

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2018 Legislative Session**

**Legislative Day No. 2**

February 5, 2018

**HOWARD COUNTY TO WIT:**

The Chairperson called the legislative session to order at **7:08** 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; Michelle Harrod, Deputy County Auditor; Ed Shulder, Auditor; Jeff Meyers, Legislative Analyst; Gary Kuc, County Solicitor; John Gwynn, Assistant County Solicitor; Jennifer Sager, Legislative Coordinator; and Jennifer Egan, Administrative Support were also present.

The County Executive and Council Chair presented a Joint Proclamation for Millie Bailey in celebration of her 100<sup>th</sup> birthday.

**APPROVE JOURNAL AND MINUTES**

The Chairperson moved to approve the Journal for Legislative Day No. 1, January 2, 2018. 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.

The Chairperson moved to approve the minutes for the Monthly Meeting – January 8, 2018. 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 and Weinstein. Abstain: Council Member Terrasa.

The motion to approve the minutes for the Monthly Meeting -January 8, 2018 passed.

The Chairperson moved to approve the minutes for the Legislative Public Hearing – January 16, 2018, Legislative Work Session – January 22, 2018 and Joint Meeting with the Board of Education – January 30, 2018. 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 minutes for the Legislative Public Hearing – January 16, 2018, Legislative Work Session – January 22, 2018 and Joint Meeting with the Board of Education – January 30, 2018 passed.

The Chairperson moved to approve the minutes for the Community Meeting on HS#13- February 1, 2018. The motion was seconded by Dr. Ball.

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

The motion to approve the minutes for the Community Meeting on HS#13- February 1, 2018 passed.

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## **INTRODUCTION OF LEGISLATION**

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

### **Appointments**

Council Resolution 15-2018 – A RESOLUTION confirming the appointment of Meg Boyd to the Commission for Women. *(No expiration date.)*

Council Resolution 16-2018 - A RESOLUTION confirming the appointment of Allison Eatough to the Commission for Women. *(No expiration date.)*

Council Resolution 17-2018 - A RESOLUTION confirming the appointment of Kashonna Holland to the Commission for Women. *(No expiration date.)*

Council Resolution 18-2018 - A RESOLUTION confirming the appointment of Dianne Paulus to the Commission for Women. *(No expiration date.)*

Council Resolution 19-2018 – A RESOLUTION confirming the reappointment of Robert F. Ford, Jr. to the Human Rights Commission. *(No expiration date.)*

Council Resolution 20-2018 - A RESOLUTION confirming the reappointment of Scott B. Markow to the Human Rights Commission. *(No expiration date.)*

Council Resolution 21-2018 - A RESOLUTION confirming the reappointment of LaRee Siddiqui to the Howard County Animal Matters Hearing Board. *(No expiration date.)*

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### **General**

Council Resolution 14-2018 – Introduced by: The Chairperson at the request of Triangle Route 108 Associates, LLC; A RESOLUTION to close a portion of Old Maryland Route 108 as shown in Exhibits A and B in accordance with Section 18.204 of the Howard County Code. *(No expiration date.)*

Council Resolution 22-2018 - Introduced by: The Chairperson; A RESOLUTION acknowledging receipt of the annual report of the Howard County Retirement Plan and the Police and Fire Employees' Retirement Plan submitted by the Pension Oversight Commission. *(No expiration date.)*

Council Resolution 23-2018 – Introduced by: Calvin Ball and Jennifer Terrasa; A RESOLUTION requesting that the Commission on Disability Issues study Howard County's ability to provide services to the county's residents with disabilities in the areas of Education, Peer Relationships, Employment, Transportation, and Housing; requesting that the Commission submit a report and recommend actions that should be taken by the County as it continuously strives to become a model community for residents with disabilities; and generally relating to the continuous improvement of disability issues in Howard County. *(No expiration date.)*

Council Resolution 24-2018 – A RESOLUTION approving an application fee for Special Event and Concert Permits; and repealing a previously adopted fee schedule related to concerts. *(No expiration date.)*

Council Bill 9-2018 - AN ACT providing that eligibility lists may include certain applicants; providing that job announcements may include criteria for the position including that the position is only open to current employees of Howard County; providing for certain internal promotion exams; allowing that an eligibility list may contain fewer than three names on certain conditions; and generally relating to Human Resources provisions in the County Code. *(Expires 4/11/18; 5/11/18 if extended; or 6/10/18 if extended twice.)*

Council Bill 10-2018 – AN ACT amending the process for establishing work schedules for career personnel in the Department of Fire and Rescue Services; updating references to the Chief of the

Department of Fire and Rescue Services; removing certain duplicative job qualifications from the Code that are contained in the Classification Plan; updating the name of the Volunteer Firefighter's Association; making certain technical corrections; authorizing certain agreements; and generally relating to the Department of Fire and Rescue Services. *(Expires 4/11/18; 5/11/18 if extended; or 6/10/18 if extended twice.)*

Council Bill 11-2018 – AN ACT pursuant to Section 612 of the Howard County Charter, approving a Lease Agreement between Howard County, Maryland and MSCSI 2006-IQ11 Warwick Way, LLC (aka MCSI 2006-IQ11 Warwick Way, LLC) for the lease of space located at 2201 Warwick Way, Marriottsville, Maryland; and authorizing the County Executive to take certain actions in connection with the Lease Agreement. *(Expires 4/11/18; 5/11/18 if extended; or 6/10/18 if extended twice.)*

Council Bill 12-2018 – AN ACT establishing a Special Event and Concert Permit; defining certain terms; requiring a permit for certain types of special events and concerts; providing for certain permit exemptions; requiring certain applications; requiring that certain information be provided in support of an application; requiring that applications be submitted by a certain time; providing certain criteria in the review of a permit application; requiring certain application fees; authorizing certain permit fees; requiring certain duties of permit holders; authorizing certain inspections; providing for certain penalties; repealing certain obsolete provisions, and generally relating to the Special Event and Concert Permit. *(Expires 4/11/18; 5/11/18 if extended; or 6/10/18 if extended twice.)*

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### **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.

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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.)*

The Chairperson moved to approve Council Resolutions 1-, 2-, 3-, 4-, 5-, 6- and 7-2018. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolutions 1-, 2-, 3-, 4-, 5-, 6- and 7-2018 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolutions 1-, 2-, 3-, 4-, 5-, 6- and 7-2018 passed.

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Council Resolution 8-2018– Introduced by: Jon Weinstein, Calvin Ball, Jen Terrasa, Mary Kay Sigaty, Greg Fox; 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.)*

The Chairperson moved to approve Council Resolution 8-2018. The motion was seconded by Dr. Ball.

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

**Amendment No.   1**

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*(This amendment clarifies the kinds of circumstances that would extend the life of a bill.)*

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 8-2018, as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 8-2018, as amended passed.

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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.)*

The Chairperson moved to approve Council Resolution 9-2018. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 9-2018 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 9-2018 passed.

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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.)*

The Chairperson moved to approve Council Resolution 11-2018. The motion was seconded by Dr. Ball.

The Chairperson moved to approve Amendment 1. The motion was seconded by Dr. Ball.

**Amendment No. 1**

*(This amendment corrects the percentages of taxes subject to abatement pursuant to the Payment in Lieu of Taxes Agreement.)*

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

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Council Resolution 11-2018, as amended was: Yea: Council Members Ball, Sigaty, Terrasa and Weinstein. Abstain: Council Member Fox.

The motion to approve Council Resolution 11-2018, as amended passed.

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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.)*

The Chairperson moved to approve Council Resolution 13-2018. The motion was seconded by Dr. Ball.

The Chairperson moved to approve Amendment 1. The motion was seconded by Dr. Ball.

**Amendment No. 1**

*(This amendment corrects the name of the Homeowners Association.)*

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 13-2018, as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 13-2018, as amended passed.

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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.)*

The Chairperson moved to approve TAO1-FY2018. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve TAO1-FY2018 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve TAO1-FY2018 passed.

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TAO2-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.)*

The Chairperson moved to approve TAO2-FY2018. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve TAO2-FY2018 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve TAO2-FY2018 passed.

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CB6-2018 – 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.)*



The Chairperson moved to approve Council Bill 6-2018. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Bill 6-2018 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 6-2018 passed.

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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. *(Expires 3/8/18; 4/7/18 if extended; or 5/7/18 if extended twice.)*

The Chairperson moved to approve Council Bill 8-2018. The motion was seconded by Dr. Ball.

The Chairperson moved to approve Amendment 1. The motion was seconded by Dr. Ball.

**Amendment No. 1**

*(This amendment changes word choice and removes certain categories of persons for whom the Center of Verification and Evaluation of the United States Department of Veterans Affairs does not provide verification.)*

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

**Amendment No. 1 to Amendment No. 1**

*(This amendment clarifies that “training” must occur in the United States Armed Forces.)*

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

The motion to approve Amendment 1 to Amendment 1 passed.

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

The motion to approve Amendment 1, as amended passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 8-2018, as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 8-2018, as amended passed.

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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.)*

The Chairperson moved to approve Council Resolution 12-2018. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Resolution 12-2018 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 12-2018 passed.

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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.)*

The Chairperson moved to approve Council Bill 3-2018. The motion was seconded by Dr. Ball.

Council Member Fox moved to approve Amendment 2. The motion was seconded by Dr. Ball.

**Amendment No. 2**

*(This amendment alters the salary for members of the County Council.)*

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

The motion to approve Amendment 2 passed.

The Chairperson moved to approve Amendment 3. The motion was seconded by Mr. Weinstein.

**Amendment No. 3**

*(In order to make proposed increases to the salaries of the County Executive and County Council consistent, this amendment removes a certain increase that is not included in the computation of the salary of the County Executive, as proposed by Council Bill No. 4-2018.)*

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

The motion to approve Amendment 3 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 3-2018, as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 3-2018, as amended passed.

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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.)*

The Chairperson moved to approve Council Bill 4-2018. The motion was seconded by Dr. Ball.

Council Member Fox moved to approve Amendment 2. The motion was seconded by Dr. Ball.

**Amendment No. 2**

*(This amendment alters the salary for the County Executive.)*

The Chairperson moved to approve Amendment 1 to Amendment 2. The motion was seconded by Dr. Ball.

**Amendment No. 1 to Amendment No. 2**

*(This amendment alters the salary for the County Executive.)*

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

The motion to approve Amendment 1 to Amendment 2 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 2 to Council Bill 4-2018, as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 2, as amended passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 4-2018, as amended was: Yea: Council Members Ball, Fox Sigaty, Terrasa and Weinstein.

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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.)*

The Chairperson moved to approve Council Resolution 10-2018. The motion was seconded by Dr. Ball.

Council Member Terrasa moved to approve Amendment 1. The motion was seconded by Mr. Weinstein.

**Amendment No. 1**

*(This amendment sets 5 minutes as the limit for oral testimony.)*

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

The motion to approve Amendment 1 failed.

Council Member Terrasa moved to approve Amendment 2. The motion was seconded by Mr. Fox.

**Amendment No. 2**

*(This amendment sets 5 minutes as the limit for oral testimony for certain representatives of nonprofits, boards, commissions, or task forces.)*

Council Member Weinstein moved to approve Amendment 1 to Amendment 2. The motion was seconded by Dr. Ball.

**Amendment No. 1 to Amendment No. 2**

*(This amendment clarifies that the time limit is 3 minutes each of multiple representatives are speaking on behalf of an organization.)*

Council Member Weinstein moved to approve Amendment 2 to Amendment 2. The motion was seconded by Mr. Fox.

**Amendment No. 2 to Amendment No. 2**

*(This amendment allows 5 minutes for a single representative of certain entities and requires them to register with and provide certain materials to the Administrator.)*

Council Member Weinstein moved to approve Amendment 3 to Amendment 2. The motion was seconded by Mr. Fox.

**Amendment No. 3 to Amendment No. 2**

*(This amendment specifies how certifications and affidavits must be submitted.)*

Council Member Fox moved to table Council Resolution 10-2018. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to table Council Resolution 10-2018 was: Yea: Council Members Ball, Fox, Sigaty and Terrasa. Nay: Council Member Weinstein.

The motion to table Council Resolution 10-2018 passed.

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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 Member Ball moved to withdraw Council Bill 5-2018. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Administrator on the motion to withdraw Council Bill 5-2018 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to withdraw Council Bill 5-2018 passed.

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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.)*

The Chairperson moved to approve Council Bill 7-2018. The motion was seconded by Dr. Ball.

The Chairperson moved to approve Amendment 1. The motion was seconded by Dr. Ball.

**Amendment No. 1**

*(This amendment:*

- (1) Clarifies the agencies for which a public safety officer must be employed;*
- (2) Requires that a volunteer firefighter meet operational standards set forth by the Department of Fire and Rescue Services;*
- (3) Amends the required years of active service for volunteer firefighters to be 5 years continuously, instead of 10;*
- (4) Amends the application process to require annual verification; and*
- (5) Amends the sponsorship of Council Bill No. 7-2018.*

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 Chairperson moved to approve Amendment 2. The motion was seconded by Dr. Ball.

**Amendment No. 2**

*(This amendment requires a report.)*

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

The motion to approve Amendment 2 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 7-2018, as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 7-2018, as amended passed.

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Council Bill 1-2018— Introduced by: Jon Weinstein, Calvin Ball, Jen Terrasa; 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 Member Ball moved to approve Council Bill 1-2018. The motion was seconded by Mr. Weinstein.

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

**Amendment No. 1**

*(This amendment proposes to limit the redistribution of residential units to those FDPs which are not utilizing CEPPA flexibility provisions.)*

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

The motion to approve Amendment 1 failed.

Council Member Fox moved to approve Amendment 2. The motion was seconded by Dr. Ball.

**Amendment No. 2**

*(This amendment proposes to:*

- 1. Allow higher capacity utilization thresholds under specified conditions; and*
- 2. Redefine School Capacity Chart and School Region.)*

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

The motion to approve Amendment 2 failed.

The Chairperson moved to approve Amendment 3. The motion was seconded by Dr. Ball.

**Amendment No. 3**

*(This amendment would create a process to balance the County's policy goals to provide adequate school facilities and affordable housing.)*

Council Member Terrasa moved to approve Amendment 1 to Amendment 3. The motion was seconded by Dr. Ball.

**Amendment No. 1 to Amendment No. 3**

*(This amendment proposes that only developments that are led by or work with either a local nonprofit or the Housing Commission would be eligible for this provision.)*

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

The motion to approve Amendment 1 to Amendment 3 passed.

The Chairperson moved to approve Amendment 4 to Amendment 3. The motion was seconded by Dr. Ball.



**Amendment No. 4 to Amendment No. 3**

*(This amendment adds the consideration of whether housing is available for individuals with disabilities when allowing an affordable housing opportunity to proceed and makes a technical correction.)*

The roll call vote called by the Administrator on the motion to approve Amendment 4 to Amendment 3 was: Yea: Council Members Fox, Sigaty and Weinstein. Nay: Council Members Ball and Terrasa.

The motion to approve Amendment 4 to Amendment 3 passed.

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

The motion to approve Amendment 3, as amended passed.

Council Member Terrasa moved to approve Amendment 4. The motion was seconded by Dr. Ball.

**Amendment No. 4**

*(This amendment proposes to increase the retesting provisions for the School Capacity test.)*

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

The motion to approve Amendment 4 failed.

Council Member Weinstein moved to approve Amendment 5. The motion was seconded by Dr. Ball.

**Amendment No. 5**

*(This amendment proposes to redefine the impact area to be studied for the APFO roads test based on trip generation and establishes a scoping meeting.)*

Council Member Weinstein moved to approve Amendment 1 to Amendment 5. The motion was seconded by Ms. Sigaty.

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

*(This amendment proposes the specifics for the type of scope meeting to be conducted and shortens the notification timeframe for intersections to be studied to one week.)*

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

The motion to approve Amendment 1 to Amendment 5 passed.

Council Member Terrasa moved to approve Amendment 2 to Amendment 5. The motion was seconded by Dr. Ball.

**Amendment No. 2 to Amendment No. 5**

*(This amendment proposes to change the word “determine” to “discuss”.*

The roll call vote called by the Administrator on the motion to approve Amendment 2 to Amendment 5 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 2 to Amendment 5 passed.

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

The motion to approve Amendment 5, as amended passed.

Council Member Terrasa moved to approve Amendment 7. The motion was seconded by Dr. Ball.

**Amendment No. 7**

*(This amendment proposes to lower the school capacity thresholds for elementary, middle and high schools.)*

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

The motion to approve Amendment 7 failed.

Council Member Terrasa moved to approve Amendment 8. The motion was seconded by Dr. Ball.

## **Amendment No. 8**

*(This amendment proposes that DPZ ensure that there are adequate Police, Fire and Health facilities prior to plan approval.)*

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

The motion to approve Amendment 8 failed.

The roll call vote called by the Administrator on the motion to approve Council Bill 1-2018, as amended was: Yea: Council Members Ball, Terrasa and Weinstein. Nay: Council Members: Fox and Sigaty.

The motion to approve Council Bill 1-2018, as amended passed.

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CB2-2018 – Introduced by: Jon Weinstein, Calvin Ball and Jen Terrasa; 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.)*

The Chairperson moved to approve Council Bill 2-2018. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to approve Council Bill 2-2018 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 2-2018 passed.

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CB80-2017 (ZRA 178) – Introduced by: Jon Weinstein, Calvin Ball and Jen Terrasa; 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 1/10/18; 2/9/18 if extended; or 3/11/18 if extended twice.)*

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.

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.

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CR112-2017 – 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. (*No expiration date.*)

The Chairperson moved to remove Council Resolution 112-2017 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 112-2017 from the table was: Yea: Council Members Ball, Fox, Sigaty and Weinstein. Nay: Council Member: Terrasa.

The motion to remove Council Resolution 112-2017 from the table passed.

The Chairperson moved to approve Council Resolution 112-2017. The motion was seconded by Dr. Ball.

The Chairperson moved to approve Amendment 1. The motion was seconded by Dr. Ball.

### **Amendment No. 1**

*((This amendment amends the Green Neighborhood Site Checklist as follows:*

- 1. Related to Category B, Location, Linkages & Community Context:
  - a. In Credit B-2B, clarifies the criteria for non-historic structures and amends the points allotted from 3 to 4; and*
  - b. In Category B, amends the maximum points accordingly.**
- 2. Related to Category C, Compact, Complete & Connected Development:
  - a. In Credit C-1, sets forth certain maximums when points are allotted for additional MIHUs.**
- 3. Related to Category D, Environmental Preservation:
  - a. In Credit D-5, increases the number of points from 1 to 2 for amending soil nutrients in turf and planting areas, and increases the maximum number of points from 5 to 6 for minimizing grading and site disturbance;*
  - b. Adds Credit D-11 to allow points when a pollinator habitat management plan is prepared and implemented and assigns points accordingly;*
  - c. Renumbers current Credit D-11 to be D-12, clarifies that points for Green Infrastructure Network Preservation will be based on a sliding scale and amends the points accordingly; and*
  - d. In Category D, amends the maximum points accordingly.**
- 4. Related to Category F, Water Conservation/Efficiency/Management:
  - a. In Credit F-3C, amends the total number of points from 3 to 4 for exceeding Design Manual requirements for management of the 100-year storm flow; and*
  - b. In Category F, amends the maximum points accordingly.**
- 5. Related to the total for the Green Neighborhood Site Checklist, the total maximum site points increases from 180 to 186.*

*This amendment also amends the Green Neighborhood Home Checklist as follows:*

- 1. Related to Category B, Materials Beneficial to the Environment / Waste Management:
  - a. Adds Credit B-6 to allow points for Bird-Safe Building design and assigns points accordingly.*
  - b. In Category B, amends the maximum points accordingly.**
- 2. Related to the total for the Green Neighborhood Home Checklist, the total maximum home points increases from 84 to 88.)*

Council Member Fox moved to table Council Resolution 112-2017. The motion was seconded by Ms. Terrasa.

The roll call vote called by the Administrator on the motion to table Council Resolution 112-2017 was: Yea: Council Members Ball, Fox, Terrasa and Weinstein. Nay: Council Member Sigaty.

The motion to table Council Resolution 112-2017 passed.

Adjourned **9:54** p.m.

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### **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.*)