

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2019 Legislative Session

Legislative Day No.12

October 7, 2019

HOWARD COUNTY TO WIT:

The Administrator called the legislative session to order at **7:30** 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.

Diane Schwartz Jones, Administrator to the County Council; Craig Glendenning, County Auditor; Theodore Wimberly, Administrative Manager; Gary Kuc, County Solicitor; John Gwynn, Assistant County Solicitor; Jennifer Sager, Legislative Coordinator; and Rodshae Garvey, Administrative Support were also present.

APPROVE JOURNAL AND MINUTES

The Chairperson moved to approve the Journal for September 3, 2019. The motion was seconded by Vice Chairperson Opel Jones.

The roll call vote called by the Administrator on the motion to approve the Journal 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 of:

Monthly Meeting-September 9, 2019; Public Hearing Day #1-September 16, 2019; Public Hearing Day #2-September 18, 2019; Legislative Work Session Day #1-September 20, 2019; Joint Meeting with the Board of Education-September 23, 2019; Public Hearing Day #3-September 23, 2019; Public Hearing Day #4-September 26, 2019; and Legislative Work Session Day #2- September 27, 2019.

The motion was seconded by Council Member Jones.

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

The motion to approve the minutes passed.

The Chairperson moved to approve the minutes of the Legislative Work Session Day #3-October 4, 2019.

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

The motion to approve the minutes 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 124-2019 - A RESOLUTION confirming the appointment of Alexandra Berry to the Commission for Transitioning Students with Disabilities. *(No expiration date)*

Council Resolution 125-2019 - A RESOLUTION confirming the appointment of Richard Butler to the Charter Review Commission. *(No expiration date)*

Council Resolution 126-2019 - A RESOLUTION confirming the appointment of Shanika M. Cooper to the Board of Social Services. *(No expiration date)*

Council Resolution 127-2019 - A RESOLUTION confirming the appointment of Alaina Elam to the Board of Social Services. *(No expiration date)*

Council Resolution 128-2019 - A RESOLUTION confirming the appointment of Shahriar Etemadi to the Multimodal Transportation Board. *(No expiration date)*

Council Resolution 129-2019 - A RESOLUTION confirming the appointment of Wei Guo to the Commission on Aging. *(No expiration date)*

Council Resolution 130-2019 - A RESOLUTION confirming the appointment of Roberta Kelly to the Cemetery Preservation Advisory Board. *(No expiration date)*

Council Resolution 131-2019 - A RESOLUTION confirming the appointment of Georgea Lee Moore to the Board of Social Services. *(No expiration date)*

Financial

SAO3-FY2020 - AN ACT transferring \$250,000 from the General Fund, Contingency Reserve to Non-Departmental Expenses for the costs of an audit of the Howard County Public School System. *(Expires 12/16/19; 1/20/20 if extended; or 2/24/20 if extended twice.)*

General

Council Bill 50-2019 - AN ACT defining certain terms such as disability income, disability income housing unit, low income and low income housing unit; providing for Disability Income Housing Units as an optional method of providing moderate income housing units in certain instances; providing for certain numbers of units when Disability Income Housing Units are used; adding a unit type and size for studio units that are used as a Moderate Income Housing Unit offered for sale or rent; amending certain prohibited transfers to allow that certain types of entities that are formed to receive low income housing tax credits may use optional or alternative methods; amending the fee in lieu to clarify the basis for the computation of square footage used to determine the rate; clarifying when the fee in lieu will be paid; providing that the fee in lieu can be used for grants to the Housing Commission or local nonprofits; amending how many days the Department shall use when calculating the prevailing interest rate; providing that the Department shall establish rental rates for Disability Incoming Housing Units that shall be based on monthly income; clarifying that sales prices shall be based on certain square footage; establishing the pricing for the subsequent sale of previously occupied Moderate Income Housing Units, under certain conditions; providing for certain fines and penalties; adding certain qualifications to be eligible to purchase or rent; including employees of the Housing Commission as those who will receive certain priority; providing that purchasers who do not reside in their unit shall be subject to certain penalties; requiring that Regulations contain certain criteria; making certain technical corrections; and generally related to moderate income housing in Howard County. *(Expires 12/16/19; 1/20/20 if extended; or 2/24/20 if extended twice.)*

Council Bill 51-2019 - AN ACT prohibiting the use of pesticides on any County controlled, managed, or owned buildings and grounds unless the use complies with County policy; and generally related to pesticide/herbicide use on County property. *(Expires 12/16/19; 1/20/20 if extended; or 2/24/20 if extended twice.)*

Council Bill 52-2019 - AN ACT to establish a Human Trafficking Prevention Coordination Council; providing for the membership of the Council; providing for the purpose and responsibilities of the Council; providing the expiration dates of the terms of the initial members of the Council; and generally relating to Human Trafficking Prevention Coordination Council. *(Expires 12/16/19; 1/20/20 if extended; or 2/24/20 if extended twice.)*

Council Bill 53-2019 - AN ACT to amend the membership and responsibilities of the Board to Promote Self-Sufficiency; and generally relating to the Board to Promote Self-Sufficiency. *(Expires 12/16/19; 1/20/20 if extended; or 2/24/20 if extended twice.)*

Council Bill 54-2019 - AN ACT pursuant to Section 612 of the Howard County Charter, approving the Lease Agreement between Howard County, Maryland and Delta-Greenwood, LLC, a Maryland limited liability company, for 28,511 square feet of space at 8869 Greenwood Place, Savage, Maryland, to be used by the Department of Public Works, Bureau of Utilities; authorizing the County Executive to enter into the Agreement and to make changes to the Agreement before executing it, under certain conditions; and generally relating to a multi- year lease of certain premises by Howard County from Delta-Greenwood, LLC. *(Expires 12/16/19; 1/20/20 if extended; or 2/24/20 if extended twice.)*

Council Resolution 132-2019 - A RESOLUTION pursuant to Title 5, Subtitle 3 of the Education Article of the Annotated Code of Maryland, approving the Howard County Board of Education's Capital Budget Request for Fiscal Year 2021 and Capital Improvement Program Request for Fiscal Years 2022-2026 for the purpose of submission to the Interagency Commission on School Construction. *(No expiration date)*

Council Bill 55-2019 - Introduced by David Yungmann - AN ACT establishing the temporary Commercial Solar Facility Conditional Use Interim Development Act; temporarily prohibiting certain Conditional Use petitions for proposed Conditional Use approvals for Commercial Solar Facility; finding that such petitions, if approved under the current Zoning Regulations, could lead to development incompatible with surrounding agricultural uses; finding that the potential incompatibility represents a threat to the sustainability of the agricultural industry and its impact on public health, safety and welfare; providing that the purposes of this Act are to provide the Commercial Solar Facilities Task Force with time to study the deficiencies in the Commercial Solar Facility Conditional Use, investigate alternatives and make recommendations for improvement and give the County Council time to act on the recommendations; providing that this Act shall be abrogated and of no further force and effect after a certain period; and generally relating to zoning and land use. *(Expires 12/16/19; 1/20/20 if extended; or 2/24/20 if extended twice.*

Council Resolution 133-2019 - Introduced by David Yungmann- A RESOLUTION creating a Task Force to study commercial solar facilities on agricultural land preservation parcels. *(No expiration date)*

Council Resolution 134-2019 - Introduced by Opel Jones - A RESOLUTION calling on those offering homes for sale in Howard County to omit references to schools and school zones in certain advertising. *(No expiration date)*

FINAL CONSIDERATION

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

There are were no items on the Consent Agenda.

Appointments

Council Resolution 113-2019 - A RESOLUTION confirming the appointment of Jason Bashura, MPH, RS, to the Board of Health. (No expiration date)

The Chairperson moved to approve Council Resolution 113-2019. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 113-2019 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 113-2019 passed.

Council Resolution 114-2019 -A RESOLUTION confirming the appointment of Mabrooka Chaudhry to the Human Rights Commission. (No expiration date)

The Chairperson moved to approve Council Resolution 114-2019. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 114- 2019 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 114-2019 passed.

Council Resolution 115-2019 - A RESOLUTION confirming the appointment of Edward Cochran to the Multimodal Transportation Board. (No expiration date)

The Chairperson moved to approve Council Resolution 115-2019. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 115-2019 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 115-2019 passed.

Council Resolution 116-2019 - A RESOLUTION confirming the appointment of Hunter Craig to the Martin Luther King, Jr. Holiday Commission. (No expiration date)

The Chairperson moved to approve Council Resolution 116-2019. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 116-2019 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 116-2019 passed.

Council Resolution 117-2019 - A RESOLUTION confirming the appointment of Lynda Earle to the Human Rights Commission. (No expiration date)

The Chairperson moved to approve Council Resolution 117-2019. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 117-2019 was: Yea Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 117-2019 passed.

Council Resolution 118-2019 - A RESOLUTION confirming the appointment of Musa Abdul-Aziz Jafri to the Human Rights Commission. (No expiration date)

The Chairperson moved to approve Council Resolution 118-2019. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 118-2019 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 118-2019 passed.

Council Resolution 119-2019 - A RESOLUTION confirming the appointment of Josh Kaufman to the Human Rights Commission. (No expiration date)

The Chairperson moved to approve Council Resolution 118-2019. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 119-2019 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 119-2019 passed.

General

Council Resolution 111-2019- Introduced by Christiana Mercer Rigby - A RESOLUTION amending the Howard County Council Rules of Procedure to provide that legislation shall be read by short title on second and third readings. (No expiration date)

The Chairperson moved to approve Council Resolution 111-2019. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 118-2019 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 118-2019 passed.

Council Resolution 112-2019- Introduced by Christiana Mercer Rigby, Opel Jones and Deb Jung - A RESOLUTION requesting the Howard County Public School System to draft, approve, and implement a lawful multi-year Integration Plan to ensure that Howard County Public Schools are integrated by socioeconomic factors. (No expiration date)

The Chairperson moved to approve Council Resolution 112-2019. The motion was seconded by Dr. Jones.

The Chairperson moved to approve Amendment 1 to Council Resolution 112-2019. The motion was seconded by Dr. Jones.

Amendment No. 1

(Amendment #1 to CR 112 adds and clarifies statistics to the resolution.)

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

Amendment No. 1 to Amendment No. 1

(This Amendment to Amendment #1 to CR112 corrects line references.)

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

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 by Amendment 1 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 as amended passed.

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

Amendment No. 2

(This amendment calls for the establishment of a Task Force to examine demographic and socioeconomic conditions in the Howard County Public Schools and within Howard County's Housing Policies and Regulations)

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

Amendment 1 to Amendment 2

(Calls for Council support for the examination of demographic and socioeconomic conditions within Howard County's Housing Policy and Regulations)

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 2 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh. Nay: Yungmann.

The motion to approve Amendment 1 to Amendment 2 passed.

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

Amendment 2 to Amendment 2

(This Amendment 2 to Amendment 2 calls for Howard County Government to commission a study of impacts of Howard County's existing concentration of socioeconomically disadvantaged residents)

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

The motion to approve Amendment 2 to Amendment 2 failed.

The roll call vote called by the Administrator on the motion to approve Amendment 2 as amended by Amendment 1 was Yea: Council Members Jones, Jung, Mercer Rigby, and Walsh. Nay: Yungmann.

The motion to approve Amendment 2 as amended by Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Council Resolution 112-2019 as amended by Amendment 1 as amended by Amendment 1 and Amendment 2 as amended by Amendment 1 was Yea: Council Members Jones, Jung, Mercer Rigby, and Walsh. Nay: Yungmann.

The motion to approve Council Resolution 112-2019 as amended passed.

Council Bill 39-2019 – Introduced by Deb Jung and Christina Mercer Rigby; Co-sponsored by Liz Walsh - AN ACT amending the Howard County Code to repeal the Development Rights and Responsibilities Agreements provision and replace the repealed provision with provisions for amending and terminating executed agreements; and generally relating to Development Rights and Responsibilities Agreements.

The Chairperson moved to approve Council Bill 39-2019. The motion was seconded by Dr. Jones.

Council Member Deb Jung moved to approve Amendment 1. The motion was seconded by Ms. Mercer Rigby.

Amendment No. 1

(Amendment #1 to CB 39 corrects a Code reference)

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 39-2019 as amended by Amendment 1 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Bill 39-2019 as amended by Amendment 1 passed.

Council Bill 40-2019- Introduced by Liz Walsh- AN ACT extending the Effective Period of the temporary prohibition on the issuance of certain permits and certain approvals of the development plans and zoning change 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.

Council Member Liz Walsh moved to approve Council Bill 40-2019. The motion was

seconded by Deb Jung.

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

Amendment No. 1

(This amendment provides an exemption for improved properties on which the net increase in impervious surface is less than 1,500 square feet)

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 40-2019 as amended by Amendment 1 was Yea: Council Members Jung and Walsh. Nay: Ms. Mercer Rigby, Jones, and Yungmann.

The motion to approve Council Bill 40-2019 as amended by Amendment 1 failed.

Council Bill 41-2019- Introduced by David Yungmann-AN ACT amending the Howard County Code to establish a new Community Zoning Case Navigator position; and generally relating to a Community Zoning Case Navigator position.

Council Member David Yungmann moved to approve Council Bill 41-2019. The motion was seconded by Dr. Jones.

Council Member David Yungmann moved to approve Amendment 1. The motion was seconded by Dr. Jones.

Amendment No. 1

(Adds the Design Advisory Panel and the Historic Preservation Commission to the jurisdiction of Community Zoning Case Navigator)

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.

Council Member Yungmann moved to approve Amendment 2 to Council Bill 41-2019. The motion was seconded by Dr. Jones.

Amendment No. 2

(Specifies that the Community Zoning Case Navigator position would be in the County's Human Resources Merit System's exempt service, servicing under the Council Administrator)

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

The motion to approve Amendment 2 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 41-2019 as amended by Amendment 1 and Amendment 2 was Yea: Council Members Jones and Yungmann. Nay: Mercer Rigby, Jung, and Walsh.

The motion to approve Council Bill 41-2019 as amended by Amendments 1 and 2 failed.

Council Bill 42-2019- Introduced by Christiana Mercer Rigby and Deb Jung; Co-sponsored by Opel Jones and Liz Walsh- AN ACT to alter the school facilities surcharge in accordance with Chapter 744 of the Acts of the General Assembly of 2019; and generally relating to the school facilities surcharge.

The Chairperson moved to approve Council Bill 42-2019. The motion was seconded by Dr. Jones.

The Chairperson moved to table Council Bill 42-2019. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to table Council Bill 42-2019 was Yea: Council Member Mercer Rigby, Jones, Yungmann. Nay: Jung and Walsh

The motion to table Council Bill 42-2019 passed.

Council Bill 43-2019- Introduced by The Chairperson at the request of the County Executive; Co-sponsored by Opel Jones, Christiana Mercer Rigby and Liz Walsh- AN ACT extending the tax credit for real property applicable to public safety officers to include volunteer emergency medical technicians; providing for the application of this ACT; and generally relating to property tax credit for real property in the Howard County Code.

The Chairperson moved to approve Council Bill 43-2019. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Bill 43-2019 was: Yea Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Bill 43-2019 passed.

Council Bill 44-2019- AN ORDINANCE authorizing the issuance , sale and delivery of up to \$150,000,000 consolidated public improvement bonds and up to 100,000,000 metropolitan district bonds, pursuant to various bond enabling laws; providing that such bonds shall be general obligations of the County; authorizing the County Executive to specify, prescribe, determine, provide for or approve the final principal amounts, maturity schedules, interest rates and redemption provisions for such bonds, and other matters, details forms, documents or procedures and to determine the method of sale of such bonds; providing for the disbursement of the proceeds of such bonds and for the levying of taxes to pay debt service on such bonds; and providing for and determining various matters in connection therewith.

The Chairperson moved to approve Council Bill 44-2019. The motion was seconded by Dr. Jones.

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

Amendment No. 1

(This amendment corrects a dollar figure in the bill that reflects the full cash value assessable base of the County as June 30, 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 44-2019, as amended by Amendment was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Bill 44-2019 as amended by Amendment 1 passed.

Council Bill 45- AN ORDINANCE authorizing and providing for the issuance of Howard County, Maryland Consolidated Public Improvement Refunding Bonds and Howard County, obligations of the County; providing that such bonds shall be general obligations of the County; providing for the disbursement of the proceeds of such bonds and the levying of

taxes to pay debt service on such bonds; providing for the private (negotiated) sale of such bonds; providing for an escrow deposit agreement and a continuing disclosure agreement; authorizing the County Executive to specify, prescribe, determine, provide for or approve the final principal amounts, maturity schedules, interest rates and redemption provisions for such bonds, the final list of refunded bonds, and certain other matters, details, forms, documents or procedures; and providing for and determining various matters in connection therewith.

The Chairperson moved to approve Council Bill 45-2019. The motion was seconded by Dr. Jones.

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

Amendment No. 1

(This amendment corrects certain outstanding principal amounts)

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 45-2019 as amended by Amendment 1 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Bill 45-2019 as amended by Amendment 1 passed.

Council Bill 46-2019- AN ACT pursuant to Section 1.111 (e) of the Howard County Code approving provisions in a collective bargaining agreement between Howard County and the Howard County Police Officer's Association, Lodge 21, that are in conflict with the provisions of Title 1 "Human Resources" of the Howard County Code or the Employee Manual; and providing for the application of this Act.

The Chairperson moved to approve Council Bill 46-2019. The motion was seconded by Dr. Jones.

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

The motion to approve Council Bill 46-2019 passed.

Council Bill 47-2019- AN ACT pursuant to Section 1.111(e) of the Howard County Code approving provisions in a collective bargaining agreement between Howard County and the

FOP Lodge 143, Howard County Police Supervisor's Alliance that are in conflict with the provisions of Title 1 "Human Resources" of the Howard County Code or the Employee Manual; and providing for the application of this Act.

The Chairperson moved to approve Council Bill 47-2019. The motion was seconded by Dr. Jones.

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

The motion to approve Council Bill 47-2019 passed.

Council Bill 48-2019- AN ACT adding certain pay scales to the Pay Plan for Howard County in accordance with certain recently negotiated collective bargaining agreements with members of Lodge 143 and Lodge 21; adding certain pay scales for certain police management employees; adding certain pay scales for members of Lodge 131; providing for the application of this Act; and generally relating to the Pay Plan for Howard County.

The Chairperson moved to approve Council Bill 48-2019. The motion was seconded by Dr. Jones.

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

The motion to approve Council Bill 48-2019 passed.

Council Bill 49-2019- AN ACT amending the Classification Plan for Howard County; amending certain class descriptions within the Uniformed Public Safety class; and generally relating to amendments to the Howard County Classification Plan.

The Chairperson moved to approve Council Bill 49-2019. The motion was seconded by Dr. Jones.

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

The motion to approve Council Bill 49-2019 passed

Council Resolution 120-2019- Introduced by Chairperson at the request of the County Executive; Co-sponsored by Opel Jones, Deb Jung and Christiana Mercer Rigby- A RESOLUTION adopting the Howard County Complete Streets Policy and requiring the

development of a Complete Streets Design Manual.

The Chairperson moved to approve Council Resolution 120-2019. The motion was seconded by Dr. Jones.

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

Amendment No. 1

(This amendment requires reports twice a year.)

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 Resolution 120-2019 as amended by Amendment 1 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 120-2019 as amended by Amendment 1 passed.

Council Resolution 121-2019- A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that 77.10 acres to be acquired by Howard County, Maryland from Chase Land, LLC, a Maryland Limited Liability Company, will not be needed by the County for public purposes; authorizing the County Executive to convey the property to the Howard County Board of Education; 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 convey the property if he finds that the land may have further public use.

The Chairperson moved to approve Council Resolution 121-2019. The motion was seconded by Dr. Jones.

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

Amendment No. 1

(This amendment adds 1.327 acres into the property conveyance. This amendment also corrects acreage and reflects that the property has been acquired by the County)

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 Resolution 121-2019 as amended was Yea: Council Members Jones, Jung, Mercer Rigby, and Yungmann. Nay: Walsh

The motion to approve Council Resolution 121-2019 as amended by Amendment 1 passed.

Council Resolution 122-2019 – A RESOLUTION amending a fee-in-lieu for constructing storm water management facilities.

The Chairperson moved to approve Council Resolution 122-2019. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Resolution 122-2019 was Yea: Council Members Mercer Rigby, Jones and Yungmann. Nay: Walsh and Jung

The motion to approve Council Resolution 122-2019 passed.

Council Resolution 123-2019- A RESOLUTION amending Volume I (Storm Drainage) of the Design Manual; providing that development within the Tiber Branch and Plumtree watersheds provide adequate management and conveyance of runoff for the 24-hour, 100-year, and 3.55-hour, 6.6 inch storm event to a stormwater management facility; and generally relating to the adoption of revised standards for storm drainage systems.

The Chairperson moved to approve Council Resolution 123-2019. The motion was seconded by Dr. Jones.

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

Amendment No. 1

(This amendment: 1. Clarifies that the offsite facility shall be constructed pursuant to a developer agreement and at the same time as on-site improvements; 2. Provides criteria to set forth when a subsequent alternative strategy would apply; and 3. Corrects punctuation.)

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 Resolution 123-2019 as amended by Amendment 1 was Yea: Council Members Mercer Rigby, Jones, Jung, and Yungmann. Nay: Walsh

The motion to approve Council Resolution 123-2019 as amended by Amendment 1 passed.

Council Bill 38-2019 – Introduced by Liz Walsh- AN ACT to prohibit certain waivers in the Patapsco Lower North Branch Watershed; to prohibit certain disturbance of land in the Ellicott City Floodplain; to prohibit specified activities in certain buffers; to provide certain open space requirements in the Patapsco Lower North Branch Watershed; to eliminate certain fees-in-lieu; to prohibit residential infill under specified circumstances; to prohibit the issuance of certain variances in the Patapsco Lower North Branch Watershed; adding certain requirements related to forest conservation plans; to limit forest cover clearing in the Patapsco Lower North Branch Watershed; to specify the afforestation level in certain cases; to alter requirements and procedures to control the adverse impacts associated with stormwater; and generally relating to subdivision and land development regulations.

Councilmember Walsh moved to approve Council Bill 38-2019. The motion was seconded by Ms. Jung.

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

Amendment No. 1

(This amendment provides an exemption for smaller projects that do not need a grading permit or a sediment and erosion control plan.)

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.

Council Member Walsh moved to approve Amendment #2 to Council Bill 38-2019. The motion was seconded by Ms. Jung.

Amendment No. 2

(This amendment removes the Necessary Disturbance requirement the Patapsco Lower

North Branch Watershed)

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

The motion to approve Amendment 2 passed.

Council Member Walsh moved to approve Amendment #3 to Council Bill 38-2019. The motion was seconded by Ms. Jung.

Amendment No. 3

(This amendment removes the proposal that the Patapsco Lower North Branch Watershed and clarifies references to “2016 peak flood conditions”)

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

The motion to approve Amendment 3 passed.

Council Member Walsh moved to approve Amendment #4 to Council Bill 38-2019. The motion was seconded by Ms. Jung.

Amendment No. 4

(This amendment removes the proposal that the Patapsco Lower North Branch Watershed and clarifies references to “2016 peak flood conditions”)

Council Member Walsh moved to approve Amendment 1 to Amendment 4 to Council Bill 38-2019. The motion was seconded by Ms. Jung.

Amendment No. 1 to Amendment No. 4

(This Amendment makes a technical correction to the Bill Title.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 4 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 to Amendment 4 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 4 to Council Bill 38-2019 as amended by Amendment 1 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 4 as amended passed.

Council Member Walsh moved to approve Amendment 6 to Council Bill 38-2019. The motion was seconded by Ms. Jung.

Amendment No. 5

(This amendment eliminates revisions to 16.127 Residential infill development)

Council Member Walsh moved to approve Amendment 1 to Amendment 5 to Council Bill 38-2019. The motion was seconded by Ms. Jung.

Amendment No. 1 to Amendment No. 5

(This Amendment makes a technical correction to the Bill Title.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 5 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 to Amendment 5 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 5 as amended by Amendment 1 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 5 as amended passed.

Council Member Walsh moved to approve Amendment #5 to Council Bill 38-2019. The motion was seconded by Ms. Jung.

Amendment No. 6

(This amendment removes the proposed enhanced open space requirement.)

Council Member Walsh moved to approve Amendment 1 to Amendment 6. The motion was seconded by Ms. Jung.

Amendment No. 1 to Amendment No. 6

(This Amendment makes a technical correction to the Bill Title.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 6 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 to Amendment 6 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 6 as amended by Amendment 1 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 6 as amended passed.

Council Member Walsh moved to approve Amendment 7 to Council Bill 38-2019. The motion was seconded by Ms. Jung.

Amendment No. 7

(This amendment removes the proposed enhanced forest conservation requirement.)

Council Member Walsh moved to approve Amendment 1 to Amendment 7. The motion was seconded by Ms. Jung.

Amendment No. 1 to Amendment No. 7

(This Amendment makes a technical correction to the Bill Title.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 7 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 to Amendment 7 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 7 as amended by Amendment 1 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 7 as amended passed.

Council Member Walsh moved to approve Amendment #8 to Council Bill 38-2019. The motion was seconded by Ms. Jung.

Amendment No. 8

(This amendment eliminates revisions to 16.115 and revises 16.125 to indicate that a waiver is subject to compliance with 16.104)

The roll call vote called by the Administrator on the motion to approve Amendment 8 was Yea: Council Members Jones, Jung, Mercer Rigby, Walsh and Yungmann.

The motion to approve Amendment 8 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 38-2019 amended by amendments 1, 2, 3, 4, as amended, 5 as amended, 6 as amended, 7 as amended and 8 was Yea: Council Members Jung and Walsh. Nay: Mercer Rigby, Jones, and Yungmann.

The motion to approve Council Bill 38-2019 amended by amendments 1, 2, 3, 4, as amended, 5 as amended, 6 as amended, 7 as amended and 8 failed.

Adjourned: **9:46 PM**

Tabled

Council Bill 98-2019 – A RESOLUTION adopting the Housing Unit Allocation Chart for Fiscal Year 2020 pursuant to the Adequate Public Facilities Act of Howard County. (*No expiration date*)

Council Resolution 89-2019 - Introduced by: The Chairperson at the request of the County Executive at the request of Dorsey Overlook, LLLP. – 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. (*No expiration date*)

