

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2018 Legislative Session**

**Legislative Day No. 12**

September 4, 2018

**HOWARD COUNTY TO WIT:**

The Chairperson called the legislative session to order at **7:07** 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; Michelle Harrod, County Auditor; Jeff Meyers, Legislative Analyst; Gary Kuc, County Solicitor; John Gwynn, Assistant County Solicitor; Jennifer Sager, Legislative Coordinator; and Rozonna Hightower, Administrative Support were also present.

**APPROVE JOURNAL**

The Chairperson moved to approve the Journal for Legislative Day No. 11, July 27, 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.

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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 120-2018 - A RESOLUTION confirming the appointment of Anuja Sonalker to the Board of Directors of the Economic Development Authority. *(No expiration date)*

Council Resolution 121-2018 - A RESOLUTION confirming the appointment of Cynthia Gula to the Equal Business Opportunity Commission. *(No expiration date)*

Council Resolution 122-2018 - A RESOLUTION confirming the appointment of Judith Ann Chernoff to the Board of Health. *(No expiration date)*

Council Resolution 123-2018 - A RESOLUTION confirming the appointment of Erica M. Martin to the Board of Health. *(No expiration date)*

Council Resolution 124-2018 - A RESOLUTION confirming the appointment of Jill A. Rach Beisel to the Board of Health. *(No expiration date)*

Council Resolution 125-2018 - A RESOLUTION confirming the appointment of Jae Chon to the Pension Oversight Commission. *(No expiration date)*

Council Resolution 126-2018 - A RESOLUTION confirming the appointment of Michael Richardson to the Personnel Board. *(No expiration date)*

Council Resolution 127-2018 - A RESOLUTION confirming the appointment of Matthew Burns to the Personnel Board. *(No expiration date)*

Council Resolution 128-2018 - A RESOLUTION confirming the appointment of Kelly McLaughlin to the Board to Promote Self-Sufficiency. *(No expiration date)*

Council Resolution 129-2018 - A RESOLUTION confirming the reappointment of J. Michael Bennett to the Cemetery Preservation Advisory Board. *(No expiration date)*

Council Resolution 130-2018 - A RESOLUTION confirming the reappointment of Ian Kennedy to the Housing Commission. *(No expiration date)*

### **General**

Council Bill 60-2018 – Introduced by: Jon Weinstein - AN ACT to ban the sale or use of certain coal tar and similar pavement sealing products; and generally related to the control of surface applied pavement sealing products in the County. *(Expires 11/08/18)*

TAO1-FY2019 - AN ACT to assist in the implementation of the Ellicott City flood mitigation plan by transferring a total of \$15,759,000 to Capital Project C0337, Ellicott City Improvements and Enhancements, and a total of \$1,000,000 to Capital Project D1175, Valley Mede/Chatham Flood Mitigation, from various capital projects in the Fiscal Year 2019 Capital Budget. *(Expires 11/08/18)*

Council Bill 61-2018 - AN ACT making emergency appropriations pursuant to Section 610(b) of the Howard County Charter and amending the Annual Budget and Appropriation Ordinance for Fiscal Year 2019 in order to implement the Ellicott City flood mitigation plan; and declaring that this Act is an Emergency Bill necessary to meet a public emergency affecting life, health or property. *(Expires 11/08/18)*

Council Bill 62-2018 - AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in an aggregate principal amount of up to \$15,775,000 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 Fiscal Year 2019 Capital Budget, and to pay costs of issuance of such bonds; authorizing the County to issue bond and grant 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 11/08/18)*

Council Resolution 131-2018 - A RESOLUTION making certain corrections to the schedules of fees, fines and charges for functions regulated by the Howard County Department of Inspections, Licenses and Permits. *(No expiration date)*

Council Bill 63-2018 - Introduced by: Chairperson at the request of the County Executive and cosponsored by Mary Kay Sigaty - AN ACT amending the purpose of the Howard County Agricultural Land Preservation Act; defining certain terms; amending the title of the Howard County Agricultural Land Preservation Act to be the Howard County Agricultural Sustainability and Land Preservation Act; amending the name of the Agricultural Land Preservation Board to be the Agricultural Preservation Board; amending the name of certain subtitles; clarifying the duties and responsibilities of the Agricultural Preservation Board; reorganizing the Executive Branch of County Government pursuant to Section 403 of the Howard County Charter to allow the Office of Community Sustainability to act as the Executive Secretary to the Agricultural Preservation Board; making certain technical corrections; combining certain sections; and generally relating to the Agricultural Sustainability and Land Preservation Act. *(Expires 11/08/18)*

Council Bill 67-2018 - AN ACT pursuant to Section 612 of the Howard County Charter, approving a Lease Agreement between Howard County, Maryland and AGS Borrower Lakeview, LLC for the lease of office space located at 9801 Broken Land Parkway, Columbia, Howard County for use by the Department of Public Works, Bureau of Environmental Services; and authorizing the County Executive to take certain actions in connection with the Lease Agreement. *(Expires 11/08/18)*

Council Bill 68-2018 – Introduced by: The Chairperson - AN ACT repealing and reenacting Section 2 of Council Bill 46-2016, which specified the application of certain provisions to certain properties for which any site development plan or Conditional Use applications for a Gasoline Service Station had been submitted, to correct for and accommodate an interpretation of the original legislation which did not reflect the Council's original intent. *(Expires 11/08/18)*

Council Bill 69-2018 - Introduced by: Jennifer Terrasa, Greg Fox and Calvin Ball - AN ACT amending provisions for the posting of notice to require specified information and uniform signs; and generally relating to the posting of notice signs. *(Expires 11/08/18)*

Council Bill 70-2018 – Introduced by: Jennifer Terrasa - AN ACT requiring the Zoning

Counsel to appear at Planning Board Hearings to support adherence to the Downtown Columbia Plan where there are requests to approve certain plans or aspects of development in Downtown Columbia; and generally relating to Zoning Counsel and development in Downtown Columbia. (*Expires 11/08/18*)

Council Bill 71-2018 – Introduced by: Jennifer Terrasa and Calvin Ball - AN ACT requiring that Department of Planning and Zoning designees appear at quasi-judicial Planning Board hearings under oath, under certain circumstances; and generally relating to the Department of Planning and Zoning. (*Expires 11/08/18*)

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Chairperson Announced:  
That concludes the legislation for introduction

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Council Member Calvin Ball moved to remove to Council Bill 55 – 2018 from the table. The motion was seconded by Council Member Jen Terrasa

Council Bill 55-2018 – Introduced by: Jennifer Terrasa and Calvin Ball – AN ACT repealing the mobile home site rental tax; and generally relating to mobile home developments. (tabled 7/27/18) (*Expires 9/05/18; 10/05/18 if extended; or 11/04/18 if extended twice.*)

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

The motion to remove Council Bill 55 – 2018 from the table failed.

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Council Member Calvin Ball moved to remove Council Bill 58 – 2018 from the table. The motion was seconded by Council member Jen Terrasa

Council Bill 58-2018 – Introduced by: Calvin Ball and Jennifer Terrasa – AN ACT amending the Howard County Code to amend the requirements for new developments on Scenic Roads; and generally relating to Scenic Roads. (tabled 7/27/18) (*Expires 9/05/18; 10/05/18 if extended; or 11/04/18 if extended twice.*)

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

The motion to remove Council Bill 58 – 2018 from the table failed.

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The Chairperson invited County Executive Allan Kittleman and Councilman Jon Weinstein as well as other representatives involved in presentation to take their seats.

### **Special Presentation**

County Executive Allan Kittleman and County Council Member Jon Weinstein will present information about The Ellicott City Flood Mitigation Plan, Transfer of Appropriation Ordinance 1-Fiscal Year 2019, Council Bill 61-2018, and Council Bill 62-2018.

Others called to present were:

Mark DeLuca, Department of Public Works

James Lee, Meteorologist in Charge, NOAA, National Weather Services

Christopher Brooks, McCormick Taylor

Holly Sun, Budget Office

The legislative session concluded at 9:31pm

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### **Tabled**

Council Resolution 87-2018 – A RESOLUTION confirming the appointment of Michael Lee to the Board to Promote Self-Sufficiency. (tabled 7/27/18) (*No expiration date*)

Council Resolution 90-2018 – A RESOLUTION confirming the appointment of Ellen L. Kuhn to the Advisory Board on Consumer Protection. (tabled 7/27/18) (*No expiration date*)

Council Resolution 94-2018 – A RESOLUTION confirming the appointment of Judy Zhao to the Commission for Women. (tabled 7/27/18) (*No expiration date*)

Council Bill 55-2018 – Introduced by: Jennifer Terrasa and Calvin Ball – AN ACT repealing the mobile home site rental tax; and generally relating to mobile home developments. (tabled 7/27/18) (Expires 9/05/18; 10/05/18 if extended; or 11/04/18 if extended twice.)

Council Bill 58-2018 – Introduced by: Calvin Ball and Jennifer Terrasa – AN ACT amending the Howard County Code to amend the requirements for new developments on Scenic Roads; and generally relating to Scenic Roads. (tabled 7/27/18) (Expires 9/05/18; 10/05/18 if extended; or 11/04/18 if extended twice.)

Council Resolution 71-2018 – A RESOLUTION confirming the appointment of David Drasin to the Multimodal Transportation Board. (tabled 7/2/18) (*No expiration date*)

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.)*