

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2016 Legislative Session**

**Legislative Day No. 18**

November 9, 2016

**HOWARD COUNTY TO WIT:**

The Chairperson called the legislative session to order at **8:15** p.m.

Chairperson Calvin Ball, Vice Chairperson Jon Weinstein, Council Member Greg Fox, Council Member Mary Kay Sigaty, and Council Member Jennifer Terrasa were present.

Jessica Feldmark, Administrator to the County Council; Craig Glendenning, County Auditor; Theo Wimberly, Legislative Analyst; Gary Kuc, County Solicitor; John Gwynn, Asst. County Solicitor; Jennifer Sager, Legislative Coordinator; and Rozonna Hightower, Administrative Support were also present.

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

The roll call vote called by the Administrator on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

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

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**FINAL CONSIDERATION**

The Administrator read the bills for final consideration, beginning with appointments on the 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 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.

The Chairperson moved to approve Council Resolutions 116-, 117-, 118-, 119-, 120-, 121-, 122-, 123-, 124-, 125-, 126-, 127-, 130-, 131-, 132-, 133-, 135-, 136-, 137-, 138-, 139-, 140-, 141-, 142-, 143-, 144-, 145-, 146-, 147-, 149-, 150-, 151-, 152-, 153-, 154-, 155-, 156-, 157-, 158-, 159-, and 162-2016. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolutions 116-, 117-, 118-, 119-, 120-, 121-, 122-, 123-, 124-, 125-, 126-, 127-, 130-, 131-, 132-, 133-, 135-, 136-, 137-, 138-, 139-, 140-, 141-, 142-, 143-, 144-, 145-, 146-, 147-, 149-, 150-,

151-, 152-, 153-, 154-, 155-, 156-, 157-, 158-, 159-, and 162-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolutions 116-, 117-, 118-, 119-, 120-, 121-, 122-, 123-, 124-, 125-, 126-, 127-, 130-, 131-, 132-, 133-, 135-, 136-, 137-, 138-, 139-, 140-, 141-, 142-, 143-, 144-, 145-, 146-, 147-, 149-, 150-, 151-, 152-, 153-, 154-, 155-, 156-, 157-, 158-, 159-, and 162-2016 passed.

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

The Chairperson moved to approve Council Resolution 129-2016. The motion was seconded by Mr. Weinstein.

The Chairperson moved to approve Amendment #1 to Council Resolutions 129-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 1**

*(This Amendment corrects the appointee's name.)*

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Council Resolutions 129-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #1 to Council Resolutions 129-2016 passed.

The roll call vote called by the Administrator on the motion to approve Council Resolution 129-2016 as amended was Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 129-2016 as amended passed.

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The Administrator read the remaining appointments together as a group.

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.

The Chairperson moved to table Council Resolutions 128-, 134-, and 148-2016. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to a table Council Resolutions 128-, 134-, and 148-2016 was Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Resolutions 128-, 134-, and 148-2016 passed.

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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.

The Chairperson moved to approve Council Resolution 160-2016. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution 160-2016 was Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 160-2016 passed.

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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 Member Weinstein moved to table Council Bill 66-2016. The motion was seconded by Dr. Ball.

. The roll call vote called by the Administrator on the motion to table Council Bill 66-2016 was Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Bill 66-2016 passed.

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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.

The Chairperson moved to approve Council Bill 67-2016. The motion was seconded by Mr. Weinstein.

The Chairperson moved to approve Amendment #1 to Council Bill 67-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 1**

*(This Amendment adds a requirement to specifically notify Commissioners in writing of the decision of the Executive Secretary and corrects references.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Council Bill 67-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 1 to Council Bill 67-2016 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 67-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 67-2016 as amended passed.

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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.

The Chairperson moved to approve Council Bill 68-2016. The motion was seconded by Mr. Weinstein.

The Chairperson moved to approve Amendment #1 to Council Bill 68-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 1**

*(This Amendment adds the County Council to the list of recipients which will receive recommendations acquisition on agricultural land preservation easements).*

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Council Bill 68-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #1 to Council Bill 68-2016 passed

Council Member Sigaty moved to approve Amendment #2 to Council Bill 68-2016. The motion was seconded by Dr. Ball.

**Amendment No. 2**

*This Amendment adds the Board's role of making recommendations on Commercial Solar Facilities to the list of Duties and Responsibilities*

The roll call vote called by the Administrator on the motion to approve Amendment #2 to Council Bill 68-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #2 to Council Bill 68-2016 passed

The roll call vote called by the Administrator on the motion to approve Council Bill 68-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 68-2016 as amended passed.

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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.

The Chairperson moved to approve Council Bill 69-2016. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Bill 69-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 69-2016 passed.



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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.

The Chairperson moved to approve Council Resolution 161-2016. The motion was seconded by Mr. Weinstein.

The Chairperson moved to approve Amendment #1 to Council Resolution 161-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 1**

*This Amendment:*

1. *Corrects outlining; and*
2. *Clarifies that certain enforcement provisions will be applied progressively*

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Council Resolution 161-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #1 to Council Resolution 161-2016 passed

The roll call vote called by the Administrator on the motion to approve Council Resolution 161-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 161-2016 as amended passed.

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Council Member Weinstein moved to remove Council Bill 65-2016 from the table. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to remove Council Bill 65-2016 from the table was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to remove Council Bill 65-2016 from the table passed

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

Mr. Weinstein moved to extend the life of Council Bill 65-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to extend the life of Council Bill 65-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to extend the life of Council Bill 65-2016 passed

Mr. Weinstein moved to table Council Bill 65-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to table Council Bill 65-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Bill 65-2016 passed.

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The Chairperson moved to remove Council Bills 43-, 44-, 45-, 52-, 53-, 54-, 55-, and 56-2016 and Council Resolutions 103- and 105-2016 from the table. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion remove Council Bills 43-, 44-, 45-, 52-, 53-, 54-, 55-, and 56-2016 and Council Resolutions 103- and 105-2016 from the table was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to remove Council Bills 43-, 44-, 45-, 52-, 53-, 54-, 55-, and 56-2016 and Council Resolutions 103- and 105-2016 from the table passed.

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.

Council Member Terrasa moved to approve Council Bill 43-2016. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Bill 43-2016 was: Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty, and Weinstein.

The motion to approve Council Bill 43-2016 failed.

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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.

Council Member Terrasa moved to approve Council Bill 44-2016. The motion was seconded by Dr. Ball.

Council Member Terrasa moved to approve Amendment 1 to Council Bill 44-2016. The motion was seconded by Dr. Ball.

**Amendment No. 1**

*This Amendment would delete the proposed Low-Income Unit Credit Exchange concept.*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Council Bill 44-2016 was: Yea: Council Members Ball, Fox, Terrasa and Weinstein. Nay: Council Member Sigaty

The motion to approve Amendment 1 to Council Bill 44-2016 passed.

Council Member Terrasa moved to approve Amendment 2 to Council Bill 44-2016. The motion was seconded by Mr. Ball.

**Amendment No. 2**

*This Amendment would add a requirement for public art in MIHU developments*

The roll call vote called by the Administrator on the motion to approve Amendment 2 to Council Bill 44-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 2 to Council Bill 44-2016 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 44-2016 as amended was: Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty, and Weinstein.

The motion to approve Council Bill 44-2016 as amended failed.

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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.

Council Member Terrasa moved to approve Council Bill 45-2016. The motion was seconded by Mr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Bill 45-2016 was: Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty and Weinstein.

The motion to approve Council Bill 45-2016 failed.

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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.

The Chairperson moved to approve Council Bill 52-2016. The motion was seconded by Mr. Weinstein.

Council Member Terrasa moved to approve Amendment 2 to Council Bill 52-2016. The motion was seconded by Dr. Ball.

**Amendment No. 2**

*This Amendment would remove references to the DRRA*

The roll call vote called by the Administrator on the motion to approve Amendment #2 to Council Bill 52-2016 was: Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty and Weinstein.

The motion to approve Amendment #2 to Council Bill 52-2016 failed

The Chairperson moved to approve Amendment #3 to Council Bill 52-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 3**

*This Amendment:*

- 1. Clarifies that developments built with Low-Income Housing Tax Credit financing are exempt from the 5,500 dwelling unit cap;*
- 2. Clarifies the types of units reflected in the Downtown Revitalization Phasing Progression; and*
- 3. Makes technical corrections to Section headers in the Downtown Community Enhancements, Programs and Public Amenities Implementation Chart.*

The Chairperson moved to approve Amendment #3 to Amendment #3 to Council Bill 52-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 3 to Amendment 3**

*This Amendment to Amendment No. 3:*

- 1. Maintains the original 5,500 unit density cap and adds a separate density cap for developments financed with Low-Income Housing Tax Credits;*
- 2. Amends certain minimum percentages of required affordable housing in accordance with changes made in Amendment 1 to CB 54-2016;*
- 3. Removes certain proposed changes to the Downtown Revitalization Phasing Progression;*
- 4. Clarifies when certain CEPPA obligations are triggered;*

5. *Deletes the Dwelling Units Offered for Sale section from Ongoing Developer Contributions and deletes CEPPA #26; and*
6. *Adds a severability clause to the Bill..*

The roll call vote called by the Administrator on the motion to approve Amendment #3 to Amendment #3 to Council Bill 52-2016 was: Yea: Council Members Ball, Fox, Sigaty and Weinstein; Nay: Council Member Terrasa

The motion to approve Amendment #3 to Amendment #3 to Council Bill 52-2016 passed.

The roll call vote called by the Administrator on the motion to approve Amendment #3 to Council Bill 52-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #3 to Amendment #3 to Council Bill 52-2016 as amended passed.

Council Member Terrasa moved to approve Amendment #4 to Council Bill 52-2016. The motion was seconded by Mr. Weinstein.

#### **Amendment No. 4**

*This amendment substitutes a new Downtown Revitalization Phasing Progression Chart to the bill*

Council Member Terrasa moved to approve Amendment #1 to Amendment #4 to Council Bill 52-2016. The motion was seconded by Mr. Weinstein.

Council Member Terrasa moved to withdraw the motion to approve Amendment #1 to Amendment #4 to Council Bill 52-2016. The motion passed by unanimous consent.

#### **~~Amendment No. 1 to Amendment 4~~**

*This Amendment to Amendment No. 4 substitutes a revised Downtown Revitalization Phasing Progression in order to amend certain numbers and footnotes.*

The Chairperson moved to approve Amendment #2 to Amendment #4 to Council Bill 52-2016. The motion was seconded by Mr. Weinstein.

#### **Amendment No. 2 to Amendment 4**

*This Amendment to Amendment No. 4 substitutes a revised Downtown Revitalization Phasing Progression in order to amend certain numbers and footnotes.*

The roll call vote called by the Administrator on the motion to approve Amendment #2 to Amendment #4 to Council Bill 52-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #2 to Amendment #4 to Council Bill 52-2016 passed.

The roll call vote called by the Administrator on the motion to approve Amendment #4 to Council Bill 52-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #4 to Council Bill 52-2016 as amended passed.

Council Member Terrasa moved to approve Amendment #5 to Council Bill 52-2016. The motion was seconded by Dr. Ball.

#### **Amendment No. 5**

*This amendment would move up the transfer of ownership of Merriweather Post Pavilion to the Downtown Arts and Culture Commission*

Council Member Terrasa moved to approve Amendment #1 to Amendment #5 to Council Bill 52-2016. The motion was seconded by Mr. Weinstein.

#### **Amendment No. 1 to Amendment 5**

*This amendment specifies the conditions for transferring Merriweather Post Pavilion*

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Amendment #5 to Council Bill 52-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #1 to Amendment #5 to Council Bill 52-2016 passed.

The roll call vote called by the Administrator on the motion to approve Amendment #5 to Council Bill 52-2016 as amended was: Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty, and Weinstein.

The motion to approve Amendment #5 to Council Bill 52-2016 as amended failed.

The roll call vote called by the Administrator on the motion to approve Council Bill 52-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty, and Weinstein; Nay: Council Member Terrasa.

The motion to approve Council Bill 52-2016 as amended passed.

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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.

The Chairperson moved to approve Council Bill 53-2016. The motion was seconded by Mr. Weinstein.

The Chairperson moved to approve Amendment 1 to Council Bill 53-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 1**

*This amendment inserts an allocation chart specific to Downtown Columbia.*

The Chairperson moved to approve Amendment 3 to Amendment #1 Council Bill 53-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 3 to Amendment 1**

*This Amendment to Amendment No. 1:*

- 1. Adds a severability clause; and*
- 2. Adds phase IV to the extrapolated chart.*

The roll call vote called by the Administrator on the motion to approve Amendment #3 to Amendment #1 to Council Bill 53-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #3 to Amendment #1 to Council Bill 53-2016 passed.



The roll call vote called by the Administrator on the motion to approve Amendment #1 to Council Bill 53-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty, and Weinstein; Nay: Council Member Terrasa

The motion to approve Amendment #1 to Council Bill 53-2016 as amended passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 53-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty, and Weinstein; Nay: Council Member Terrasa.

The motion to approve Council Bill 53-2016 as amended passed

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Council Bill 54-2016 (ZRA 170) – AN ACT requiring a new configuration of affordable housing in Downton 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.

The Chairperson moved to approve Council Bill 54-2016. The motion was seconded by Mr. Weinstein.

Council Member Sigaty moved to approve Amendment #1 to Council Bill 54-2016. The motion was seconded by Dr. Ball.

**Amendment No. 1**

*This amendment would make several changes to the affordable housing development program*

Council Member Terrasa moved to approve Amendment #2 to Amendment #1 to Council Bill 54-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 2 to Amendment 1**

*This amendment requires that there is a 15 percent affordable housing requirement for all dwelling units, removes the alternative compliance provision, and removes DRRA language*

The roll call vote called by the Administrator on the motion to approve Amendment #2 to Amendment #1 to Council Bill 54-2016 was: Yea: Council Member Terrasa. Nay: Council Members Ball, Fox, Sigaty and Weinstein.

The motion to approve Amendment #2 to Amendment #1 to Council Bill 54-2016 failed.

Council Member Sigaty moved to approve Amendment #3 to Amendment #1 to Council Bill 54-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 3 to Amendment 1**

*This amendment adjusts the number of units in LIHTC buildings and specifies the impact of the termination of a DRRA on pending development plans.*

The roll call vote called by the Administrator on the motion to approve Amendment #3 to Amendment #1 to Council Bill 54-2016 was: Yea: Council Members Ball, Fox, Sigaty and Weinstein. Nay: Council Member Terrasa.

The motion to approve Amendment #3 to Amendment #1 to Council Bill 54-2016 passed

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Council Bill 54-2016 as amended was Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein

The motion to approve Amendment #1 to Council Bill 54-2016 as amended passed.

Council Member Sigaty moved to approve Amendment #2 to Council Bill 54-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 2**

*This amendment would require that developers in Downtown Columbia participate in the park once environment that was envisioned in the Downtown Columbia Plan.*

Council Member Terrasa moved to approve Amendment #2 to Amendment #2 to Council Bill 54-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 2 to Amendment 2**

*This amendment removes the surface parking limitation*

The roll call vote called by the Administrator on the motion to approve Amendment #2 to Amendment #2 to Council Bill 54-2016 as amended was Yea: Council Member Terrasa Nay: Council Members Ball, Fox, Sigaty, and Weinstein.

The motion to approve Amendment #2 to Amendment #2 to Council bill 54-2016 failed.

Council Member Sigaty moved to approve Amendment #3 to Amendment #2 to Council Bill 54-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 3 to Amendment 2**

*This amendment creates an exception to surface parking requirements for temporary parking situations and eliminates the restriction on reserved parking*

The roll call vote called by the Administrator on the motion to approve Amendment #3 to Amendment #2 to Council Bill 54-2016 was Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #3 to Amendment #2 to Council Bill 54-2016 passed.

The roll call vote called by the Administrator on the motion to approve Amendment #2 to Council Bill 54-2016 as amended was Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #2 to Council Bill 54-2016 as amended passed.

Council Member Terrasa moved to approve Amendment #3 to Council Bill 54-2016. The motion was seconded by Mr. Weinstein.

Council Member Terrasa moved to withdraw the motion to approve Amendment #3 to Council Bill 54-2016. The motion passed by unanimous consent.

**~~Amendment No. 3~~**

*This amendment would delete the proposed affordable housing exemption from the dwelling unit cap for Downtown*

Council Member Terrasa moved to approve Amendment #4 to Council Bill 54-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 4**

*This amendment would remove references to the DRRRA*

The roll call vote called by the Administrator on the motion to approve Amendment #4 to Council Bill 54-2016 was Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty and Weinstein.

The motion to approve Amendment #4 to Council Bill 54-2016 failed.

Council Member Terrasa moved to approve Amendment #5 to Council Bill 54-2016. The motion was seconded by Mr. Weinstein.

Council Member Terrasa moved to withdraw the motion to approve Amendment #5 to Council Bill 54-2016. The motion passed by unanimous consent.

**Amendment No. 5**

*~~This amendment would require that affordable housing units remain affordable in to perpetuity in Downtown~~*

Council Member Terrasa moved to approve Amendment #6 to Council Bill 54-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 6**

*~~This amendment would require 15% MIHU for new residential developments~~*

Council Member Terrasa moved to approve Amendment #1 to Amendment #6 to Council Bill 54-2016. The motion was seconded by Mr. Weinstein.

Council Member Terrasa moved to withdraw the motions to approve Amendment #6 and Amendment #1 to Amendment #6 to Council Bill 54-2016. The motion passed by unanimous consent.

**Amendment No. 1 to Amendment 6**

*~~This amendment adds a provision prohibiting optional methods/alternative compliance~~*

Council Member Terrasa moved to approve Amendment #7 to Council Bill 54-2016. The motion was seconded by Mr. Weinstein.

### **Amendment No. 7**

*This amendment would require that a fee-in-lieu be paid for developers using public parking to satisfy their off-street parking requirements*

The roll call vote called by the Administrator on the motion to approve Amendment #7 to Council Bill 54-2016 was Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty and Weinstein.

The motion to approve Amendment #7 to Council Bill 54-2016 failed.

Council Member Terrasa moved to approve Amendment #8 to Council Bill 54-2016. The motion was seconded by Mr. Weinstein.

### **Amendment No. 8**

*This amendment would remove the alternative ratios provision for parking in Downtown*

The roll call vote called by the Administrator on the motion to approve Amendment #8 to Council Bill 54-2016 was Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty and Weinstein.

The motion to approve Amendment #8 to Council Bill 54-2016 failed.

Council Member Fox moved to approve Amendment #9 to Council Bill 54-2016. The motion was seconded by Mr. Weinstein.

### **Amendment No. 9**

*This amendment would clarify that a parking study can be submitted to justify alternative ratios provision for parking in Downtown and delete the proposed residential parking ratio changes*

The roll call vote called by the Administrator on the motion to approve Amendment #9 to Council Bill 54-2016 was Yea: Council Members Ball, Fox, Sigaty and Weinstein; Nay: Council Member Terrasa.

The motion to approve Amendment #9 to Council Bill 54-2016 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 54-2016 as amended was Yea: Council Members Ball, Fox, Sigaty and Weinstein; Nay: Council Member Terrasa.

The motion to approve Council Bill 54-2016 as amended passed.

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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.

The Chairperson moved to approve Council Bill 55-2016. The motion was seconded by Mr. Weinstein.

Council Member Sigaty moved to approve Amendment #1 to Council Bill 55-2016. The motion was seconded by Mr. Fox.

**Amendment No. 1**

*This amendment would add certain programs to the Downtown Columbia Housing Foundation*

Council Member Terrasa moved to find Amendment #1 to Council Bill 55-2016 substantive.

Council Member Terrasa moved to withdraw her motion to find Amendment #1 to Council Bill 55-2016 substantive. The motion passed by unanimous consent.

Council Member Sigaty moved to approve Amendment #3 to Amendment #1 to Council Bill 55-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 3 to Amendment 1**

*This amendment deletes the Affordable Housing—Residential Units section from the Howard County Code*

The roll call vote called by the Administrator on the motion to approve Amendment #3 to Amendment #1 to Council Bill 55-2016 was Yea: Council Members Ball, Fox, Sigaty and Weinstein; Nay: Council Member Terrasa.

The motion to approve Amendment #3 to Amendment #1 to Council Bill 55-2016 passed.

Council Member Terrasa moved to find the Amendment substantive. The motion was seconded by Dr. Ball.

The roll call voted called by the Administrator to find the Amendment substantive was: Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty and Weinstein.

The motion to find the Amendment substantive failed.

The roll call vote called by the Administrator to approve Council Bill 55-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty; Nay: Council Member Terrasa.

The Chairperson moved to reconsider Council Bill 55-2016 as amended. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator to reconsider Council Bill 55-2016 as amended was: Yea: Council Members Council Members Ball, Fox, Sigaty and Weinstein; Nay: Council Member Terrasa.

The motion to reconsider Council Bill 55-2016 as amended passed.

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Council Bill 55-2016 as amended was Yea: Council Members Ball, Fox, Sigaty and Weinstein; Nay: Council Member Terrasa

The motion to approve Amendment #1 to Council Bill 55-2016 as amended passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 55-2016 as amended was Yea: Council Members Ball, Fox, Sigaty and Weinstein; Nay: Council Member Terrasa

The motion to approve Council Bill 55-2016 as amended passed.

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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.

The Chairperson moved to approve Council Resolution 103-2016. The motion was seconded by Mr. Weinstein.

The Chairperson moved to approve Amendment #1 to Council Resolution 103-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 1**

*This technical amendment inserts cross references.*

The Chairperson moved to approve Amendment #1 to Amendment #1 to Council Resolution 103-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 1 to Amendment 1**

*This Amendment to Amendment No. 1 clarifies the effective date of the Resolution.*

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Amendment #1 to Council Resolution 103-2016 was Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #1 to Amendment #1 to Council Resolution 103-2016 passed.

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Council Resolution 103-2016 as amended was Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #1 to Council Resolution 103-2016 as amended passed.

Council Member Terrasa moved to approve Amendment #2 to Council Resolution 103-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 2**

*This amendment would ensure that there is sufficient land for parking on the new Library project*

The roll call vote called by the Administrator on the motion to approve Amendment #2 to Council Resolution 103-2016 was Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty, and Weinstein.

The motion to approve Amendment #2 to Council Resolution 103-2016 failed.



Council Member Terrasa moved to approve Amendment #3 to Council Resolution 103-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 3**

*This amendment would require that all affordable housing units remain affordable in perpetuity*

The roll call vote called by the Administrator on the motion to approve Amendment #3 to Council Resolution 103-2016 was Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty, and Weinstein.

The motion to approve Amendment #3 to Council Resolution 103-2016 failed.

Council Member Terrasa moved to approve Amendment #4 to Council Resolution 103-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 4**

*This amendment would require HRD to terminate use and restriction covenants on the Toby's property*

The roll call vote called by the Administrator on the motion to approve Amendment #4 to Council Resolution 103-2016 was Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty, and Weinstein.

The motion to approve Amendment #4 to Council Resolution 103-2016 failed.

Council Member Terrasa moved to approve Amendment #5 to Council Resolution 103-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 5**

*This amendment would place limitations on the LIHTC project changes*

The roll call vote called by the Administrator on the motion to approve Amendment #5 to Council Resolution 103-2016 was Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty, and Weinstein.

The motion to approve Amendment #5 to Council Resolution 103-2016 failed.

Council Member Terrasa moved to approve Amendment #7 to Council Resolution 103-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 7**

*This amendment would specify that the DRRA could only be terminated after a public hearing is conducted*

The roll call vote called by the Administrator on the motion to approve Amendment #7 to Council Resolution 103-2016 was Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty, and Weinstein.

The motion to approve Amendment #7 to Council Resolution 103-2016 failed.

Council Member Terrasa moved to approve Amendment #8 to Council Resolution 103-2016. The motion was seconded by Mr. Weinstein.

Council Member Terrasa moved to withdraw the motion to approve Amendment #8 to Council Resolution 103-2016. The motion passed by unanimous consent.

**Amendment No. 8**

~~*This amendment would specify that if the DRRA were terminated any future development would have to comply with the underlying zoning regulations*~~

Council Member Sigaty moved to approve Amendment #9 to Council Resolution 103-2016. The motion was seconded by Dr. Ball.

**Amendment No. 9**

*This amendment would replace the DRRA attached to the resolution with the DRRA attached to this amendment*

Council Member Sigaty moved to approve Amendment #1 to Amendment #9 to Council Resolution 103-2016. The motion was seconded by Dr. Ball.

**Amendment No. 1 to Amendment 9**

*This amendment would replace the DRRA attached to the amendment with the DRRA attached to this amendment*

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Amendment #9 to Council Resolution 103-2016 was Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #1 to Amendment #9 to Council Resolution 103-2016 passed.

Council Member Terrasa moved to approve Amendment #2 to Amendment #9 to Council Resolution 103-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 2 to Amendment 9**

*This amendment would remove the Banneker LIHTC project from the DRRA and redirect the housing units to become inclusionary moderate income housing units*

The roll call vote called by the Administrator on the motion to approve Amendment #2 to Amendment #9 to Council Resolution 103-2016 was Yea: Council Member Terrasa; Nay: Ball, Fox, Sigaty and Weinstein.

The motion to approve Amendment #2 to Amendment #9 to Council Resolution 103-2016 failed.

Council Member Terrasa moved to approve Amendment #3 to Amendment #9 to Council Resolution 103-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 3 to Amendment 9**

*This amendment would remove the Library project from the DRRA and redirect the housing units to become inclusionary moderate income housing units*

The roll call vote called by the Administrator on the motion to approve Amendment #3 to Amendment #9 to Council Resolution 103-2016 was Yea: Council Member Terrasa; Nay: Ball, Fox, Sigaty and Weinstein.

The motion to approve Amendment #3 to Amendment #9 to Council Resolution 103-2016 failed.

The roll call vote called by the Administrator on the motion to approve Amendment #9 to Council Resolution 103-2016 as amended was Yea: Council Members Ball, Fox, Sigaty and Weinstein; Nay: Council Member Terrasa.

The motion to approve Amendment #9 to Council Resolution 103-2016 as amended passed.

The roll call vote called by the Administrator on the motion to approve Council Resolution 103-2016 as amended was Yea: Council Members Ball, Fox, Sigaty and Weinstein; Nay: Council Member Terrasa.

The motion to approve Council Resolution 103-2016 as amended passed.

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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.

The Chairperson moved to approve Council Resolution 105-2016. The motion was seconded by Mr. Weinstein.

The Chairperson moved to approve Amendment #1 to Council Resolution 105-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 1**

*This amendment inserts cross references, corrects acreage, clarifies that certain boundaries cannot be reduced or enlarged by Executive Order; and inserts tax parcel identification numbers on certain exhibits.*

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Council Resolution 105-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #1 to Council Resolution 105-2016 passed.

Council Member Terrasa moved to approve Amendment #2 to Council Resolution 105-2016. The motion was seconded by Dr. Ball.

**Amendment No. 2**

*This amendment removes language that refers to or implies future phases or that refers to boundary changes.*

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Council Resolution 105-2016 was: Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty, and Weinstein.

The motion to approve Amendment #2 to Council Resolution 105-2016 failed.

The Chairperson moved to approve Amendment #3 to Council Resolution 105-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 3**

*This amendment provides that this Resolution is void unless the Merriweather Post Pavilion is transferred to the Downtown Columbia Arts and Culture Commission by November 30, 2016.*

Council Member Terrasa moved to approve Amendment #1 to Amendment #3 to Council Resolution 105-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 1 to Amendment 3**

*This amendment provides that the Resolution is void unless the Parking Easement Agreement is recorded by November 30, 2016.*

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Amendment #3 to Council Resolution 105-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #1 to Amendment #3 to Council Resolution 105-2016 passed.

The roll call vote called by the Administrator on the motion to approve Amendment #3 to Council Resolution 105-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #3 to Council Resolution 105-2016 as amended passed.

The roll call vote called by the Administrator on the motion to approve Council Resolution 105-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty and Weinstein. Nay: Council Member Terrasa.

The motion to approve Council Resolution 105-2016 as amended passed.

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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.

The Chairperson moved to approve Council Bill 56-2016. The motion was seconded by Mr. Weinstein.

The Chairperson moved to approve Amendment #1 to Council Bill 56-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 1**

*This technical amendment inserts cross references and corrects acreage.*

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Council Bill 56-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #1 to Council Bill 56-2016 passed.

The Chairperson moved to approve Amendment #5 to Council Bill 56-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 5**

*This amendment provides that this Act is void unless the Merriweather Post Pavilion is transferred to the Downtown Columbia Arts and Culture Commission by November 30, 2016.*

Council Member Terrasa moved to approve Amendment #1 to Amendment #5 to Council Bill 56-2016. The motion was seconded by Dr. Ball.

**Amendment No. 1 to Amendment 5**

*This amendment provides that the Act is void unless the Parking Easement Agreement is recorded by November 30, 2016.*

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Council Bill 56-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #1 to Amendment #5 to Council Bill 56-2016 passed.

The Chairperson moved to approve Amendment #2 to Amendment #5 to Council Bill 56-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 2 to Amendment 5**

*This amendment provides that the bond issuance is contingent on certain approvals from Howard Research and Development Corporation*

The roll call vote called by the Administrator on the motion to approve Amendment #2 to Amendment #5 to Council Bill 56-2016 was: Yea: Council Members Ball, Fox, Sigaty and Weinstein; Nay: Council Member Terrasa.

The motion to approve Amendment #2 to Amendment #5 to Council Bill 56-2016 passed.

The roll call vote called by the Administrator on the motion to approve Amendment #5 to Council Bill 56-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #5 to Council Bill 56-2016 as amended passed.

Council Member Terrasa moved to approve Amendment #6 to Council Bill 56-2016. The motion was seconded by Dr. Ball.

**Amendment No. 6**

*This amendment provides that the County will own the land on which the parking garage is built.*

The roll call vote called by the Administrator on the motion to approve #6 to Council Bill 56-2016 was: Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty and Weinstein.

The motion to approve Amendment #6 to Council Bill 56-2016 failed.

Council Member Terrasa moved to approve Amendment #8 to Council Bill 56-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 8**

*This amendment conditions the TIF to make sure no covenants limit value of property*

Council Member Terrasa moved to approve Amendment #1 to Amendment #8 to Council Bill 56-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 1 to Amendment 8**

*This amendment clarifies the parenthetical description*

The roll call vote called by the Administrator on the motion to approve #1 to Amendment #8 to Council Bill 56-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #1 to Amendment #8 to Council Bill 56-2016 passed.

The roll call vote called by the Administrator on the motion to approve Amendment #8 to Council Bill 56-2016 as amended was: Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty and Weinstein.

The motion to approve Amendment #8 to Council Bill 56-2016 as amended failed.

Council Member Terrasa moved to approve Amendment #9 to Council Bill 56-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 9**

*This amendment provides that HRD must pay the full cost of any overrun.*



Council Member Terrasa moved to approve Amendment #1 to Amendment #9 to Council Bill 56-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 1 to Amendment 9**

*This amendment clarifies the mean of “costs”.*

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Amendment #9 to Council Bill 56-2016 was: Yea: Council Members Ball, Fox, Terrasa and Weinstein; Nay: Council Member Sigaty.

The motion to approve Amendment #1 to Amendment #9 to Council Bill 56-2016 passed.

The roll call vote called by the Administrator on the motion to approve Amendment #9 to Council Bill 56-2016 as amended was: Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty and Weinstein.

The motion to approve Amendment #9 to Council Bill 56-2016 as amended failed.

Council Member Terrasa moved to approve Amendment #10 Council Bill 56-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 10**

*This amendment provides the TIF bonds may be used to finance Bridge Columbia*

Council Member Terrasa moved to approve Amendment #1 to Amendment #10 to Council Bill 56-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 1 to Amendment 10**

*This amendment adds the cultural center to the list of projects that may be financed by TIF bonds.*

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Amendment #10 to Council Bill 56-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #1 to Amendment #10 to Council Bill 56-2016 passed.

The roll call vote called by the Administrator on the motion to approve Amendment #10 to Council Bill 56-2016 as amended was: Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty and Weinstein.

The motion to approve Amendment #10 to Council Bill 56-2016 as amended failed.

Council Member Terrasa moved to approve Amendment #11 to Council Bill 56-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 11**

*This amendment provides for a look-back requirement with profit-sharing*

Council Member Terrasa moved to approve Amendment #1 to Amendment #11 to Council Bill 56-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 1 to Amendment 11**

*This amendment alters the rate of return and profit sharing percentages*

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Amendment #11 to Council Bill 56-2016 was: Nay: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #1 to Amendment #11 to Council Bill 56-2016 failed.

The roll call vote called by the Administrator on the motion to approve Amendment #11 to Council Bill 56-2016 was: Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty and Weinstein.

The motion to approve Amendment #11 to Council Bill 56-2016 failed.

Council Member Terrasa moved to approve Amendment #12 to Council Bill 56-2016. The motion was seconded by Dr. Ball.

**Amendment No. 12**

*This amendment requires a minimum of \$30,000,000 in school funding.*

The roll call vote called by the Administrator on the motion to approve Amendment #12 to Council Bill 56-2016 as amended was: Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty and Weinstein.

The motion to approve Amendment #12 to Council Bill 56-2016 failed.

Council Member Terrasa moved to approve Amendment #13 to Council Bill 56-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 13**

*This amendment provides for the removal of covenants that restrict residential uses*

The roll call vote called by the Administrator on the motion to approve Amendment #13 to Council Bill 56-2016 as amended was: Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty and Weinstein.

The motion to approve Amendment #13 to Council Bill 56-2016 failed.

Council Member Terrasa moved to approve Amendment #14 to Council Bill 56-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 14**

*This amendment provides that the Toby's Adjacent Parcel must be owned by the Howard County Housing Commission.*

The roll call vote called by the Administrator on the motion to approve Amendment #14 to Council Bill 56-2016 as amended was: Yea: Council Member Terrasa; Nay: Council Members Ball, Fox, Sigaty and Weinstein.

The motion to approve Amendment #14 to Council Bill 56-2016 failed.

Council Member Fox moved to approve Amendment #15 to Council Bill 56-2016. The motion was seconded by Mr. Weinstein.

**Amendment No. 15**

*This amendment addresses the needs of the Fire and Rescue Services.*

The roll call vote called by the Administrator on the motion to approve Amendment #15 to Council Bill 56-2016 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #15 to Council Bill 56-2016 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 56-2016 as amended was: Yea: Council Members Ball, Fox, Sigaty, and Weinstein; Nay: Council Member Terrasa

The motion to approve Council Bill 56-2016 as amended passed.

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Adjourned at 10:50pm

**Tabled**

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 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 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. (tabled 11/07/16)

Council Resolution 128-2016 – A RESOLUTION confirming the appointment of Caroline Harper to the Martin Luther King, Jr. Holiday Commission. (tabled 11/07/16)

Council Resolution 134-2016 – A RESOLUTION confirming the appointment of Rev. Rodney T. Morton to the Martin Luther King, Jr. Holiday Commission. (tabled 11/07/16)

Council Resolution 148-2016 – A RESOLUTION confirming the appointment of Mary Manzoni to the Commission for Transitioning Students with Disabilities. (tabled 11/07/16)