



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

Monday, November 7, 2016

Banneker Room

George Howard Building, 3430 Court House Drive, Ellicott City, MD
7:00 p.m

Legislative Session

Day # 17

Approve Journal -
October 5, 2016

Approve Minutes –
Legislative Work Session – October 5, 2016
Legislative Work Session – October 11, 2016
Legislative Public Hearing – October 17, 2016
Legislative Work Session – October 24, 2016
Quarterly Meeting with the Board of Education – October 26, 2016
Legislative Work Session – November 4, 2016

Introduction of Legislation

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

Council Resolution 163-2016 – A RESOLUTION confirming the appointment of Robert F. Ford, Jr. to the Human Rights Commission.

Council Resolution 164-2016 – A RESOLUTION confirming the appointment of Edward Glawe to the Cemetery Preservation Advisory Board.

Council Resolution 165-2016 – A RESOLUTION confirming the appointment of Elizabeth S. Homan to the Housing Commission.

Council Resolution 166-2016 – A RESOLUTION confirming the appointment of Weiwei Jia to the Howard County Design Advisory Panel.

Council Resolution 167-2016 – A RESOLUTION confirming the appointment of Jack Kavanagh to the Local Government Justice Reinvestment Commission.

Council Resolution 168-2016 – A RESOLUTION confirming the appointment of Fred S. Marino to the Howard County Design Advisory Panel.

Council Resolution 169-2016 – A RESOLUTION confirming the appointment of Neveen H. McLeod to the Commission for Women.

Council Resolution 170-2016 – A RESOLUTION confirming the appointment of Naveed S. Mian to the Howard County Local Children’s Board.

Council Resolution 171-2016 – A RESOLUTION confirming the appointment of John F. Tenerowicz to the Board to Promote Self-Sufficiency.

Council Resolution 172-2016 – A RESOLUTION confirming the appointment of Kui Zhao to the Human Rights Commission.

Council Resolution 173-2016 – A RESOLUTION confirming the reappointment of Nathaniel Alston, Jr. to the Equal Business Opportunity Commission.

Council Resolution 174-2016 – A RESOLUTION confirming the reappointment of Roger L. Barnes to the Equal Business Opportunity Commission.

Council Resolution 175-2016 – A RESOLUTION confirming the reappointment of Cynthia Coburn to the Commission on Disability Issues.

Council Resolution 176-2016 – A RESOLUTION confirming the reappointment of Arthur C. Gold to the Commission on Disability Issues.

Council Resolution 177-2016 – A RESOLUTION confirming the reappointment of Margaret Kim to the Equal Business Opportunity Commission.

Council Resolution 178-2016 – A RESOLUTION confirming the reappointment of Lanlan Xu to the Commission for Women.

Council Resolution 179-2016 – Introduced by Calvin Ball and Jennifer Terrasa: A RESOLUTION calling on the Maryland State Department of Education to contract for a performance audit of the Howard County Public School System and specifying the issues requested to be studied.

TAO2-FY2017 – Introduced by the Chairperson at the request of the Board of Education: AN ACT transferring of a total of \$1,700,000 between capital projects in the Board of Education capital budget for Fiscal Year 2017.

Council Resolution 180-2016 – Introduced by Calvin Ball: A RESOLUTION calling on the Human Rights Commission to study the recruitment, hiring, retention, and promotion practices of certain units of the Howard County government, the Howard County Sheriff, and the Howard County Public School System, submit a report and make recommendations; and generally relating to discriminatory practices in Howard County.

Council Resolution 181-2016 – Introduced by Calvin Ball: A RESOLUTION calling on the Equal Business Opportunity Commission to make certain studies related to the County’s Equal Business

Opportunity Program and purchasing practices, to study polices and experiences of other jurisdictions with respect to contracting and purchasing and the use of businesses owned by women, minorities, and individuals with disabilities; to recommend to the County Council measures to improve the County's purchasing policies and practices; and generally relating to fostering equal business opportunities for businesses owned by women, minorities, and individuals with disabilities in Howard County.

Council Bill 70-2016 – Introduced by Mary Kay Sigaty: AN ACT establishing a special, non-lapsing Reserve Fund for Permanent Public Improvements; specifying the components, purposes, and uses of the Fund; providing a limit on the size of annual payments to the Fund; and generally relating to financing public improvements in the County.

Council Bill 71-2016 (ZRA 167) – Introduced at the request of Elisa Kamens; AN ACT amending the Howard County Zoning Regulations Conditional Use section to clarify that indoor noises at Pet Day Care Facilities Conditional Uses must not be detectible at the lot lines; and generally relating to Pet Day Care Facilities Conditional Uses.

Council Bill 72-2016 (ZRA 168) – Introduced at the request of Demirel Plaza, Inc.: AN ACT amending the Howard County Zoning Regulations Office Transition (OT) section to add several new uses to be allowed as a matter of right; amending the Conditional Use section to allow Child Day Care Centers and Nursery Schools, Day Treatment and Care Facilities and Pet Day Care Facilities as Conditional Uses in the Office Transition (OT) district; and generally relating to the Office Transition (OT) section.

Council Bill 73-2016 – AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money an additional aggregate principal amount of up to \$1,700,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of various capital projects, more particularly described in the County's 2017 Capital Budget, and to pay costs of issuance of such bonds; authorizing the County to issue bond anticipation notes or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Bill 74-2016 – AN ACT amending the age of eligibility for the property tax credit for senior citizens; making certain technical corrections; and generally related to the real property tax credit for senior citizens.

Council Bill 75-2016 AN ACT establishing a tax credit against the County tax imposed on real property that is owned by individuals who are at least 65 years of age and have lived in the same dwelling for the preceding 40 years or who are at least 65 years of age and a retired member of the Armed Forces of the United States, under certain conditions; establishing the amount, terms, conditions, and duration of the credit; providing for an application procedure and administration of the credit; and generally relating to real property tax credits.

Council Bill 76-2016 – AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 29.62 acres of agricultural land located at 3844 Jennings Chapel Road, Woodbine, Howard County, Maryland, from the John J. and Beatrice H. Iglehart Living Trust or any other owner thereof for a maximum purchase price of \$797,400.00 or, if less, not more than \$26,921.00 per acre or portion thereof, rounded to the next highest \$100, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such purchase price and interest on the deferred

portion of such purchase price shall be a full faith and credit general obligation of the County; providing for the levying of taxes for such payments; authorizing the County Executive to modify such Agreement; and providing for and determining various matters in connection therewith.

Council Bill 77-2016 – AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 166.82 acres of agricultural land located at 15325 Leondina Drive, Glenwood, Howard County, Maryland, from Cattail Meadows, LLC or any other owner thereof for a maximum purchase price of \$6,584,100.00 or, if less, not more than \$39,468.00 per acre or portion thereof, rounded to the next highest \$100, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such purchase price and interest on the deferred portion of such purchase price shall be a full faith and credit general obligation of the County; providing for the levying of taxes for such payments; authorizing the County Executive to modify such Agreement; and providing for and determining various matters in connection therewith.

Council Bill 78-2016 – AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 109.07 acres of agricultural land located at 755 East Watersville Road, Mt. Airy, Howard County, Maryland, from the Stanley Matthew Pickett Revocable Trust or any other owner thereof for a maximum purchase price of \$3,404,600.00 or, if less, not more than \$31,214.40 per acre or portion thereof, rounded to the next highest \$100, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such purchase price and interest on the deferred portion of such purchase price shall be a full faith and credit general obligation of the County; providing for the levying of taxes for such payments; authorizing the County Executive to modify such Agreement; and providing for and determining various matters in connection therewith.

Council Bill 79-2016 – Introduced by Jon Weinstein and Calvin Ball: AN Act requiring that the Howard County Design Manual Volume I (Storm Drainage) be used for a specified purpose; mandating a specified figure for rainfall for certain 100 year storms; requiring certain periodic reviews; providing that this Act shall apply to a specified area at a specified time; generally relating to stormwater management in Howard County; and making this Act an emergency measure.

Council Resolution 182-2016 – A RESOLUTION pursuant to Sections 16.301 and 16.200(a) of the Howard County Code, granting a variance for government uses from certain height requirements for the construction of a compost facility at the Alpha Ridge Landfill located at 2350 Marriottsville Road.

Final Consideration

Consent Agenda

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 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 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 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.

Appointments

Council Resolution 128-2016 – A RESOLUTION confirming the appointment of Caroline Harper 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 148-2016 – A RESOLUTION confirming the appointment of Mary Manzoni to the Commission for Transitioning Students with Disabilities.

General

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.

Tabled

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 10/05/16)

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 Resolution 105-2016 – A RESOLUTION adopted pursuant to Sections 12-201 et seq. of the Economic Development Article of the Annotated Code of Maryland (the "Tax Increment Financing Act") and Sections 21-501 et seq. of the Local Government Article of the Annotated Code of Maryland (the "Special Taxing District Act", and collectively with the Tax Increment Financing Act, the "Acts") providing for the designation of contiguous property in the downtown Columbia area of Howard County as a development district for purposes of the Tax Increment Financing Act (the "Development District") and for the designation of a separate area within the development district as a special taxing district for the purposes of the Special Taxing District Act (the "Special Taxing District", and collectively with the Development District, the "Districts"); creating certain special funds pursuant to the Acts; providing for the deposit and use of moneys in such special funds; pledging that the County will allocate and divide property taxes on real property

within the Development District so that the portion of the real property taxes levied on the amount by which the assessable base of the real property in the Development District exceeds the original taxable value (the “Tax Increment”) will be allocated and paid into one of the special funds, and providing for the levy and collection of special taxes or ad valorem taxes to be deposited to the other special fund in the event the real property taxes levied on the Tax Increment are or will be insufficient to pay debt service on certain bonds issued under the Acts; and providing for, finding, and determining matters in connection therewith. (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.