

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2018 Legislative Session

Legislative Day No. 1

January 2, 2018

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **7:04** p.m.

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

Jessica Feldmark, Administrator to the County Council; Craig Glendenning, 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 AND MINUTES

The Chairperson moved to approve the Journal for Legislative Day No. 15, December 4, 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.

INTRODUCTION OF LEGISLATION

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

Appointments

Council Resolution 1-2018 – A RESOLUTION confirming the reappointment of Nancy A. Briguglio to the Equal Business Opportunity Commission. (No expiration date.)

Council Resolution 2-2018 - A RESOLUTION confirming the reappointment of Samuel P. Buma to the Plumbing Advisory Board. (No expiration date.)

Council Resolution 3-2018 - A RESOLUTION confirming the reappointment of Christine E. Conn to the Environmental Sustainability Board. (No expiration date.)

Council Resolution 4-2018 - A RESOLUTION confirming the reappointment of Elliott Finkelstein to the Commission on Disability Issues. (No expiration date.)

Council Resolution 5-2018 – A RESOLUTION confirming the reappointment of Vivian M. Lawyer to the Personnel Board. (No expiration date.)

Council Resolution 6-2018 - A RESOLUTION confirming the reappointment of Douglas C. Lea to the Commission on Disability Issues. (No expiration date.)

Council Resolution 7-2018 - A RESOLUTION confirming the reappointment of Ann M. Strozyk to the Environmental Sustainability Board. (No expiration date.)

General

Council Bill 1-2018 – Introduced by: Calvin Ball, Jennifer Terrasa, and Jon Weinstein - 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. (Expires 3/8/18; 4/7/18 if extended; or 5/7/18 if extended twice.)

Council Bill 2-2018 - Introduced by: Calvin Ball, Jennifer Terrasa, and Jon Weinstein - 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. (Expires 3/8/18; 4/7/18 if extended; or 5/7/18 if extended twice.)

Council Bill 3-2018 – Introduced by: The Chairperson at the request of the Compensation Review Committee - AN ACT to set the annual salary of the members of the Howard County Council for the term beginning in December 2018. (Expires 3/8/18; 4/7/18 if extended; or 5/7/18 if extended twice.)

Council Bill 4-2018 – Introduced by: The Chairperson at the request of the Compensation Review Committee - AN ACT to set the annual salary of the Howard County Executive for the term beginning in December 2018. (Expires 3/8/18; 4/7/18 if extended; or 5/7/18 if extended twice.)

Council Bill 5-2018 - Introduced by: Calvin Ball - AN ACT establishing a tax credit against the County property tax imposed on residential real property that is owned by specified public safety personnel; establishing the amount, terms, conditions, and duration of the credit; providing for an application and verification procedure and administration of the credit; and generally relating to property tax credits. (Expires 3/8/18; 4/7/18 if extended; or 5/7/18 if extended twice.)

Council Resolution 8-2018 – Introduced by: Calvin Ball, Greg Fox, Mary Kay Sigaty, Jennifer Terrasa, and Jon Weinstein - A RESOLUTION proposing to amend County Charter Section 209 “Legislative procedure” to extend the initial life of a bill to 70 days and each extension to 35 days; specifying that the life of a bill is extended if the legislative session begins on the last day of the life of a bill; specifying that the life of a bill is extended because of a certain postponement; and submitting this amendment to the voters of Howard County for their adoption or rejection in accordance with Article X of the Howard County Charter and Article XI-A of the Maryland Constitution. (No expiration date.)

Council Resolution 9-2018 – Introduced by: The Chairperson - A RESOLUTION calling the County Council of Howard County, Maryland into legislative session on specified dates. (No expiration date.)

Council Resolution 10-2018 – Introduced by: The Chairperson - A RESOLUTION amending the Howard County Council Rules of Procedure specifying the start time for certain meetings; eliminating the 5 minute time limit for representatives of a group; allowing a Resolution or Bill to be withdrawn at any time before a vote on its final passage; specifying that members may participate in a legislative session by teleconference only for an emergency legislative session; requiring a certain sign-up system for those wanting to testify; providing that individuals need not give a street address aloud when testifying; and authorizing the Administrator to add to the first page of a bill the dates that the bill may fail due to inaction as provided by Charter Section 209(h). (No expiration date.)

TAO1-FY2018 - AN ACT transferring \$742,000 to Capital Project H2014, Road Resurfacing Program, from capital project C0214, Category Contingency Fund, in the Fiscal Year 2018 Capital Budget. (Expires 3/8/18; 4/7/18 if extended; or 5/7/18 if extended twice.)

TAO2-FY2018 - AN ACT transferring \$750,000 from Capital Project E1031, Wilde Lake Middle School Replacement, to Capital Project E1043, Talbott Springs Elementary School Renovation, in the Fiscal Year 2018 Capital Budget. (Expires 3/8/18; 4/7/18 if extended; or 5/7/18 if extended twice.)

Council Bill 6-2018 - AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money an additional aggregate principal amount of up to \$750,000 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 2018 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. (Expires 3/8/18; 4/7/18 if extended; or 5/7/18 if extended twice.)

Council Bill 7-2018 - AN ACT establishing a tax credit against the County property tax imposed on certain real property that is owned by certain public safety officers under certain circumstances; establishing the amount, terms, and conditions of the credit; and generally relating to real property tax credits. (Expires 3/8/18; 4/7/18 if extended; or 5/7/18 if extended twice.)

Council Resolution 11-2018 – A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between Howard County, Maryland and 2800 Nixon's Farm Lane, LLC regarding the construction and operation of a solar array located on the property known as Nixon's Farm. (No expiration date.)

Council Bill 8-2018 - AN ACT amending the Purchasing Code of Howard County in order to establish a Veteran-Owned Business Enterprise Program; to set forth the purpose of the Program; to define certain terms; to amend certain definitions to ensure consistency among the Purchasing Code, Purchasing Manual and Equal Business Opportunity Program Manual; to require the Purchasing Agent to take certain action; to set forth the elements of the Program; to establish certain Program goals; to prohibit certain actions and provide certain penalties; to amend the duties of the Commission for Veterans and Military Families in order to provide guidance to the Office of Purchasing regarding Veteran-owned businesses; and generally relating to the Purchasing Code of Howard County. (No expiration date.)

Council Resolution 12-2018 – A RESOLUTION pursuant to Section 4.104 of the Howard County Code, amending the Purchasing Manual in order to incorporate the Veteran-Owned Business Enterprise Program. (No expiration date.)

Council Resolution 13-2018 – A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to grant an easement on approximately 0.03 acres of certain real property owned by the County commonly known as a portion of Open Space Lot 18 to the Guilford Highland Reserve Homeowners Association, Inc.; 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 grant the easement if he finds that the land may have a further public use. (No expiration date.)

FINAL CONSIDERATION

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

Council Member Weinstein moved to remove Council Resolution 149-2017 from the table. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to remove Council Resolution 149-2017 from the table was: Yea: Council Members, Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to remove Council Resolution 149-2017 from the table passed.

Council Resolution 149-2017 – Introduced by: Jon Weinstein; A RESOLUTION amending the Howard County Council Rules of Procedure to ensure that the Council consider including in legislation authorizing the issuance of bonds in accordance with the Maryland Tax Increment Financing Act requirements that the Council be given certain notices for specified purposes. (tabled 12/4/17) (*No expiration date.*)

Council Member Weinstein moved to approve Council Resolution 149-2017. The motion was seconded by Dr. Ball.

Council Member Weinstein moved to approve Amendment 1. The motion was seconded by Dr. Ball.

Amendment No. 1

(This amendment clarifies the information that the Council may opt to require.)

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 Resolution 149-2017 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 149-2017 as amended passed.

The Chairperson moved to remove Council Bill 80-2017 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 80-2017 from the table was: Yea: Council Members, Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to remove Council Bill 80-2017 from the table passed.

Council Bill 80-2017 (ZRA 178) – Introduced by: The Chairperson at the request of K2 Properties, LLC; AN ACT amending the Howard County Zoning Regulations to permit hotels, motels, country inns and conference center as a matter of right in the B-1 zoning district and amend the definition of “Hotel or Motel” to allow for extended stays, up to six months, under certain circumstances; and generally relating to hotels, motels, country inns and conference centers. (tabled 12/4/17) (*Expires 1/10/18; 2/9/18 if extended; or 3/11/18 if extended twice.*)

The Chairperson moved to extend the life of Council Bill 80-2017. 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 80-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to extend the life of Council Bill 80-2017 passed.

The Chairperson moved to table Council Bill 80-2017. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to table Council Bill 80-2017 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Bill 80-2017 passed.

Adjourned 7:22 p.m.

Tabled

Council Bill 80-2017 (ZRA 178) – Introduced by: The Chairperson at the request of K2 Properties, LLC; AN ACT amending the Howard County Zoning Regulations to permit hotels, motels, country inns and conference center as a matter of right in the B-1 zoning district and amend the definition of “Hotel or Motel” to allow for extended stays, up to six months, under certain circumstances; and generally relating to hotels, motels, country inns and conference centers. (tabled 12/4/17) (*Expires 1/10/18; 2/9/18 if extended; or 3/11/18 if extended twice.*)

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) (*No expiration date.*)

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) (*No expiration date.*)

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) (*No expiration date.*)

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) (*No expiration date.*)