



# Howard County Council

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

## COUNCILMEMBERS

Calvin Ball, Chairperson  
District 2  
Jon Weinstein, Vice Chairperson  
District 1  
Jennifer Terrasa  
District 3  
Mary Kay Sigaty  
District 4  
Greg Fox  
District 5

Agenda  
Legislative Session  
Wednesday, October 5, 2016  
Banneker Room  
George Howard Building, 3430 Court House Drive, Ellicott City, MD  
7:00 p.m

### Legislative Session

Day # 16

Approve Journal -  
September 6, 2016  
September 19, 2016 – Emergency Legislative Session

Approve Minutes –  
Monthly Meeting – September 12, 2016  
Work Session on Downtown Columbia – September 12, 2016  
Flood Recovery Briefing – September 12, 2016  
Legislative Public Hearing - September 19, 2016  
Community Roundtable Discussion on MPP – September 20, 2016  
Special Public Hearing on Downtown Columbia – September 22, 2016  
Flood Recovery Briefing – September 26, 2016  
Legislative Work Session - September 26, 2016

### Introduction of Legislation

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

Council Resolution 116-2016 – A RESOLUTION confirming the appointment of Edward Coleman to the Planning Board.

Council Resolution 117-2016 – A RESOLUTION confirming the appointment of James Gregory Jolissaint to the Howard County Commission for Veterans and Military Families.

Council Resolution 118-2016 – A RESOLUTION confirming the appointment of Robert Lowell to the Howard County Commission for Veterans and Military Families.

Council Resolution 119-2016 – A RESOLUTION confirming the appointment of Robert Moore to the Howard County Commission for Veterans and Military Families.

Council Resolution 120-2016 – A RESOLUTION confirming the appointment of Craig Porterfield to the Howard County Commission for Veterans and Military Families

Council Resolution 121-2016 – A RESOLUTION confirming the appointment of Gene Ryan to the Alcoholic Beverage Hearing Board.

Council Resolution 122-2016 – A RESOLUTION confirming the appointment of Ronnie Sanderson to the Advisory Board on Consumer Protection.

Council Resolution 123-2016 – A RESOLUTION confirming the appointment of Christopher Williams to the Howard County Commission for Veterans and Military Families.

Council Resolution 124-2016 – A RESOLUTION confirming the appointment of Victoria Airapetian to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 125-2016 – A RESOLUTION confirming the appointment of Bessie Bordenave to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 126-2016 – A RESOLUTION confirming the appointment of Maryam Elhabashy to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 127-2016 – A RESOLUTION confirming the appointment of Sonja Hamada to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 128-2016 – A RESOLUTION confirming the appointment of Caroline Harper to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 129-2016 – A RESOLUTION confirming the appointment of Yetta Harper to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 130-2016 – A RESOLUTION confirming the appointment of Bert J. Hash, Jr. to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 131-2016 – A RESOLUTION confirming the appointment of Jonah Hornum to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 132-2016 – A RESOLUTION confirming the appointment of Helaine Jeffers to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 133-2016 – A RESOLUTION confirming the appointment of Roberta Kelly to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 134-2016 – A RESOLUTION confirming the appointment of Rev. Rodney T. Morton to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 135-2016 – A RESOLUTION confirming the appointment of Namrata Nagarajan to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 136-2016 – A RESOLUTION confirming the appointment of Patricia Thorne to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 137-2016 – A RESOLUTION confirming the appointment of Kurt Wall to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 138-2016 – A RESOLUTION confirming the appointment of Tracey L. Williams to the Martin Luther King, Jr. Holiday Commission.

Council Resolution 139-2016 – A RESOLUTION confirming the appointment of William Alexion to the Commission for Transitioning Students with Disabilities.

Council Resolution 140-2016 – A RESOLUTION confirming the appointment of Robert Baynard to the Commission for Transitioning Students with Disabilities.

Council Resolution 141-2016 – A RESOLUTION confirming the appointment of Elizabeth Benevides to the Commission for Transitioning Students with Disabilities.

Council Resolution 142-2016 – A RESOLUTION confirming the appointment of Patrick Boxall to the Commission for Transitioning Students with Disabilities.

Council Resolution 143-2016 – A RESOLUTION confirming the appointment of Katie Collins-Ihrke to the Commission for Transitioning Students with Disabilities.

Council Resolution 144-2016 – A RESOLUTION confirming the appointment of Chris Glover to the Commission for Transitioning Students with Disabilities.

Council Resolution 145-2016 – A RESOLUTION confirming the appointment of Ananta Hejeebu to the Commission for Transitioning Students with Disabilities.

Council Resolution 146-2016 – A RESOLUTION confirming the appointment of Colette Jackson to the Commission for Transitioning Students with Disabilities.

Council Resolution 147-2016 – A RESOLUTION confirming the appointment of Kathy Land to the Commission for Transitioning Students with Disabilities.

Council Resolution 148-2016 – A RESOLUTION confirming the appointment of Mary Manzoni to the Commission for Transitioning Students with Disabilities.

Council Resolution 149-2016 – A RESOLUTION confirming the appointment of Cindy Parr to the Commission for Transitioning Students with Disabilities.

Council Resolution 150-2016 – A RESOLUTION confirming the appointment of Dana Shourbaji to the Commission for Transitioning Students with Disabilities.

Council Resolution 151-2016 – A RESOLUTION confirming the reappointment of J. Michael Bennett to the Cemetery Preservation Advisory Board.

Council Resolution 152-2016 – A RESOLUTION confirming the reappointment of Michael Couch to the Board to Promote Self-Sufficiency.

Council Resolution 153-2016 – A RESOLUTION confirming the reappointment of Ankur Dalal to the Board of Library Trustees.

Council Resolution 154-2016 – A RESOLUTION confirming the reappointment of Joan Driessen to the Board to Promote Self- Sufficiency.

Council Resolution 155-2016 – A RESOLUTION confirming the reappointment of Lisa L. Jablonover to the Board to Promote Self-Sufficiency.

Council Resolution 156-2016 – A RESOLUTION confirming the reappointment of Elizabeth Anne Larney to the Cemetery Preservation Advisory Board.

Council Resolution 157-2016 – A RESOLUTION confirming the reappointment of Sujit Mishra to the Howard County Design Advisory Panel.

Council Resolution 158-2016 – A RESOLUTION confirming the reappointment of Louise B. Riemer to the Board of Library Trustees.

Council Resolution 159-2016 – A RESOLUTION approving a list of Howard County residents to be sent to the Governor, in accordance with State law, so that the Governor may choose one of the residents from the list to fill a vacancy on the Property Tax Assessment Appeal Board.

Council Resolution 162-2016 – A RESOLUTION confirming the appointment of Andra Cain to the Board to Promote Self-Sufficiency.

Council Resolution 160-2016 – A RESOLUTION pursuant to Section 5-301 of the Education Article of the Annotated Code of Maryland, approving the Howard County Board of Education’s Capital Budget Request for Fiscal Year 2018 and Capital Improvement Program Request for Fiscal Years 2019-2023 for the purpose of submission to the Interagency Committee on School Construction.

Council Bill 66-2016 – Introduced by: Calvin Ball and Co-sponsored by Jon Weinstein; AN ACT establishing a tax credit against the County property tax imposed on residential real property that has suffered flood damage or sewage damage caused by flood conditions under certain circumstances; establishing the amount, terms, conditions, and duration of the credit; providing for an application procedure and administration of the credit; and generally relating to property tax credits.

Council Bill 67-2016 – AN ACT providing that certain minor alterations are exempt from the Historic Preservation Commission certificate of approval requirement; defining certain terms; clarifying that there shall be an Executive Secretary of the Historic Preservation Commission; adding that certain landscape features are eligible property for reasons of qualifying for certain tax credits; making certain technical corrections; generally related to Historic Preservation in Howard County; and making this Act an Emergency Bill.

Council Bill 68-2016 – AN ACT amending the duties and responsibilities of the Agricultural Land Preservation Board; and generally relating to the Agricultural Land Preservation Board.

Council Bill 69-2016 – AN ACT providing that the ad valorem charge may be a source of funds for water and sewer capital projects; making certain technical corrections, and generally relating to the ad valorem charge.

Council Resolution 161-2016 – A RESOLUTION amending the Food Service Facilities Regulations; defining certain terms; amending certain definitions; amending certain temperature requirements; amending certain provisions that relate to shellfish and crab meat, eggs and egg products, food protection, food preparation, food storage, and lighting; adding requirements for food preparation-cooking; requiring certain consumer advisories; requiring a Hazard Analysis Critical Control Point Plan; amending provisions related to facilities on certain types of water systems; making certain technical corrections; and generally related to food service facilities regulations in Howard County.

#### Final Consideration

Council Resolution 110-2016 – Introduced by: Calvin Ball; A RESOLUTION requesting that the Environmental Sustainability Board expand the scope of its review of studies regarding mold in Howard County Public Schools to include review of the various reports conducted by Skelly and Loy, Inc. on behalf of the Howard County Department of Public Works; and extending the timeframe for submitting the report to the County Council and County Executive.

Council Bill 59-2016 (ZRA 164) – Introduced by: Calvin Ball; AN ACT amending the Howard County Zoning Regulations to remove certain restrictions that limit the size of Commercial Solar Facilities on County Preservation Parcels and allow Commercial Solar Facilities as a Conditional Use on RR and RC zoned properties, under certain conditions; and generally relating to Commercial Solar Facilities.

Council Bill 60-2016 (ZRA 165) – Introduced by: The Chairperson at the request of Robert Haney; AN ACT amending the Howard County Zoning Regulations Conditional Use section to create a new Athletic Facilities, Commercial Conditional Use in the RC and RR zoning districts; and generally relating to Athletic Facilities, Commercial.

Council Resolution 111-2016 – Introduced by: Mary Kay Sigaty and Jon Weinstein; A RESOLUTION amending the Howard County Council Rules of Procedure to clarify that there is no legislative session in August and to indicate that the session in December is only to take specified actions.

Council Resolution 112-2016 – Introduced by: The Chairperson; A RESOLUTION acknowledging receipt of the annual report of the Howard County Retirement Plan and the Police and Fire Employees' Retirement Plan submitted by the Pension Oversight Commission.

Council Bill 61-2016 – AN ORDINANCE authorizing the issuance, sale and delivery of up to \$100,000,000 consolidated public improvement bonds and up to \$25,000,000 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.

Council Bill 62-2016 – 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.

SAO1-FY17 – AN ACT transferring \$69,624.00 from the Grant Fund, Contingency Reserve to the Department of Police for a grant to fund a Heroin Coordinator position.

TAO1-FY17 – AN ACT transferring \$550,000 in grant funding from Capital Project D1165, Flood Mitigation and Stormwater/Waterway Enhancement, to Capital Project D1158, Watershed Management Construction, so that the County may receive additional grant funds from the Maryland Department of Natural Resources, Chesapeake Bay Trust Fund, for stream restoration work.

Council Bill 63-2016 – AN ACT amending the Classification Plan for Howard County; amending the Fair Labor Standards Act designation for certain positions in order to comply with Federal law; and generally relating to amendments to the Howard County Classification Plan.

Council Resolution 113-2016 – A RESOLUTION endorsing the provision of financing by the State Department of Commerce for an economic development project in Howard County and certifying that the project is consistent with the County's plan for economic development.

Council Resolution 114-2016 – A RESOLUTION declaring that a total of approximately 0.215 acres of real property owned by Howard County, Maryland located off of MD Route 216 and commonly shown as Parcel 288 on Tax Map 46 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 sell the property to the owner of the adjacent property; and providing that the County Executive is not bound to sell the property if he finds that the land may have a further public use.

Council Bill 64-2016 – Introduced by: Calvin Ball; AN ACT authorizing the Howard County Office of Law to institute any civil action or other proceedings to enforce the financial audit of the Howard County Public School System mandated by Council Resolution No. 88-2016; and generally relating to enforcement of Resolution No. 88-2016.

Council Bill 65-2016 – Introduced by: Jon Weinstein; AN ACT temporarily prohibiting issuance of certain permits for certain development within a specified area of Howard County; finding that development in the Tiber-Hudson Watershed may be a contributing factor to flooding in Historic Ellicott City and thus may be a threat to the public health, safety and welfare; requesting the Department of Planning Zoning and other County agencies to study and report certain matters and make recommendations regarding such matters; providing that the purposes of this Act are to provide the Department of Planning and Zoning and other County agencies with time to study whether development in the specified

area needs to be further restricted or modified and to make recommendations for improvement, and to give the County Council time to act on the recommendations; defining certain terms; providing certain exemptions from the Act; establishing certain processes on the development review and permitting processes; providing that this Act shall be abrogated and of no further force and effect after a certain period; and generally relating to land use, permitting activities, storm water management, drainage and flood mitigation.

#### Tabled

Council Resolution 98-2016 – A RESOLUTION confirming the appointment Paul Lin to the Environmental Sustainability Board. (tabled 7/29/16)

Council Bill 43-2016 – Introduced by Jennifer Terrasa; AN ACT amending the Downtown Columbia Plan to establish an Affordable Housing Inclusionary Zoning provision for Downtown Columbia, under certain conditions; amending certain Community Enhancements, Programs, and Public Amenities (CEPPAs) requirements regarding affordable housing; and generally relating to planning, zoning and land use in Howard County. (tabled 7/29/16)

Council Bill 44-2016 (ZRA 162) – Introduced by Jennifer Terrasa; AN ACT amending the Howard County Zoning Regulations’ New Town (NT) District Downtown Revitalization regulations to include a 15 percent Affordable Housing Inclusionary Zoning provision for Downtown Columbia, under certain conditions; and generally relating to the NT District. (tabled 7/29/16)

Council Bill 45-2016 – Introduced by Jennifer Terrasa; AN ACT amending the Howard County Code’s Downtown Columbia provisions regarding affordable housing payments required by Community Enhancements, Programs, and Public Amenities (CEPPAs) to reflect an inclusionary zoning provision for Downtown Columbia; and generally relating to affordable housing in Downtown Columbia. (tabled 7/29/16)

Council Bill 52-2016 – AN ACT amending the *Downtown Columbia Plan*, a General Plan Amendment, to revise the Downtown Columbia affordable housing program; setting forth methods for the development of affordable housing; revising the Downtown Revitalization Phasing Progression to reflect the timing of affordable housing development; amending certain Community Enhancements, Programs and Public Amenities to reflect the methods for the development of affordable housing; and generally relating to planning, zoning and land use in Howard County. (tabled 7/29/16)

Council Bill 53-2016 – AN ACT amending *PlanHoward 2030*, the general plan for Howard County, in order to amend the number of housing unit allocations available to developers of new residential units in Downtown Columbia for the period 2015 - 2030; and generally relating to planning, zoning and land use in Howard County. (tabled 7/29/16)

Council Bill 54-2016 (ZRA 170) – AN ACT requiring a new configuration of affordable housing in Downtown Columbia under certain conditions with certain alternatives; amending and providing for certain parking requirements related to residential units in Downtown Columbia; providing certain requirements for certain plans; requiring that certain types of construction provide for art in the community; and generally relating to the Howard County Zoning Regulations. (tabled 7/29/16)

Council Bill 55-2016 – AN ACT amending the County Code by clarifying that certain moderate income housing units are provided in certain Zoning Districts as required by the Howard County Zoning Regulations or when required by certain plans; exempting Downtown Columbia from a certain provision of the Adequate Public Facilities Ordinance; amending certain payments for affordable housing required by each developer of residential property within Downtown Columbia under certain conditions; and generally relating to development in Downtown Columbia. (tabled 7/29/16)

Council Resolution 103-2016 – A RESOLUTION approving and authorizing the execution of a Development Rights and Responsibilities Agreement by Howard Research And Development Corporation and Howard County in accordance with Title 16, Subtitle 17 of the Howard County Code; authorizing the Executive to make changes to the Agreement, under certain conditions; authorizing the County Executive to execute the Agreement; providing for the effective date of this Resolution, and generally relating to the Agreement. (tabled 7/29/16)

Council Resolution 104-2016 – A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive’s sale of certain real property known as the “Flier Building” owned by Howard County, Maryland, containing approximately 2.159 acres, and located at 10750 Little Patuxent Parkway, Maryland; 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 sell the property if he finds that it may have a further public use. (tabled 7/29/16)

Council Bill 56-2016 – AN ORDINANCE levying and providing for the collection of a special tax on property within the special taxing district in the downtown Columbia area of Howard County, Maryland known as the “Crescent Special Taxing District” (the “Special Taxing District”) pursuant to the Rate and Method identified herein and for various matters relating thereto; authorizing and empowering the County to issue up to \$90,000,000 of its special obligation bonds at a maximum interest rate not to exceed 12% per annum in order to finance or reimburse the cost of certain public improvements relating to the Special Taxing District and the Development District (as defined herein) and other costs permitted under the Acts (as identified herein); providing that such bonds and the interest thereon shall never constitute a general obligation of the County or a pledge of its full faith and credit; providing for the further specification, prescription, determination, provision for or approval of various other matters, details, documents and procedures in connection with the authorization, issuance, security, sale and payment for any such bonds; making certain legislative findings; and generally providing for the levy, imposition, collection and application of such special tax and the issuance of an initial series of bonds in accordance with the Acts identified herein. (tabled 7/29/16)

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.