

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2019 Legislative Session

Legislative Day No. 6

May 6, 2019

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **7:17** p.m.

Chairperson Christiana Mercer Rigby, Vice Chairperson Opel Jones, Council Member Deb Jung, Council Member Liz Walsh, and Council Member David Yungmann were present.

Jessica Feldmark, Administrator to the County Council; Craig Glendenning, County Auditor; Lynne Rosen, Senior Legislative Analyst; Gary Kuc, County Solicitor; John Gwynn, Assistant County Solicitor; Jennifer Sager, Legislative Coordinator; and Kel Berg, Administrative Support were also present.

APPROVE JOURNALS AND MINUTES

The Chairperson moved to approve the Journal for Legislative Day No. 5, April 1, 2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve the journal passed.

The Chairperson moved to approve the minutes for the Monthly Meeting – April 8, 2019, the Public Hearing, Capital Budget – April 9, 2019, the Work Session, Capital Budget – April 15, 2019, the Work Session, Capital Budget – April 22, 2019, the Legislative Public Hearing – April 22, 2019, the Public Hearing, Capital and Operating Budget – April 24, 2019, the Work Session, Capital and Operating Budget – April 29, 2019, the Legislative Work Session – April 29, 2019 and the Public Hearing, Operating Budget – May 1, 2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve the minutes passed.

The Chairperson moved to suspend the rules to allow for introduction of Council Resolution 89-2019 that was not prefiled. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to suspend the rules to allow for introduction of Council Resolution 89-2019 that was not prefiled was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to suspend the rules to allow for introduction of Council Resolution 89-2019 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 52-2019 - A RESOLUTION confirming the appointment of Christine “Tina” Horn to the Martin Luther King, Jr. Holiday Commission. *(No expiration date)*

Council Resolution 53-2019 - A RESOLUTION confirming the appointment of Aisha Masood to the Board to Promote Self-Sufficiency. *(No expiration date)*

Council Resolution 54-2019 - A RESOLUTION confirming the appointment of Audra Nixon to the Board of Health. *(No expiration date)*

Council Resolution 55-2019 - A RESOLUTION confirming the appointment of Michael McPherson to the Commission on Aging. *(No expiration date)*

Council Resolution 56-2019 - A RESOLUTION confirming the appointment of William Cyril Rovito to the Board of Directors of the Economic Development Authority. *(No expiration date)*

Council Resolution 57-2019 - A RESOLUTION confirming the appointment of Dr. Andre’a Watkins to the Local Behavioral Health Advisory Board. *(No expiration date)*

Council Resolution 58-2019 - A RESOLUTION confirming the reappointment of Anna M. Boyd to the Recreation and Parks Board. *(No expiration date)*

Council Resolution 59-2019 - A RESOLUTION confirming the reappointment of Dr. Carlessia Hussein to the Board of Health. *(No expiration date)*

Council Resolution 60-2019 - A RESOLUTION confirming the reappointment of Michelle Melotti-Merdon to the Adult Public Guardianship Review Board. *(No expiration date)*

Council Resolution 61-2019 - A RESOLUTION confirming the reappointment of Denny Patrick to the Howard County Agricultural Preservation Board. *(No expiration date)*

General

General Council Resolution 62-2019 - A RESOLUTION approving certain transfers between major categories of the Howard County Board of Education Operating Budget for Fiscal Year 2019; transferring \$2,000,000 to the Fixed Charges category, \$700,000 to the Special Education category, \$200,000 to the Student Transportation category, and \$230,000 to the Operation of Plant category; and generally relating to the Fiscal Year 2019 Operating Budget of the Board of Education. *(No expiration date)*

Council Bill 18-2019 - Introduced by the Chairperson at the request of the County Executive and Christiana Mercer Rigby; Co-Sponsored by Opel Jones, Deb Jung and Liz Walsh - AN ACT to authorize the use of school bus monitoring cameras on school buses in the County; to authorize certain enforcement and to provide that certain violations are a civil penalty; to provide for the use of fines; and generally relating to enforcement of traffic laws in Howard County. *(Expires 8/15/19; 9/19/19 if extended; or 10/24/19 if extended twice.)*

Council Bill 19-2019 - AN ACT specifying the appointing authority for certain executive exempt positions within the executive branch; and generally relating to executive exempt provisions in the Howard County Code. *(Expires 8/15/19; 9/19/19 if extended; or 10/24/19 if extended twice.)*

Council Bill 20-2019 - Introduced by: Liz Walsh; Co-sponsored by: Chairperson at the request of the County Executive, Christiana Mercer Rigby, Opel Jones, and Deb Jung - AN ACT extending the Effective Period of the temporary prohibition on the issuance of certain permits and certain approvals of development plans and zoning changes for property that drains wholly or partly to the Tiber Branch Watershed or the Plumtree Branch Watershed in Howard County that was imposed by Council Bill 56-2018; and declaring this to be an emergency bill. *(Expires 8/15/19; 9/19/19 if extended; or 10/24/19 if extended twice.)*

Council Resolution 64-2019 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that a water and utility easement conveyed to Howard County, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to terminate the County's easement interest, provided the fee simple owner, Kellogg-CCP, LLC relocates the currently-existing water main and grants the County a new easement for the relocated water main, and providing that the County Executive is not bound to terminate the easement interest if he finds that the easement may have a further public use. *(No expiration date)*

Council Resolution 89-2019 - AN ACT declaring that a portion of Old Maryland Route 108, containing approximately 1.087 acres, 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 the developer of the adjacent property, Dorsey Overlook, LLLP.

Budget

Council Bill 21-2019 - AN ACT approving provisions in an Amendment to 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 first day of Fiscal Year 2021; approving certain previously approved 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; 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 22-2019 - AN ACT amending licensing provisions in the Howard County Code that require applicants for certain licenses to obtain fingerprints from the Howard County Department of Police; and generally relating to Howard County licenses.

Council Bill 23-2019 - AN ACT amending the Pay Plan for Howard County; providing pay scales for employees; providing for the application of this Act; and generally relating to the Pay Plan for Howard County.

Council Bill 24-2019 - AN ACT adopting the current expense budget and the capital budget for the fiscal year beginning July 1, 2019 and ending June 30, 2020, to be known as the Annual Budget and Appropriation Ordinance of Howard County, Fiscal Year 2020.

Council Bill 25-2019 - AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in the principal amount of up to \$122,028,804 on its full faith and credit, and issue and sell its bonds or other obligations therefor, to be used to pay costs of certain County capital projects (including bridge projects, general county projects, storm drainage projects, school system projects, fire and rescue projects, road resurfacing projects, road construction projects, roadside and sidewalk projects, community college projects, parks and recreation projects, traffic improvements projects and sewer projects), which are specified and described in the County's 2020 Capital Budget (including, without limitation, borrowings for certain capital projects previously authorized in other calendar years, which such authorization has lapsed or will lapse), and to pay costs of issuance of such bonds or other obligations; 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.

Council Bill 26-2019 - AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in the principal amount of up to \$79,875,771 on its full faith and credit, and issue and sell its bonds or other obligations therefor, to be used to pay costs of certain County water and sewer capital projects which are specified and described in the County's 2020 Capital Budget (including, without limitation, borrowings for certain water and sewer capital projects previously authorized in prior calendar years which such authorization has lapsed or will lapse), and to pay costs of issuance of such bonds or other obligations; 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 benefit assessments, ad valorem taxes levied upon the assessable property in the Metropolitan District and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Bill 27-2019 - AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in a principal amount of up to \$11,009,666 on its full faith and credit, and issue and sell its bonds or other obligations therefor, to be used to pay costs of certain County road construction projects which are specified and described in the County's 2020 Capital Budget (including, without limitation, borrowings for certain of such capital projects previously authorized), and to pay costs of issuance of such bonds or other obligations; authorizing and empowering 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 building excise taxes and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Bill 28-2019 - AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in the aggregate principal amount of up to \$1,757,000 on its full faith and credit, and issue and sell its bonds or other obligations therefor, to be used to pay costs of certain County environmental services fund projects as more particularly described in the County's 2020 Capital Budget, and to pay costs of issuance of such bonds or other obligations; authorizing and empowering 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 amounts held in the Environmental Services Special Revenue Fund and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Bill 29-2019 - AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in the aggregate principal amount of up to \$10,700,000 on its full faith and credit, and issue and sell its bonds or other obligations therefor, to be used to pay costs of certain County watershed protection and restoration projects as more particularly described in the

County's 2020 Capital Budget, and to pay costs of issuance of such bonds or other obligations; authorizing and empowering 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 amounts held in the Watershed Protection and Restoration Fund and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Resolution 65-2019 - A RESOLUTION approving the Capital Program for Howard County for Fiscal Years 2021 through 2025 and the Extended Capital Program for Fiscal Years 2026 through 2029.

Council Resolution 66-2019 - A RESOLUTION approving the Fiscal Year 2020 operating budget for the Howard Community College and indicating appropriations for major functional categories.

Council Resolution 67-2019 - A RESOLUTION approving the Fiscal Year 2020 budget for the Howard County Library System and indicating appropriations for object classes.

Council Resolution 68-2019 - A RESOLUTION setting forth the Fiscal Year 2020 Operating Budget for the Howard County Board of Education.

Council Resolution 69-2019 - A RESOLUTION approving the Fiscal Year 2020 budget for the Howard County Health Department and indicating appropriations for object classes.

Council Resolution 70-2019 - A RESOLUTION approving schedules for charges pertaining to the Metropolitan District, to water and sewer service, and to shared sewage disposal facilities.

Council Resolution 71-2019 - A RESOLUTION approving schedules of fees for the functions regulated by the Department of Public Works.

Council Resolution 72-2019 - A RESOLUTION approving schedules of fees, fines and charges for functions regulated by the Howard County Department of Inspections, Licenses and Permits.

Council Resolution 73-2019 - A RESOLUTION approving schedules of fees and charges for functions regulated or administered by the Department of Planning and Zoning.

Council Resolution 74-2019 - A RESOLUTION approving schedules of fees and rates for functions regulated and administered by the Department of Police.

Council Resolution 75-2019 - A RESOLUTION approving schedules of fines and penalties for violations of and administrative costs related to enforcement of Howard County's parking laws, including administrative handling fees for parking citations and citations under the automated red light enforcement program.

Council Resolution 76-2019 - A RESOLUTION approving fee and rate schedules for:

- (1) Applying for approval of an industrial development revenue bond or MIDFA bond or loan;
- (2) Solicitor and Peddler Identification Card;
- (3) Weekend Prisoners - Room and board;
- (4) Prisoner - Health care provider fee;
- (5) Participation in work release program;
- (6) Participation in home detention program;
- (7) Marriage license fee charge for funding of domestic violence programs;
- (8) Annual registration of trespass towing companies and maximum rates to be charged by trespass towing services;
- (9) Fee and specifications for transcripts of administrative proceedings; and
- (10) Reproduction of public records.

Council Resolution 77-2019 - A RESOLUTION approving the Emergency Medical Services Reimbursement Program Fee Schedule.

Council Resolution 78-2019 - A RESOLUTION adopting schedules for various charges related to the Watershed Protection and Restoration Fee.

Council Resolution 79-2019 - A RESOLUTION adopting fee schedules for functions of the Health Department.

Council Resolution 80-2019 - A RESOLUTION adopting a Schedule of Fees for inspections conducted by the Department of Fire and Rescue Services.

Council Resolution 81-2019 - A RESOLUTION adopting a schedule of fees for functions regulated by the Department of Finance.

Council Resolution 82-2019 - A RESOLUTION amending the fee process for requests to establish Tax Increment Financing Districts and establishing a fee for certain Special Taxing Districts.

Council Resolution 83-2019 - A RESOLUTION levying a tax on certain admissions and amusements, establishing classes of admissions and amusements, setting tax rates on different classes, and providing for certain exemptions from the tax.

Council Resolution 84-2019 - A RESOLUTION establishing a recordation tax rate on instruments of writing that are recorded with the Clerk of the Circuit Court.

Council Resolution 85-2019 - A RESOLUTION adopting the schedule of rates for the Building Excise Tax.

Council Resolution 86-2019 - A RESOLUTION levying Fire and Rescue tax rates beginning July 1, 2019.

Council Resolution 87-2019 - A RESOLUTION levying a property tax for the fiscal year beginning July 1, 2019 and ending June 30, 2020; setting the tax rates for property; and providing for the collection of the property tax.

Council Resolution 88-2019 - A RESOLUTION setting the fee-in-lieu rate for moderate income housing.

FINAL CONSIDERATION

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

The roll call vote called by the Administrator on the motion was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

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

Consent Agenda

Council Resolution 15-2019 - A RESOLUTION confirming the appointment of Antonia B. Watts to the Board of Library Trustees. *(No expiration date)*

Council Resolution 37-2019 - A RESOLUTION confirming the appointment of Steven Bolen to the Howard County Commission for Veterans and Military Families. *(No expiration date)*

Council Resolution 38-2019 - A RESOLUTION confirming the appointment of Marcellous P. Frye Jr. to the Board of Directors of the Economic Development Authority. *(No expiration date)*

Council Resolution 39-2019 - A RESOLUTION confirming the appointment of Rhonda Jones to the Commission for Women. *(No expiration date)*

Council Resolution 40-2019 - A RESOLUTION confirming the appointment of Neil Madan to the Equal Business Opportunity Commission. *(No expiration date)*

Council Resolution 41-2019 - A RESOLUTION confirming the reappointment of Heidi Burghardt to the Commission on Disabilities. *(No expiration date)*

Council Resolution 42-2019 - A RESOLUTION confirming the reappointment of Erica B. Byrne to the Howard County Local Children's Board. *(No expiration date)*

Council Resolution 43-2019 - A RESOLUTION confirming the reappointment of Abby Glassberg to the Public Works Board. *(No expiration date)*

Council Resolution 44-2019 - A RESOLUTION confirming the reappointment of Robert C. McLaughlin to the Commission on Aging. *(No expiration date)*

The Chairperson moved to approve Council Resolutions 15-, 37-, 38-, 39-, 40-, 41-, 42-, 43- and 44-2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolutions 15-, 37-, 38-, 39-, 40-, 41-, 42-, 43- and 44-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolutions 15-, 37-, 38-, 39-, 40-, 41-, 42-, 43- and 44-2019 passed.

Financial

SAO1-FY19 - AN ACT transferring \$1,678,700 from the General Fund, Contingency Reserve to the Department of Public Works for unanticipated expenses related to snow removal and road repairs. *(Expires 6/10/19; 7/15/19 if extended; or 8/19/19 if extended twice.)*

The Chairperson moved to approve SAO1-FY19. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to approve SAO1-FY19 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve SAO1-FY19 passed.

Council Resolution 45-2019 - A RESOLUTION approving a Financial Assurance Plan for Howard County's National Pollutant Discharge Elimination System, Municipal Separate Storm Sewer System permit programs, in accordance with Section 4-202.1 of the Environment Article of the Annotated Code of Maryland; and requiring certain copies be sent to the Maryland Department of the Environment. *(No expiration date)*

The Chairperson moved to approve Council Resolution 45-2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 45-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 45-2019 passed.

Council Resolution 46-2019 - A RESOLUTION amending the Howard County Health Department Operating Budget, as reflected in Council Resolution No. 54-2018 and amended in Council Resolution No. 16-2019, to account for additional funding received from the State of Maryland; and generally relating to the Health Department Operating Budget for Fiscal Year 2019. *(No expiration date)*

The Chairperson moved to approve Council Resolution 46-2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 46-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 46-2019 passed.

Council Resolution 47-2019 - A RESOLUTION endorsing and authorizing the Howard County Executive to file an application with the Maryland Transit Administration of the Maryland Department of Transportation for certain grants under the Federal Transit Act; indicating certain endorsement by the County Executive; and requiring certain copies be sent to the Maryland Department of Transportation. *(No expiration date)*

The Chairperson moved to approve Council Resolution 47-2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 47-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 47-2019 passed.

Council Resolution 48-2019 - A RESOLUTION adopting Howard County's Annual Action Plan for housing and community services to qualify for the receipt of federal Community Development Block Grant and Home Investment Partnership Program funds. *(No expiration date)*

The Chairperson moved to approve Council Resolution 48-2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 48-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 48-2019 passed.

General

Council Bill 12-2019 - AN ACT repealing the Fire and Rescue Services Board; removing certain references to the Fire and Rescue Services Board; and generally relating to Boards and Commissions in Howard County. *(Expires 6/10/19; 7/15/19 if extended; or 8/19/19 if extended twice.)*

The Chairperson moved to approve Council Bill 12-2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Bill 12-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Bill 12-2019 passed.

Council Bill 13-2019 - AN ACT adopting the International Building Code, 2018, the International Residential Code, 2018, the International Mechanical Code, 2018, and the International Energy Conservation Code, 2018; providing that such codes collectively comprise the Howard County Building Code; regulating the design, construction, alteration, improvement, or modification of a building, structure, or other related equipment; adopting certain local amendments to the Building Code; adopting penalties for the violation of the Building Code; making certain technical corrections; and generally relating to the regulation of building and construction in Howard County. *(Expires 6/10/19; 7/15/19 if extended; or 8/19/19 if extended twice.)*

The Chairperson moved to approve Council Bill 13-2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Bill 13-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Bill 13-2019 passed.

Council Bill 14-2019 - Introduced by: Christiana Mercer Rigby and Opel Jones Co-sponsored by: Deb Jung and Liz Walsh - AN ACT to require certain buildings and occupancies to have diaper-changing amenities accessible to certain occupants under certain conditions; and generally relating

to the Howard County Building Code. *(Expires 6/10/19; 7/15/19 if extended; or 8/19/19 if extended twice.)*

The Chairperson moved to approve Council Bill 14-2019. The motion was seconded by Mr. Jones.

The Chairperson moved to approve Amendment 1. The motion was seconded by Mr. Jones.

Amendment No. 1

(This amendment makes a technical correction required by the passage of Council Bill 13-2019.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 14-2019 as amended was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Bill 14-2019 as amended passed.

Council Bill 15-2019 - AN ACT adopting certain national codes as the Howard County Property Maintenance Code for Rental Housing; adopting local amendments; making certain technical corrections; and generally relating to the Howard County Property Maintenance Code for Rental Housing. *(Expires 6/10/19; 7/15/19 if extended; or 8/19/19 if extended twice.)*

The Chairperson moved to approve Council Bill 15-2019. The motion was seconded by Mr. Jones.

The Chairperson moved to approve Amendment 1. The motion was seconded by Mr. Jones.

Amendment No. 1

(This amendment:

- 1. Ensures that landlord tenant provisions related to rights of entry that are contained elsewhere in the Code are applied;*
- 2. Removes redundant authority related to the revocation of a license;*

3. *Allows for more discretion related to the removal of shrubs and bushes and clarifies that only bushes and shrubs that impede egress and ingress are regulated;*
4. *Allows for more discretion related to the determination of the adequacy of hot water; and*
5. *Prohibits, generally, storage around an electrical panel and requires a clear, unobstructed path to an electrical panel.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 was:
Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 15-2019 as amended was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Bill 15-2019 as amended passed.

Council Bill 16-2019 - AN ACT adopting the 2018 International Plumbing Code and the National Fuel Gas Code (NFPA 54-2018), as the Plumbing and Gasfitting Code for Howard County in order to protect the public health and safety by setting forth criteria for the design and installation of plumbing and gasfitting systems; adopting local amendments to the Plumbing and Gasfitting code; making certain technical corrections; and generally relating to the Plumbing and Gasfitting Code for Howard County. *(Expires 6/10/19; 7/15/19 if extended; or 8/19/19 if extended twice.)*

The Chairperson moved to approve Council Bill 16-2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Bill 16-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Bill 16-2019 passed.

Council Bill 17-2019 – Introduced by: Liz Walsh - AN ACT altering the number of consecutive years a project or phase of a project must be retested each time the County Council adopts new annual housing unit allocations and school capacity charts under the school capacity test of the Adequate Public Facilities Act of Howard County; and generally relating to the testing of residential subdivisions and site development plans for adequate public school facilities. *(Expires 6/10/19; 7/15/19 if extended; or 8/19/19 if extended twice.)*

Council Member Walsh moved to table Council Bill 17-2019. The motion was seconded by Ms. Mercer Rigby.

The roll call vote called by the Administrator on the motion to table Council Bill 17-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to table Council Bill 17-2019 passed.

Council Resolution 49-2019 - A RESOLUTION approving and authorizing the execution of a Development Rights and Responsibilities Agreement by Chase Land, LLC, a Maryland Limited Liability Company, Annapolis Junction Holdings, LP, a Maryland Limited Partnership, and Howard County in accordance with Title 16, Subtitle 17 of the Howard County Code; authorizing the Executive to make changes to the Agreement, under certain conditions; authorizing the County Executive to execute the Agreement; and generally relating to the Agreement. *(No expiration date)*

The Chairperson moved to approve Council Resolution 49-2019. The motion was seconded by Mr. Jones.

The Chairperson moved to approve Amendment 1. The motion was seconded by Mr. Jones.

Amendment No. 1

(This amendment adds the following provisions to the Development Rights and Responsibilities Agreement (“DRRA”):

- 1. A provision to clarify the renewal and termination provisions applicable to the Special Exception Approval; and*
- 2. A provision to clarify the laws and requirements that the Quarry Property and Undeveloped Petitioner Property shall be required to comply with during the term of the DRRA.)*

Council Member Jung moved to approve Amendment 1 to Amendment 1. The motion was seconded by Ms. Walsh.

Amendment No. 1 to Amendment 1

(This amendment clarifies the laws and requirements that the Quarry Property shall be required to comply with during the term of the DRRA.)

The Chairperson moved to approve Amendment 2. The motion was seconded by Mr. Jones.

Amendment No. 2

(This amendment:

- 1. Corrects the month that the presubmission community meeting was held;*
- 2. Clarifies the Planning Board process; and*
- 3. Attaches the Planning Board recommendation to the Exhibit.)*

Council Member Jung moved to approve Amendment 3. The motion was seconded by Ms. Walsh.

Amendment No. 3

(This amendment:

- 1. Deletes provisions of the Development Rights and Responsibilities Agreement (“DRRA”) that prohibit Howard County, with certain exceptions, without the prior written consent of the Petitioner from taking specified actions to affect the Petitioner’s current rights to own, develop, redevelop, operate, and use the Undeveloped Petitioner Property in accordance with laws, rules, regulations, and policies in effect on the effective date of the Agreement;*
- 2. Specifies that the review of any development approvals requested by the Petitioner regarding the Petitioner property are to be performed consistent with Howard County’s development review process and in accordance with the applicable laws, rules, and regulations in effect at the time that the development approvals are requested; and*
- 3. Deletes provisions of the DRRA concerning the Undeveloped Petitioner Property that require the application of the laws, rules, regulations, and policies in force on the effective date of the DRRA.)*

Council Member Walsh moved to table Council Resolution 49-2019. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to table Council Resolution 49-2019 was: Yea: Council Members Jung and Walsh. Nay: Council Members Jones, Mercer Rigby and Yungmann.

The motion to table Council Resolution 49-2019 failed.

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 1 was: Yea: Council Members Jung and Walsh. Nay: Council Members Jones, Mercer Rigby and Yungmann.

The motion to approve Amendment 1 to Amendment 1 failed.

The roll call vote called by the Administrator on the motion to approve Amendment 1 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 2 was: Yea: Council Members Jones, Mercer Rigby and Yungmann. Nay: Council Members Jung and Walsh.

The motion to approve Amendment 2 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 3 was: Yea: Council Members Jung and Walsh. Nay: Council Members Jones, Mercer Rigby and Yungmann.

The motion to approve Amendment 3 failed.

The roll call vote called by the Administrator on the motion to approve Council Resolution 49-2019 as amended was: Yea: Council Members Jones, Mercer Rigby and Yungmann. Nay: Council Members Jung and Walsh.

The motion to approve Council Resolution 49-2019 as amended passed.

Council Resolution 50-2019 – 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*)

The Chairperson moved to approve Council Resolution 50-2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 50-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 50-2019 passed.

Council Resolution 51-2019 – Introduced by: David Yungmann - A RESOLUTION proposing to amend County Charter Section 302 “The County Executive” to provide that certain appointments are subject to confirmation by the County Council; 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 Member Yungmann moved to approve Council Resolution 51-2019. The motion was seconded by Ms. Mercer Rigby.

The roll call vote called by the Administrator on the motion to approve Council Resolution 51-2019 was: Yea: Council Member Yungmann. Nay: Council Members Jones, Jung, Mercer Rigby and Walsh.

The motion to approve Council Resolution 51-2019 failed.

The Chairperson moved to remove Council Resolution 24-2019 and Council Resolution 31-2019 from the table. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to remove Council Resolution 24-2019 and Council Resolution 31-2019 from the table was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to remove Council Resolution 24-2019 and Council Resolution 31-2019 from the table passed.

Council Resolution 24-2019 - A RESOLUTION confirming the appointment of Faith Ngundi to the Human Rights Commission. (tabled 4/1/19) *(No expiration date)*

The Chairperson moved to approve Council Resolution 24-2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 24-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 24-2019 passed.

Council Resolution 31-2019 – Introduced by Opel Jones - A RESOLUTION appointing Douglas R. Miller to the Citizens’ Election Fund Commission. (tabled 4/1/19) (*No expiration date*)

The Chairperson moved to approve Council Resolution 31-2019. The motion was seconded by Mr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 31-2019 was: Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 31-2019 passed.

Adjourned: **8:19** p.m.

Tabled

Council Bill 17-2019 – Introduced by: Liz Walsh - AN ACT altering the number of consecutive years a project or phase of a project must be retested each time the County Council adopts new annual housing unit allocations and school capacity charts under the school capacity test of the Adequate Public Facilities Act of Howard County; and generally relating to the testing of residential subdivisions and site development plans for adequate public school facilities. (*Expires 6/10/19; 7/15/19 if extended; or 8/19/19 if extended twice.*)