

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2020 Legislative Session**

**Legislative Day No. 11**

July 29, 2020

**HOWARD COUNTY TO WIT:**

The Chairperson called the legislative session to order at **7:07**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.

Theodore Wimberly, Acting Administrator to the County Council; Gary Kuc, County Solicitor; Jeff Meyers, Senior Legislative Analyst; and Rozonna Hightower, Administrative Support were also present.

---

**JOURNALS AND MINUTES**

The Chairperson move to approve the Journal of:

July 6, 2020

The motion was seconded by Ms. Walsh.

The roll call vote called by the Acting Administrator on the motion to approve the Journal of July 6<sup>th</sup> 2020 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve the Journal of July 6<sup>th</sup> 2020 passed.

The Chairperson moved to approve the Minutes of:

Legislative Work Session morning session (joint with BoE) – July 8, 2020

Legislative Work Session afternoon session – July 8, 2020

Monthly Meeting – July 13, 2020

Legislative Work Session – July 13, 2020

Legislative Public Hearing – July 20, 2020

The motion was seconded by Ms. Walsh

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

Legislative Work Session morning session (joint with BoE) – July 8, 2020

Legislative Work Session afternoon session – July 8, 2020

Monthly Meeting – July 13, 2020

Legislative Work Session – July 13, 2020

Legislative Public Hearing – July 20, 2020

was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve the above minutes passed.

The Chairperson moved to approve the Minutes of:

Legislative Work Session morning session (joint with BoE) – July 8, 2020

Legislative Work Session afternoon session – July 8, 2020

Monthly Meeting – July 13, 2020

Legislative Work Session – July 13, 2020

Legislative Public Hearing – July 20, 2020

The motion was seconded by Ms. Walsh

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

Legislative Work Session morning session (joint with BoE) – July 8, 2020

Legislative Work Session afternoon session – July 8, 2020

Monthly Meeting – July 13, 2020

Legislative Work Session – July 13, 2020

Legislative Public Hearing – July 20, 2020

was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve the above minutes passed.

The Chairperson moved to approve the Minutes of:

Legislative Work Session – May 29, 2020

The motion was seconded by Ms. Walsh

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

Legislative Work Session – May 29, 2020

was: Yea: Council Members Jones, Jung, Walsh and Yungmann.

The motion to approve the Minutes of: Legislative Work Session – May 29, 2020 passed.

The Chairperson moved to approve the Minutes of:

Legislative Work Session – July 22, 2020

The motion was seconded by Ms. Walsh

The roll call vote called by the Acting Administrator on the motion to approve the Minutes of: Legislative Work Session – July 22, 2020

was: Yea: Council Members Jones, Jung, Rigby and Walsh.

The motion to approve the Minutes of: Legislative Work Session – July 22, 2020 passed.

---

The Acting Administrator read the following legislation for final consideration

**Final Consideration**

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

SAO1-FY2021 - AN ACT transferring \$3,660,000 from the General Fund, Contingency Reserve to the Department of Housing and Community Development to restore funding that was moved to the Contingency Fund so that programs and services to low- and moderate-income residents provided by the Department of Housing and Community Development may be continued in Fiscal Year 2021. (*Expires 9/14/20; 10/19/20 if extended; or 11/23/20 if extended twice.*)

The Chairperson moved to approve SAO1-FY2021. The motion was seconded by Ms. Walsh.

The Chairperson moved to approve Amendment 1 to SAO1-FY2021. The motion was seconded by Ms. Walsh

**Amendment No. 1**  
(*This amendment restates the recitals.*)

The roll call vote called by the Acting Administrator on the motion to approve Amendment 1 to SAO1-FY2021 was: Yea: Council Members Jung, Walsh and Yungmann. Nay: Council Members Jones and Rigby.

The motion to approve Amendment 1 to SAO1-FY2021 passed

The roll call vote called by the Acting Administrator on the motion to approve SAO1-FY2021 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve SAO1-FY2021 as amended passed.

---

Council Bill 38-2020 - AN ACT establishing a personal property tax exemption on the personal property of a Qualified Data Center; defining certain terms; providing for certain amounts of property tax exemptions under certain conditions; requiring a certain report; providing for an application procedure; and generally relating to personal property tax exemptions. *(Expires 9/14/20; 10/19/20 if extended; or 11/23/20 if extended twice.)*

The Chairperson moved to approve Council Bill 38-2020. The motion was seconded by Ms. Walsh.

The roll call vote called by the Acting Administrator on the motion to approve Council Bill 38-2020 was: Yea: Council Members Jones, Jung, Rigby, and Yungmann. Nay: Council Member Walsh

The motion to approve Council Bill 38-2020 passed.

---

Council Bill 39-2020 - AN ACT pursuant to Section 612 of the Howard County Charter, approving a Multi-Year Tax-Exempt Lease/Purchase Agreement for financing the acquisition and installation of 7,258 LED streetlight fixtures; 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. *(Expires 9/14/20; 10/19/20 if extended; or 11/23/20 if extended twice.)*

The Chairperson moved to approve Council Bill 39-2020. The motion was seconded by Ms. Walsh.

The Chairperson moved to approve Amendment 1 to Council Bill 39-2020. The motion was seconded by Ms. Walsh

**Amendment No. 1**

*(This amendment inserts the financing company and substitutes a revised Exhibit B that incorporates the agreed-upon rate quote and amortization schedule.)*

The roll call vote called by the Acting Administrator on the motion to approve Amendment 1 to Council Bill 39-2020 was: Yea: Council Members Jung, Jones, Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 to Council Bill 39-2020 passed

The Chairperson moved to approve Amendment 2 to Council Bill 39-2020. The motion was seconded by Ms. Walsh

**Amendment No. 2**

*(Instead of including an exact number in the legislation, this amendment provides that up to 7,450 street lights may [be] purchased and installed under the agreement.)*

The roll call vote called by the Acting Administrator on the motion to approve Amendment 2 to Council Bill 39-2020 was: Yea: Council Members Jung, Jones, Rigby, Walsh and Yungmann.

The motion to approve Amendment 2 to Council Bill 39-2020 passed

The roll call vote called by the Acting Administrator on the motion to approve Council Bill 39-2020 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 39-2020 as amended passed.

---

Council Resolution 105-2020 - A RESOLUTION amending the minimum square footage for Conservation Landscaping Reimbursement; and generally relating to schedules of rates adopted as part of the Watershed Protection and Restoration Fee. *(No expiration date)*

The Chairperson moved to approve Council Resolution 105-2020. The motion was seconded by Ms. Walsh.

The roll call vote called by the Acting Administrator on the motion to approve Council Resolution 105-2020 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 105-2020 passed.

---

Council Resolution 106-2020 - A RESOLUTION amending the Howard County Board of Education Operating Budget for Fiscal Year 2021, as adopted by Council Resolution No. 63-

2020, in order to: (1) increase the general fund budget of the BOE by \$7,751,999, based on a net increase of \$7,502,000 in other funding sources primarily through the use of unbudgeted \$8,000,000 in school fund balance and other revenue changes, an estimated additional \$250,000 in federal funding, and a decrease of \$1 in anticipated state funding; (2) make categorical transfers to align with anticipated funding and expenses; and (3) to adjust restricted funds based on final Board of Education decisions; and generally relating to the Board of Education Operating Budget for Fiscal Year 2021. *(No expiration date)*

The Chairperson moved to approve Council Resolution 106-2020. The motion was seconded by Ms. Walsh.

The roll call vote called by the Acting Administrator on the motion to approve Council Resolution 106-2020 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 106-2020 passed.

---

Council Bill 40-2020 - AN ACT amending the Pay Plan for Howard County in accordance with a certain recently negotiated collective bargaining agreement; providing for certain specialty pays; providing for the application of certain pay schedules; and generally relating to the Pay Plan for Howard County. *(Expires 9/14/20; 10/19/20 if extended; or 11/23/20 if extended twice.)*

The Chairperson moved to approve Council Bill 40-2020. The motion was seconded by Ms. Walsh.

The roll call vote called by the Acting Administrator on the motion to approve Council Bill 40-2020 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 40-2020 passed.

---

Council Bill 41-2020 - 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 American Federation of State, County and Municipal Employees, Howard County Local 3085, Council 67, AFL-CIO that are in conflict with the provisions of Title 1 "Human Resources" of the Howard County Code or the Employee Manual; approving a multi-year collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees, Howard County Local 3085, Council 67, AFL-CIO

that will be effective through the end of Fiscal Year 2022 and that includes payment of certain compensation in future fiscal years; providing for the application of this Act; and generally relating to the collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees, Howard County Local 3085, Council 67, AFL-CIO. (*Expires 9/14/20; 10/19/20 if extended; or 11/23/20 if extended twice.*)

The Chairperson moved to approve Council Bill 41-2020. The motion was seconded by Ms. Walsh.

The roll call vote called by the Acting Administrator on the motion to approve Council Bill 41-2020 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 41-2020 passed.

---

Council Resolution 108-2020 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that portions of a Water, Sewer and Utility Easement, containing 20,918 square feet, and of a Right of Way Easement, containing 7,502 square feet, conveyed to Howard County, Maryland are no longer needed by the County for public purposes; authorizing the County Executive to terminate the easement interests in the property of the fee simple owner, The Normandy Venture Limited Partnership; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code in order to convey the easement interests to The Normandy Venture Limited Partnership; and providing that the County Executive is not bound to terminate the easement interests if he finds that the easements may have a public use. (*No expiration date*)

The Chairperson moved to approve Council Resolution 108-2020. The motion was seconded by Ms. Walsh.

The roll call vote called by the Acting Administrator on the motion to approve Council Resolution 108-2020 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 108-2020 passed.

---

Council Resolution 109-2020 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that property containing 2.447 acres, owned by Howard County, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to convey, at no cost, fee simple title to the property to the State of 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 convey the property if he finds that the County may have a public use for it. (*No expiration date*)

The Chairperson moved to approve Council Resolution 109-2020. The motion was seconded by Ms. Walsh.

The roll call vote called by the Acting Administrator on the motion to approve Council Resolution 109-2020 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 109-2020 passed.

---

Council Resolution 90-2020 - A RESOLUTION adopting the Housing Unit Allocation Chart for Fiscal Year 2021 pursuant to the Adequate Public Facilities Act of Howard County.

The Chairperson moved to approve Council Resolution 90-2020. The motion was seconded by Ms. Walsh.

The roll call vote called by the Acting Administrator on the motion to approve Council Resolution 90-2020 was: Yea: Council Members Jones, Jung, Walsh and Yungmann. Nay: Council Member Rigby

The motion to approve Council Resolution 90-2020 passed.

---

Council Resolution 91-2020 - A RESOLUTION adopting the School Capacity Chart, pursuant to the Adequate Public Facilities Act of Howard County, to designate the elementary school regions, elementary schools, middle schools, and high schools constrained for new residential development during each of the following years as based on the definition of program capacity as defined by Howard County Public School System policy.

The Chairperson moved to approve Council Resolution 91-2020. The motion was seconded by Ms. Walsh.

The roll call vote called by the Acting Administrator on the motion to approve Council Resolution 91-2020 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 91-2020 passed.

---

The Chairperson moved to remove Council Resolution 93-2020 from the table. The motion was seconded by Ms. Walsh

The roll call vote called by the Acting Administrator on the motion remove Council Resolution 93-2020 from the table was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to remove Council Resolution 93-2020 from the table passed.

Council Resolution 93-2020 – Introduced by Deb Jung - A RESOLUTION proposing to amend the Howard County Charter by amending Section 202 “The County Council” by altering certain dates for the Council to appoint a Councilmanic Redistricting Commission and for the Commission to prepare a plan of Councilmanic Districts and present the plan to the Council; altering a date, if by which, no ordinance re-establishing the boundaries of the Councilmanic Districts has been enacted, the plan submitted by the Commission becomes law; 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.

The Chairperson moved to approve Council Resolution 93-2020. The motion was seconded by Ms. Walsh.

The Chairperson moved to approve Amendment 1 to Council Resolution 93-2020. The motion was seconded by Ms. Walsh

**Amendment No. 1**

*(This Amendment specifies when a Redistricting Commission shall be appointed and provides that the Council shall set certain deadlines.)*

The roll call vote called by the Acting Administrator on the motion to approve Amendment 1 to Council Resolution 93-2020 was: Yea: Council Members Jung, Rigby, Walsh and Yungmann. Nay: Council Member Jones.

The motion to approve Amendment 1 to Council Resolution 93-2020 passed

The roll call vote called by the Acting Administrator on the motion to approve Council Resolution 93-2020 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 93-2020 as amended passed.

---

Council Member Yungmann moved to remove Council Resolution 94-2020 from the table. The motion was seconded by Ms. Jung.

The roll call vote called by the Acting Administrator on the motion remove Council Resolution 94-2020 from the table was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to remove Council Resolution 94-2020 from the table passed.

Council Resolution 94-2020 – Introduced by David Yungmann - A RESOLUTION proposing to amend County Charter Section 202 to alter the method for appointing members of a Councilmanic Redistricting Commission; 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.

Council Member Yungmann moved to approve Council Resolution 94-2020. The motion was seconded by Ms. Walsh.

The Chairperson moved to approve Amendment 1 to Council Resolution 94-2020. The motion was seconded by Ms. Walsh

**Amendment No. 1**

*(This Amendment alters the manner of nominating and appointing members of the Commission.)*

The roll call vote called by the Acting Administrator on the motion to approve Amendment 1 to Council Resolution 94-2020 was: Yea: Council Member Jung. Nay: Council Members Jones, Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 to Council Resolution 94-2020 failed

Council Member Walsh moved to approve Amendment 2 to Council Resolution 94-2020. The motion was seconded by Ms. Jung.

**Amendment No. 2**

*(This amendment alters the method for appointing members of a Councilmanic Redistricting Commission. The amendment also requires the Commission to consider the Voting Rights Act of 1965 and preserve communities of interest when developing the plan of Councilmanic Districts and to hold at least two public hearings on the plan.)*

The roll call vote called by the Acting Administrator on the motion to approve Amendment 2 to Council Resolution 94-2020 was: Yea: Council Members Jung and Walsh. Nay: Council Members Jones, Rigby, and Yungmann.

The motion to approve Amendment 2 to Council Resolution 94-2020 failed

Council Member Walsh moved to approve Amendment 3 to Council Resolution 94-2020. The motion was seconded by Ms. Jung.

**Amendment No. 3**

*(This amendment alters the method for appointing members of a Councilmanic Redistricting Commission.)*

The roll call vote called by the Acting Administrator on the motion to approve Amendment 3 to Council Resolution 94-2020 was: Yea: Council Member Walsh. Nay: Council Members Jung, Jones, Rigby, and Yungmann.

The motion to approve Amendment 3 to Council Resolution 94-2020 failed

Council Member Rigby moved to approve Amendment 4 to Council Resolution 94-2020. The motion was seconded by Mr. Jones.

**Amendment No. 4**

*(This amendment changes how members are selected.)*

The roll call vote called by the Acting Administrator on the motion to approve Amendment 4 to Council Resolution 94-2020 was: Yea: Council Members Jung, Jones, and Rigby, Nay: Council Members Walsh, and Yungmann.

The motion to approve Amendment 4 to Council Resolution 94-2020 passed.

The roll call vote called by the Acting Administrator on the motion to approve Council Resolution 94-2020 as amended was: Yea: Council Members Jung, Jones, and Rigby Nay: Council Members Walsh and Yungmann.

The motion to approve Council Resolution 94-2020 as amended failed.

---

Council Member Jones moved to remove Council Resolution 89-2019 from the table. The motion was seconded by Mr. Yungmann.

The roll call vote called by the Acting Administrator on the motion remove Council Resolution 89-2019 from the table was: Yea: Council Members Jones, Rigby and Yungmann. Nay: Council Members Jung, and Walsh

The motion to remove Council Resolution 89-2019 from the table passed.

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)*

Council Member Jones moved to approve Amendment 1 to Council Resolution 89-2019. The motion was seconded by Ms. Rigby

**Amendment No. 1**

*(This amendment changes how members are selected.) (This amendment clarifies that the interest that is being conveyed is an access and parking easement and amends the appraised value. This amendment also corrects a reference to a year.)*

The Chairperson moved to table Council Resolution 89-2019. The motion was seconded by Ms. Walsh.

The roll call vote called by the Acting Administrator on the motion table Council Resolution 89-2019 was: Yea: Council Members Jung, Jones, Rigby, Walsh and Yungmann.

The motion to table Council Resolution 89-2019 passed.

The meeting was adjourned at 12:37p.m.

---

**Tabled**

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)*