

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2017 Legislative Session

Legislative Day No. 12

September 5, 2017

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **7:05** p.m.

Chairperson Jon Weinstein, Vice Chairperson Calvin Ball, 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; Edward Shulder, Deputy County Auditor; Theo Wimberly, Legislative Analyst; Gary Kuc, County Solicitor; John Gwynn, Assistant County Solicitor; Jennifer Sager, Legislative Coordinator; and Kel Habicht, Administrative Support were also present.

APPROVE JOURNAL

The Chairperson moved to approve the Journal for Legislative Day No. 11, July 26, 2017. The motion was seconded by Dr. Ball.

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

The motion to approve the journal passed.

Council Member Sigaty moved to suspend the rules to allow for introduction of a bill that was not prefiled. The motion was seconded Mr. Weinstein.

The roll call vote called by the Administrator on the motion to suspend the rules to allow for introduction of a bill that was not prefiled was: Yea: Council Members Ball, Fox, Sigaty and Weinstein. Nay: Council Member Terrasa.

The motion to suspend the rules to allow for introduction of a bill that was not prefiled passed.

INTRODUCTION OF LEGISLATION

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

Appointments

Council Resolution 114-2017 - A RESOLUTION confirming the appointment of Steven J. Plakitsis to the Adult Public Guardianship Review Board.

Council Resolution 115-2017 - A RESOLUTION confirming the reappointment of Perry Priestly as a member of the Cable Advisory Committee.

Council Resolution 116-2017 - A RESOLUTION confirming the reappointment of Frederick W. Dorsey to the Cemetery Preservation Advisory Board.

Council Resolution 117-2017 - A RESOLUTION confirming the reappointment of Mitchell W. Stringer to the Pension Oversight Commission.

Council Resolution 118-2017 - Introduced by: Chairperson - A RESOLUTION appointing Neveen H. Kurtom, Esq. to the Board of Appeals of Howard County, Maryland, to fill a term ending on December 31, 2021.

Council Resolution 119-2017 - Introduced by: Jon Weinstein - A RESOLUTION creating an Economic Opportunity and Prosperity Task Force to identify and study policies, programs, and potential legislation to facilitate economic growth and increase economic opportunities for individuals, businesses, and organizations in Howard County and to make recommendations to the Howard County Council and Howard County Executive.

General

Council Bill 63-2017 - AN ORDINANCE authorizing the issuance, sale and delivery of up to \$200,000,000 consolidated public improvement bonds and up to \$100,000,000 metropolitan district bonds, pursuant to various bond enabling laws; providing that such bonds shall be general obligations of the County; authorizing the County Executive to specify, prescribe, determine, provide for or approve the final principal amounts, maturity schedules, interest rates and redemption provisions for such bonds, and other matters, details, forms, documents or procedures and to determine the method of sale of such bonds; providing for the disbursement of the proceeds of such bonds and for the levying of taxes to pay debt service on such bonds; and providing for and determining various matters in connection therewith.

Council Bill 64-2017 - AN ACT pursuant to Section 1.111(e) of the Howard County Code, approving provisions in a collective bargaining agreement between Howard County and the International Association of Firefighters – Howard County Local 2000, that are in conflict with the provisions of Title 1 “Human Resources” of the Howard County Code or the Employee Manual; approving a multi-year collective bargaining agreement between Howard County and the International Association of Firefighters – Howard County Local 2000 that will be effective through the end of Fiscal Year 2019 and that includes payment of certain compensation in future fiscal years; providing for the application of this Act; and generally relating to the collective bargaining agreement between Howard County and the International Association of Firefighters – Howard County Local 2000.

Council Bill 65-2017 - AN ACT pursuant to Section 1.111(e) of the Howard County Code, approving provisions in a collective bargaining agreement between Howard County and the FOP Lodge 143, Howard County Police Supervisor’s Alliance, that are in conflict with the provisions of Title 1 “Human Resources” of the Howard County Code or the Employee Manual; approving a multi-year collective bargaining agreement between Howard County and the FOP Lodge 143, Howard County Police Supervisor’s Alliance that will be effective through the end of Fiscal Year 2019 and that includes payment of certain compensation in future fiscal years; providing for the application of this Act; and generally relating to the collective bargaining agreement between Howard County and the FOP Lodge 143.

Council Bill 66-2017 - AN ACT pursuant to Section 1.111(e) of the Howard County Code, approving provisions in a collective bargaining agreement between Howard County and the Howard County Police Officer’s Association, Lodge 21, that are in conflict with the provisions of Title 1 “Human Resources” of the Howard County Code or the Employee Manual; approving a multi-year collective bargaining agreement between Howard County and the Howard County Police Officer’s Association, Lodge 21 that will be effective through the end of Fiscal Year 2019 and that includes payment of certain compensation in future fiscal years; providing for the application of this Act; and generally relating to the collective bargaining agreement between Howard County and the Howard County Police Officer’s Association, Lodge 21.

Council Bill 67-2017 - AN ACT amending the Pay Plan for Howard County in accordance with certain recently negotiated collective bargaining agreements; providing for certain specialty pays; providing for the application of certain pay schedules; and generally relating to the Pay Plan for Howard County.

Council Bill 68-2017 - AN ACT amending the Annual Budget and Appropriation Ordinance for Fiscal Year 2018 to correctly reflect the prior appropriation revenue sources in Capital Project E0973, Waverly Elementary Renovation/Phase II Addition; and generally relating to the Annual Budget and Appropriation Ordinance for Fiscal Year 2018.

Council Bill 70-2017 - Introduced by: The Chairperson at the request of the County Executive and Jon Weinstein - AN ACT establishing a personal property tax exemption for property of a business located in a historic district or a National Register District, under certain conditions; providing for an application procedure and administration of the exemption; and generally relating to personal property tax exemptions.

Council Bill 71-2017 - AN ACT adopting the 2017 National Electrical Code as the Electrical Code for Howard County; regulating the design, construction, alteration, improvement or modification to electrical equipment; adopting certain local amendments to the Electrical Code; making certain technical corrections; and generally relating to the electrical code in Howard County.

Council Bill 72-2017 - AN ACT amending the Purchasing Code of Howard County; amending certain definitions; removing certain obsolete references; revising certain duties imposed on the County Purchasing Agent, including the content of a required annual report and the frequency with which the purchasing manual must be reviewed; clarifying that certain requirements apply to formal bids; clarifying the County Purchasing Agent's role in the sale or lease of surplus County property to other governmental entities; making certain technical corrections; and generally relating to the Purchasing Code of Howard County.

Council Resolution 120-2017 - A RESOLUTION pursuant to Section 4.104 of the Howard County Code, approving a revised Purchasing Manual that governs the internal operating procedures of the County purchasing system.

Council Resolution 122-2017 - A RESOLUTION endorsing the provision of financing by the State Department of Commerce for an economic development project in Howard County and certifying that the project is consistent with the County's plan for economic development.

Council Bill 73-2017 - Introduced by: Jennifer Terrasa and Calvin Ball - AN ACT amending the Howard County Code to require that Department of Planning and Zoning Technical Staff Reports and Planning Board Recommendations be submitted to the County Council prior to the addition of any land use legislation to the Council's Legislative Agenda; and generally relating to land use legislation.

Council Resolution 123-2017 - AN ACT declaring that a total of approximately 387 square feet of real property located adjacent to South Entrance Road in Columbia is no longer needed for a public purpose and authorizing the County Executive to waive the advertising and bidding requirements of Section 4.201 of the Howard County Code in order to convey the County's property interest to Toby's General Partnership or its successor, assignee or designee.

Council Bill 74-2017 - Introduced by: Calvin Ball and Jennifer Terrasa - AN ACT to repeal Council Bill 56-2016, which authorized and empowered the County to issue up to \$90,000,000 of special obligation bonds and levied and provided for the collection of a special tax on property known as the "Crescent Special Taxing District".

Council Resolution 124-2017 - Introduced by Mary Kay Sigaty - A RESOLUTION to enlarge the Downtown Columbia area of Howard County designated as the development district by County Council Resolution 105-2016 for purposes of the State Tax Increment Financing Act, and generally relating to the development district.

The Chairperson moved to remove Council Resolutions 100, 101, 102, 103, 104, 105, 106, 107, 108, 110, and 113-2017 from the table. The motion was seconded by Dr. Ball.

The roll call vote called by the Chairperson on the motion to remove Council Resolutions 100, 101, 102, 103, 104, 105, 106, 107, 108, 110, and 113-2017 from the table was: Yea: Council Members, Ball, Fox, Sigaty, Terrasa, and Weinstein.

The motion to remove Council Resolution 100, 101, 102, 103, 104, 105, 106, 107, 108, 110, and 113-2017 from the table passed.

FINAL CONSIDERATION

Council Resolution 100-2017 - A RESOLUTION confirming the appointment of Kathleen Hetherington to the Board of Directors of the Economic Development Authority. (tabled 7/26/17)

The Chairperson moved to approve Council Resolution 100-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 100-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 100-2017 passed.

Council Resolution 101-2017 - A RESOLUTION confirming the appointment of Kashonna Holland to the Board to Promote Self-Sufficiency. (tabled 7/26/17)

The Chairperson moved to approve Council Resolution 101-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 101-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 101-2017 passed.

Council Resolution 102-2017 - A RESOLUTION confirming the appointment of Tyrone P. Jones, IV to the Board of Social Services. (tabled 7/26/17)

The Chairperson moved to approve Council Resolution 102-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 102-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 102-2017 passed.

Council Resolution 103-2017 - A RESOLUTION confirming the appointment of Richard Lombardo to the Board of Directors of the Economic Development Authority. (tabled 7/26/17)

The Chairperson moved to approve Council Resolution 103-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 103-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 103-2017 passed.

Council Resolution 104-2017 - A RESOLUTION confirming the appointment of Kevin McAliley to the Planning Board. (tabled 7/26/17)

The Chairperson moved to approve Council Resolution 104-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 104-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 104-2017 passed.

Council Resolution 105-2017 - A RESOLUTION confirming the appointment of Grace Morris to the Housing and Community Development Board. (tabled 7/26/17)

The Chairperson moved to approve Council Resolution 105-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 105-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 105-2017 passed.

Council Resolution 106-2017 - A RESOLUTION confirming the appointment of Clara Scholz to the Commission for Transitioning Students with Disabilities. (tabled 7/26/17)

The Chairperson moved to approve Council Resolution 106-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 106-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 106-2017 passed.

Council Resolution 107-2017 - A RESOLUTION confirming the appointment of Michael Sloan to the Housing and Community Development Board. (tabled 7/26/17)

The Chairperson moved to approve Council Resolution 107-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 107-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 107-2017 passed.

Council Resolution 108-2017 - A RESOLUTION confirming the reappointment of Dana Shourbaji to the Commission for Transitioning Students with Disabilities. (tabled 7/26/17)

The Chairperson moved to approve Council Resolution 108-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 108-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 108-2017 passed.

Council Resolution 110-2017 - A RESOLUTION establishing a Surplus School Use Committee to study the disposition of the former Harriet Tubman High School site; providing for a certain public meeting; providing for the Committee's membership, duties, and lifespan; setting certain deadlines; and generally relating to a Surplus School Use Committee. (tabled 7/26/17)

The Chairperson moved to approve Council Resolution 110-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 110-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 110-2017 passed.

Council Resolution 113-2017 - Introduced by: The Chairperson; A RESOLUTION appointing the members of the Compensation Review Commission; providing that the Commission shall set the compensation and allowances of the County Council to be elected in November 2018 by resolution adopted no later than December 18, 2017; providing that the Commission shall make a recommendation concerning compensation and allowances of the County Executive to be elected in November 2018; and providing that the commission shall terminate on April 30, 2018.(tabled 7/26/17)

The Chairperson moved to approve Council Resolution 113-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 113-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 113-2017 passed.

The Chairperson moved to remove Council Bill 53-2017 from the table. The motion was seconded by Dr. Ball.

The roll call vote called by the Chairperson on the motion to remove Council Bill 53-2017 from the table was: Yea: Council Members, Ball, Fox, Sigaty, Terrasa, and Weinstein.

The motion to remove Council Bill 53-2017 from the table passed.

Council Bill 53-2017 (ZRA 169) - Introduced by: The Chairperson at the request of Warren H. Boyer; AN ACT amending the Howard County Zoning Regulations to establish a new use category of Storage or Use of Trailers, Modular Offices, Shipping Containers, or Refuse Containers; and generally relating to Storage or Use of Trailers, Modular Offices, Shipping Containers, or Refuse Containers. (tabled 7/3/2017)

The Chairperson moved to approve Council Bill 53-2017. The motion was seconded by Dr. Ball.

Council Member Fox moved to approve Amendment 1. The motion was seconded by Ms. Sigaty.

Amendment No. 1

(This amendment provides for the accessory use in additional districts, amends a definition, and amends the supplementary zoning district regulations.)

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

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 53-2017 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 53-2017 as amended passed.

The Chairperson moved to remove Council Bill 60-2017, Council Bill 61-2017, and Council Bill 62-2017 from the table. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion to remove Council Bill 60-2017, Council Bill 61-2017, and Council Bill 62-2017 from the table was: Yea: Council Members, Ball, Fox, Sigaty, Terrasa, and Weinstein.

The motion to remove Council Bill 60-2017, Council Bill 61-2017, and Council Bill 62-2017 from the table passed.

The Chairperson moved to extend the life of Council Bill 60-2017, Council Bill 61-2017, and Council Bill 62-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Chairperson on the motion to extend the life of Council Bill 60-2017, Council Bill 61-2017, and Council Bill 62-2017 was: Yea: Council Members, Ball, Fox, Sigaty, Terrasa, and Weinstein.

The motion to extend the life of Council Bill 60-2017, Council Bill 61-2017, and Council Bill 62-2017 passed.

The Chairperson moved to table Council Bill 60-2017, Council Bill 61-2017, and Council Bill 62-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Chairperson on the motion to table Council Bill 60-2017, Council Bill 61-2017, and Council Bill 62-2017 was: Yea: Council Members, Ball, Fox, Sigaty, Terrasa, and Weinstein.

The motion to table Council Bill 60-2017, Council Bill 61-2017, and Council Bill 62-2017 passed.

Adjourned **7:30** p.m.

Tabled

Council Resolution 112-2017 - A RESOLUTION amending the green neighborhood standards that are used to qualify for Green Neighborhood Allocations and amending a total number of possible points on the Green Neighborhood Site portion of the Green Neighborhood Checklist. (tabled 7/26/17)

Council Bill 60-2017 (ZRA 180) - Introduced by: Chairperson at the request of the County Executive and cosponsored by Greg Fox and Mary Kay Sigaty; AN ACT allowing certain composting facilities and emergency natural wood waste recycling facilities as accessory uses under certain conditions in certain Zoning Districts; allowing certain natural wood waste recycling facilities and composting facilities as a use permitted as a matter of right under certain conditions in certain Zoning Districts; providing supplementary regulations for composting facilities and emergency natural wood waste recycling facilities; providing conditional use standards for composting facilities and natural wood waste recycling facilities; defining certain terms; making certain technical corrections; and generally relating to the Howard County Zoning Regulations. (tabled 7/26/17)

Council Bill 61-2017 - AN ACT amending the Adequate Public Facilities Act requiring certain periodic review; specifying completion timelines for certain types of road remediation projects; requiring that certain agreements contain certain provisions with regard to the timing of road mitigation projects; amend the title of certain charts and other terminology; requiring certain waiting periods; clarifying certain exemptions; defining certain terms; amending certain definitions; making certain technical corrections; and generally relating to the Adequate Public Facilities Act of Howard County. (tabled 7/26/17)

Council Bill 62-2017 - AN ACT amending PlanHoward 2030, the general plan for Howard County, to reduce the number of allocations in the Growth and Revitalization category and to increase the number of allocations in the Established Communities category, beginning in 2020; and generally relating to planning, zoning and land use in Howard County. (tabled 7/26/17)

Council Resolution 1-2017 – Introduced by the Chairperson at the request of Windsor Forest Fox Chasing HOA, Inc. and Gaither Hunt Homeowners Association, Inc.; A RESOLUTION to close all of Winter Thicket Road, as shown in Exhibits A and B, in accordance with Section 18.204 of the Howard County Code. (tabled 2/6/17)

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. (tabled 12/05/16)

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)