

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2019 Legislative Session**

**Legislative Day No. 11**  
September 3, 2019

**HOWARD COUNTY TO WIT:**

The Administrator called the legislative session to order at **7:02** p.m.

Chairperson Christiana Mercer Rigby, Vice Chairperson Opel Jones, Council Member Deb Jung, Council Member Liz Walsh, and Council Member David Yungmann were present.

Diane Schwartz Jones, Administrator to the County Council; Craig Glendenning, County Auditor; Theodore Wimberly, Administrative Manager; Lynne Rosen, Legislative Analyst; Gary Kuc, County Solicitor; John Gwynn, Assistant County Solicitor; Jennifer Sager, Legislative Coordinator; and Roz Hightower, Administrative Support were also present.

**APPROVE JOURNAL AND MINUTES**

The Chairperson moved to approve the Journal for July 29, 2019. The motion was seconded by Council Member Yungmann.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Jung, Mercer Rigby, Walsh and Yungmann. Abstain: Council Member Jones

The motion to approve the journal passed.

The Chairperson moved to approve the minutes for the Special Meeting to Hold a Closed Meeting – July 29, 2019; Closed Meeting – July 29, 2019; Special Meeting to Hold a Closed Meeting – July 31, 2019 and Closed Meeting – July 31, 2019.

The motion was seconded by Council Member Jung.

The roll call vote called by the Administrative Manager on the motion was: Yea: Council Members Jung, Mercer Rigby, Walsh and Yungmann. Abstain: Council Member Jones

The motion to approve the minutes passed.

## **INTRODUCTION OF LEGISLATION**

The following legislation is introduced by the Chairperson at the request of the County Executive unless otherwise noted:

### **Appointments**

**Council Resolution 113-2019** - A RESOLUTION confirming the appointment of Jason Bashura, MPH, RS, to the Board of Health. (No expiration date)

**Council Resolution 114-2019** - A RESOLUTION confirming the appointment of Mabrooka Chaudhry to the Human Rights Commission. (No expiration date)

**Council Resolution 115-2019** - A RESOLUTION confirming the appointment of Edward Cochran to the Multimodal Transportation Board. (No expiration date)

**Council Resolution 116-2019** - A RESOLUTION confirming the appointment of Hunter Craig to the Martin Luther King, Jr. Holiday Commission. (No expiration date)

**Council Resolution 117-2019** - A RESOLUTION confirming the appointment of Lynda Earle to the Human Rights Commission. (No expiration date)

**Council Resolution 118-2019** - A RESOLUTION confirming the appointment of Musa Abdul-Aziz Jafri to the Human Rights Commission. (No expiration date)

**Council Resolution 119-2019** - A RESOLUTION confirming the appointment of Josh Kaufman to the Human Rights Commission. (No expiration date)

### **General**

**Council Resolution 111-2019** – Introduced by Christiana Mercer Rigby - A RESOLUTION amending the Howard County Council Rules of Procedure to provide that legislation shall be read by short title on second and third readings. (No expiration date)

**Council Resolution 112-2019** – Introduced by Christiana Mercer Rigby, Opel Jones and Deb Jung - A RESOLUTION requesting the Howard County Public School System to draft, approve, and implement a lawful multi-year Integration Plan to ensure that Howard County Public Schools are integrated by socioeconomic factors. (No expiration date)

**Council Bill 39-2019** – Introduced by Deb Jung and Christina Mercer Rigby; Co-sponsored by Liz Walsh - AN ACT amending the Howard County Code to repeal the Development Rights and Responsibilities Agreements provision and replace the repealed provision with

provisions for amending and terminating executed agreements; and generally relating to Development Rights and Responsibilities Agreements. (*Expires 11/12/19; 12/17/19 if extended; or 01/21/20 if extended twice.*)

**Council Bill 40-2019** – Introduced by Liz Walsh - AN ACT extending the Effective Period of the temporary prohibition on the issuance of certain permits and certain approvals of development plans and zoning changes for property that drains wholly or partly to the Tiber Branch Watershed or the Plumtree Branch Watershed in Howard County that was imposed by Council Bill 56-2018; and declaring this to be an emergency bill. (*Expires 11/12/19; 12/17/19 if extended; or 01/21/20 if extended twice.*)

**Council Bill 41-2019** - Introduced by David Yungmann - AN ACT amending the Howard County Code to establish a new Community Zoning Case Navigator position; and generally relating to a Community Zoning Case Navigator position. (*Expires 11/12/19; 12/17/19 if extended; or 01/21/20 if extended twice.*)

**Council Bill 42-2019** - Introduced by Christiana Mercer Rigby and Deb Jung; Co-sponsored by Opel Jones and Liz Walsh - AN ACT to alter the school facilities surcharge in accordance with Chapter 744 of the Acts of the General Assembly of 2019; and generally relating to the school facilities surcharge. (*Expires 11/12/19; 12/17/19 if extended; or 01/21/20 if extended twice.*)

**Council Bill 43-2019** - Introduced by The Chairperson at the request of the County Executive; Co-sponsored by Opel Jones, Christiana Mercer Rigby and Liz Walsh - AN ACT extending the tax credit for real property applicable to public safety officers to include volunteer emergency medical technicians; providing for the application of this Act; and generally relating to property tax credits for real property in the Howard County Code. (*Expires 11/12/19; 12/17/19 if extended; or 01/21/20 if extended twice.*)

**Council Bill 44-2019** - AN ORDINANCE authorizing the issuance, sale and delivery of up to \$150,000,000 consolidated public improvement bonds and up to \$100,000,000 metropolitan district bonds, pursuant to various bond enabling laws; providing that such bonds shall be general obligations of the County; authorizing the County Executive to specify, prescribe, determine, provide for or approve the final principal amounts, maturity schedules, interest rates and redemption provisions for such bonds, and other matters, details, forms, documents or procedures and to determine the method of sale of such bonds; providing for the disbursement of the proceeds of such bonds and for the levying of taxes to pay debt service on such bonds; and providing for and determining various matters in connection therewith. (*Expires 11/12/19; 12/17/19 if extended; or 01/21/20 if extended twice.*)

**Council Bill 45-2019** - AN ORDINANCE authorizing and providing for the issuance of Howard County, Maryland Consolidated Public Improvement Refunding Bonds and Howard

County, Maryland Metropolitan District Refunding Bonds; providing that such bonds shall be general obligations of the County; providing for the disbursement of the proceeds of such bonds and the levying of taxes to pay debt service on such bonds; providing for the private (negotiated) sale of such bonds; providing for an escrow deposit agreement and a continuing disclosure agreement; authorizing the County Executive to specify, prescribe, determine, provide for or approve the final principal amounts, maturity schedules, interest rates and redemption provisions for such bonds, the final list of refunded bonds, and certain other matters, details, forms, documents or procedures; and providing for and determining various matters in connection therewith. *(Expires 11/12/19; 12/17/19 if extended; or 01/21/20 if extended twice.)*

**Council Bill 46-2019** - AN ACT pursuant to Section 1.111(e) of the Howard County Code, approving provisions in a collective bargaining agreement between Howard County and the Howard County Police Officer's Association, Lodge 21, that are in conflict with the provisions of Title 1 "Human Resources" of the Howard County Code or the Employee Manual; and providing for the application of this Act. *(Expires 11/12/19; 12/17/19 if extended; or 01/21/20 if extended twice.)*

**Council Bill 47-2019** - AN ACT pursuant to Section 1.111(e) of the Howard County Code, approving provisions in a collective bargaining agreement between Howard County and the FOP Lodge 143, Howard County Police Supervisor's Alliance that are in conflict with the provisions of Title 1 "Human Resources" of the Howard County Code or the Employee Manual; and providing for the application of this Act. *(Expires 11/12/19; 12/17/19 if extended; or 01/21/20 if extended twice.)*

**Council Bill 48-2019** - AN ACT adding certain pay scales to the Pay Plan for Howard County in accordance with certain recently negotiated collective bargaining agreements with members of Lodge 143 and Lodge 21; adding certain pay scales for certain police management employees; adding certain pay scales for members of Lodge 131; providing for the application of this Act; and generally relating to the Pay Plan for Howard County. *(Expires 11/12/19; 12/17/19 if extended; or 01/21/20 if extended twice.)*

**Council Bill 49-2019** - AN ACT amending the Classification Plan for Howard County; amending certain class descriptions within the Uniformed Public Safety class; and generally relating to amendments to the Howard County Classification Plan. *(Expires 11/12/19; 12/17/19 if extended; or 01/21/20 if extended twice.)*

**Council Resolution 120-2019** - Introduced by Chairperson at the request of the County Executive; Co-sponsored by Opel Jones, Deb Jung and Christiana Mercer Rigby - A RESOLUTION adopting the Howard County Complete Streets Policy and requiring the development of a Complete Streets Design Manual. (No expiration date)

**Council Resolution 121-2019** - A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that 77.10 acres to be acquired by Howard County, Maryland from Chase Land, LLC, a Maryland Limited Liability Company, will not be needed by the County for public purposes; authorizing the County Executive to convey the property to the Howard County Board of Education; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to convey the property if he finds that the land may have a further public use. (No expiration date)

**Council Resolution 122-2019** - A RESOLUTION amending a fee-in-lieu for constructing storm water management facilities. (No expiration date)

**Council Resolution 123-2019** - A RESOLUTION amending Volume I (Storm Drainage) of the Design Manual; providing that development within the Tiber Branch and Plumtree watersheds provide adequate management and conveyance of runoff for the 24-hour, 100-year and 3.55-hour, 6.6 inch storm event to a stormwater management facility; and generally relating to the adoption of revised standards for storm drainage systems. (No expiration date)

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## **FINAL CONSIDERATION**

The Chairperson moved to allow the reading of short titles for bills and resolutions for final approval. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to allow the reading of short titles for bills and resolutions for final approval passed.

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## **Consent Agenda**

There are were no items on the Consent Agenda.

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## **General**

**Council Bill 35-2019** - AN ACT adopting the National Fire Protection Association 1, Fire Code, 2018 Edition as the Howard County Fire Prevention Code, which sets certain fire safety requirements for structures in order to protect life and property; making certain local amendments to the Fire Code; amending certain definitions in the Fire Code; and generally relating to fire safety

requirements and fire prevention in Howard County. (*Expires 9/09/19; 10/14/19 if extended; or 11/18/19 if extended twice.*)

The Chairperson moved to remove Council Bill 35-2019 from the table. The motion was seconded by Council Member Jones.

The roll call vote called by the Administrator on the motion to remove Council Bill 35-2019 from the table was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to remove Council Bill 35-2019 from the table passed.

The Chairperson moved to approve Council Bill 35-2019. The motion was seconded by Council Member Jones.

The roll call vote called by the Administrator on the motion to approve Council Bill 35-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Bill 35-2019 passed.

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**Council Bill 36-2019** - AN ACT providing that the optional lot size method for computing open space requirements applicable to R-20, infill subdivisions, or resubdivisions creating fewer than ten lots applies only if certain sufficient open space can provide stormwater management and flood control protection within the Tiber Hudson Branch and the Plumtree Branch Watersheds;9 and generally relating to the Subdivision and Land Development Regulations. (*Expires 9/09/19; 10/14/19 if extended; or 11/18/19 if extended twice.*)

The Chairperson moved to remove Council Bill 36-2019 from the table. The motion was seconded by Council Member Jones.

The roll call vote called by the Administrator on the motion to remove Council Bill 36-2019 from the table was: Yea: Council Members Jones, Mercer Rigby and Yungmann. Nay: Council Members Jung and Walsh.

The motion to remove Council Bill 36-2019 from the table passed.

The Chairperson moved to extend the life of Council Bill 36-2019. The motion was seconded by Council Member Jones.

The roll call vote called by the Administrator on the motion to extend the life of Council Bill 36-2019 was: Yea: Council Members Jones, Mercer Rigby and Yungmann. Nay: Council Members Jung and Walsh.

The motion to extend the life of Council Bill 36-2019 failed.

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Adjourned at 7:37 p.m.

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**Tabled Legislation**

Council Resolution 98-2019 – A RESOLUTION adopting the Housing Unit Allocation Chart for Fiscal Year 2020 pursuant to the Adequate Public Facilities Act of Howard County. (*No expiration date*)

Council Resolution 89-2019 - Introduced by: The Chairperson at the request of the County Executive at the request of Dorsey Overlook, LLLP. - AN ACT declaring that a portion of Old Maryland Route 108, containing approximately 1.087 acres, is no longer needed for a public purpose and authorizing the County Executive to waive the advertising and bidding requirements of Section 4.201 of the Howard County Code in order to convey the County's property interest to the developer of the adjacent property, Dorsey Overlook, LLLP. (No expiration date)