Angel fund participation loan. There is a fund created within the Economic Development Opportunity Loan Fund for the purpose of participating in angel/venture fund opportunities within Harford County for Harford County businesses. The amount of the fund shall not exceed \$50,000, and an individual loan shall not exceed \$10,000. Harford County shall participate with the other members of the fund and shall be reimbursed on an equal basis as the other angel/venture fund participants.
- F. Duties and responsibilities.

- (1) The Director of the Office of [Community and] Economic Development of the County or the designee of the Director shall attend all meetings and represent Harford County, Maryland for the purpose of meeting with financial institutions which consider the terms and conditions of loans in the aggregate made to businesses in the County for economic development purposes.
- (2) A loan by the County in an amount of or less than \$50,000 does not need a resolution by the County Council.
- (3) On January 1 and July 1 of each year, the Director of the Office of [Community and] Economic Development shall prepare and submit to the County Executive and County Council a cumulative financial report containing the terms, loan amounts, interest rate, outstanding balances and other financial information on all economic development opportunity loans.

Article XXXII. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

§ 9-189. CREATION.

THERE IS HEREBY CREATED PURSUANT TO SECTION 413 OF THE CHARTER OF HARFORD COUNTY, MARYLAND, THE HARFORD COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT. THE DEPARTMENT SHALL BE ADMINISTERED BY A DIRECTOR, SERVING AT THE PLEASURE OF THE COUNTY EXECUTIVE.

§ 9-190. POWERS AND DUTIES.

THE POWERS, DUTIES AND FUNCTIONS OF THE DEPARTMENT ARE AS FOLLOWS:

- A. TO PROVIDE FOR FULL AND COMPLETE PARTICIPATION IN FEDERALLY FUNDED HOUSING PROGRAMS PRESENTLY IN EXISTENCE, AS WELL AS THOSE ENACTED FROM TIME TO TIME FOR FAMILIES OF LOW AND MODERATE INCOME, INCLUDING THOSE PROGRAMS WHICH ARE OF A SUBSTANTIALLY RELATED NATURE.
- B. TO PROVIDE FOR FULL AND COMPLETE PARTICIPATION IN STATE OF MARYLAND FUNDED HOUSING PROGRAMS PRESENTLY IN EXISTENCE, AS WELL AS THOSE ENACTED FROM TIME TO TIME FOR FAMILIES OF LOW AND MODERATE INCOME, INCLUDING THOSE PROGRAMS WHICH ARE OF A SUBSTANTIALLY RELATED NATURE.
- C. TO ACCEPT GRANTS FROM STATE AND FEDERAL GOVERNMENTS FOR THE SUPPORT OF SAFE AND AFFORDABLE HOUSING FOR RESIDENTS OF HARFORD COUNTY.

- D. TO SUBMIT ANNUAL BUDGET REQUESTS TO THE COUNTY EXECUTIVE FOR APPROVAL.
- E. TO PROVIDE AN ANNUAL REPORT TO THE COUNTY COUNCIL AND CITIZENS OF HARFORD COUNTY REFLECTING THE ACTIVITIES AND PERFORMANCE, THEREBY ALLOWING THE COUNTY COUNCIL TO EVALUATE THE DEPARTMENT.
- F. TO PERFORM OTHER DUTIES CONFERRED UPON THIS DEPARTMENT BY THE COUNTY EXECUTIVE OR BY LEGISLATIVE ACT NOT INCONSISTENT WITH THIS ORDER.
- G. TO PROMOTE THE WELL-BEING AND BEST INTERESTS OF ALL CITIZENS OF HARFORD COUNTY, MARYLAND, WITH RESPECT TO HOUSING OPPORTUNITIES.
- H. TO PROVIDE INFORMATION TO THE CITIZENS OF HARFORD COUNTY CONCERNING THEIR OPPORTUNITY TO PARTICIPATE IN THE HOUSING PROGRAMS.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of Harford County to be affixed, this 13 day of December, 2022.

ATTEST:



Robert G. Cassilly
Harford County Executive

Council received Executive Order 22-04 (Housing Community Development) on December 12, 2022. Council provided public notice in LSD 22-028 (December 13, 2022) Executive Order 22-04 shall become Effective 60 Calendar days after its submission to the Council.

By operation of law Charter Section 413, Executive Order 22=04 is Effective on February 13, 2023.