

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2020 Legislative Session

**Legislative Day No. 7
May 18, 2020**

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **11:07** p.m. through Virtual *via Webex*.

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

Diane Schwartz Jones, Administrator to the County Council; Craig Glendenning, County Auditor; Holly Sun, Budget Administrator; Gary Kuc, County Solicitor; Jennifer Sager, Legislative Coordinator; Theo Wimberly, Administrative Manager; and Kel Berg, Administrative Support were also present.

FINAL CONSIDERATION

Council Bill 17-2020 - AN ACT to modify the restriction on the use of excess surplus revenue pursuant to Section 615B of the Howard County Charter in order to use excess surplus revenue from prior years to fund recurring expenses in the Fiscal Year 2021 budget; providing that this act shall be temporary, in an attempt to minimize service or employee reductions due to COVID-19 and recession impact, and shall expire by June 30, 2021; and declaring that this Act is an Emergency Bill necessary to meet an immediate emergency affecting public health, safety or welfare.

The Chairperson moved to approve Council Bill 17-2020. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve Council Bill 17-2020 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 17-2020 passed.

Council Resolution 34-2020 - A RESOLUTION amending the Howard County Board of Education Operating Budget for Fiscal Year 2020 to appropriate \$7,200,000 from its Fiscal Year 2019 unassigned General Fund Balance to its Fiscal Year 2020 Operating Budget Fixed Charges category to reduce its Health Fund Deficit; and generally relating to the Board of Education Operating Budget for Fiscal Year 2020. *(No expiration date)*

The Chairperson moved to approve Council Resolution 34-2020. The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to approve Council Resolution 34-2020 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 34-2020 passed.

The Chairperson moved to remove Council Bill 9-2020 from the table. The motion was seconded by Mr. Yungmann.

The roll call vote called by the Administrator on the motion to remove Council Bill 9-2020 from the table was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to remove Council Bill 9-2020 from the table passed.

Council Bill 9-2020 (ZRA188) - Introduced by the Chairperson at the request of Glenelg Country School - AN ACT amending the Howard County Zoning Regulations pertaining to conditional uses to allow the Hearing Authority to grant variances to certain setbacks for a child day care center that is an accessory use to a private academic school conditional use under specified conditions; and generally relating to Howard County Zoning Regulations. *(Expires 4/13/20; 5/18/20 if extended; or 6/22/20 if extended twice.)*

Council Member Yungmann moved to approve Council Bill 9-2020. The motion was seconded by Dr. Jones.

Council Member Yungmann moved to approve Amendment 5. The motion was seconded by Dr. Jones.

Amendment No. 5

(This Amendment clarifies the purpose paragraph on the title page, requires a Hearing Authority to consider a variance petition within a certain easement area if the Hearing Authority determines that the variance is consistent with a certain easement; specifies that certain setbacks do not apply if the petitioner has certain easements on specified pipestems; and removes certain provisions relating to validity and legality of easements and similar instruments.)

Council Member Yungmann moved to approve Amendment 1 to Amendment 5. The motion was seconded by Dr. Jones.

Amendment No. 1 to Amendment 5

(This Amendment clarifies the criterion for abutting properties)

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

The motion to approve Amendment 5 as amended passed.

Council Member Jones moved to find Amendment 5 substantive. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to move Amendment 5 as substantive was: Yea: Council Members Jones, Jung, Rigby and Walsh. Nay: Council Member Yungmann.

The motion to move Amendment 5 as substantive passed.

Council Member Yungmann moved to table Council Bill 9-2020. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to table Council Bill 9-2020 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to table Council Bill 9-2020 passed.

Recessed until Friday, May 22: **11:59** p.m.

Tabled

Council Resolution 52-2020 - A RESOLUTION confirming the appointment of Jon Steuernagle, MD, to the Human Trafficking Prevention Coordination Council. (tabled 5/4/2020) (*No expiration date*)

Council Resolution 34-2020 - A RESOLUTION amending the Howard County Board of Education Operating Budget for Fiscal Year 2020 to appropriate \$7,200,000 from its Fiscal Year 2019 unassigned General Fund Balance to its Fiscal Year 2020 Operating Budget Fixed Charges category to reduce its Health Fund Deficit; and generally relating to the Board of Education Operating Budget for Fiscal Year 2020. (tabled 4/6/2020) (*No expiration date*)

Council Resolution 35-2020 - A RESOLUTION amending the Reimbursement rates applicable to one-time reimbursements for an investment in an on-site stormwater best management practice that reduces the impact on the public stormwater management system; providing that certain previously adopted rates shall remain in effect; and generally relating to schedules of rates adopted as part of the Watershed Protection and Restoration Fee. (tabled 4/6/2020) (*No expiration date*)

Council Resolution 36-2020 - Introduced by: Chairperson at the request of the County Executive and cosponsored by David Yungmann - A RESOLUTION amending the purchase price formula used to determine the price that Howard County pays when purchasing development rights under the Agricultural Land Preservation Program; and specifying that the purchase price formula shall be effective upon passage of the Resolution and shall remain in effect until changed or repealed by Resolution of the County Council. (tabled 4/6/2020) (*No expiration date*)

Council Resolution 38-2020 - A RESOLUTION adding certain sites to the Cemeteries and Grave Sites Inventory. (tabled 4/6/2020) (*No expiration date*)

Council Resolution 39-2020 - A RESOLUTION supplementing and amending the Historic Sites Inventory for Howard County by adding two properties to the Inventory and by amending address information related to properties already on the Inventory. (tabled 4/6/2020) (*No expiration date*)

Council Bill 11-2020 - Introduced by: Deb Jung; Cosponsored by: Christiana Rigby and Liz Walsh - AN ACT to require certain projects to document that the project meets specified bird-friendly design standards; providing for a delay in enforcement of this Act; and generally relating to

environmental design. (tabled 4/6/2020 and 5/4/2020) (*Expires 5/11/20; 6/15/20 if extended; or 7/20/20 if extended twice.*)

Council Bill 12-2020 - Introduced by: David Yungmann – AN ACT to allow a landlord to show a model or similar unit to a prospective tenant if the unit to be leased is not vacant under specified circumstances; to repeal the authority of a tenant to terminate a lease without penalty if certain violations are not abated within a certain time; to allow a lease to provide that a tenant will pay specified costs under specified circumstances; to alter the lease payment grace period; to allow for the collection of specified charges; to repeal the prohibition against a lease stating that it is a contract under seal; making a technical correction; and generally relating to landlord-tenant relations. (tabled 4/6/2020) (*Expires 5/11/20; 6/15/20 if extended; or 7/20/20 if extended twice.*)

Council Bill 13-2020 - Introduced by: Christiana Rigby; Co-sponsored by: Opel Jones and Liz Walsh - AN ACT amending the Howard County Code to establish a Notice and a Requirement to provide an offer to the County and Housing Commission to Purchase Rental Housing offered for sale in the County; and generally relating to the sale of Rental Housing. (tabled 4/6/2020 and 5/4/2020) (*Expires 5/11/20; 6/15/20 if extended; or 7/20/20 if extended twice.*)

Council Bill 9-2020 (ZRA188) - Introduced by the Chairperson at the request of Glenelg Country School - AN ACT amending the Howard County Zoning Regulations pertaining to conditional uses to allow the Hearing Authority to grant variances to certain setbacks for a child day care center that is an accessory use to a private academic school conditional use under specified conditions; and generally relating to Howard County Zoning Regulations. (tabled 3/2/2020, 4/6/2020 and 5/4/2020) (*Expires 4/13/20; 5/18/20 if extended; or 6/22/20 if extended twice.*)

Council Resolution 98-2019 – A RESOLUTION adopting the Housing Unit Allocation Chart for Fiscal Year 2020 pursuant to the Adequate Public Facilities Act of Howard County. (tabled 7/1/19) (*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. (tabled 6/3/19) (*No expiration date*)