

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2014 Legislative Session

Legislative Day No. 2

02/03/2014

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **7:35** p.m.

Calvin Ball, Chairperson; Courtney Watson, Vice Chairperson; Greg Fox, Council Member; Mary Kay Sigaty, Council Member; and Jennifer Terrasa, Council Member, were present.

Sheila Tolliver, Administrator to the County Council; Jeffrey Meyers, Legislative Assistant; James Vannoy, Assistant County Attorney and Jennifer Sager, Legislative Coordinator were also present.

APPROVE JOURNAL & MINUTES

The Chairperson moved to approve the journal for Legislative Day No. 2, January 6, 2014, and Minutes for The Board of Education Meeting – January 8, 2014 and Monthly Meeting – January 13, 2014. The motion was seconded by Ms. Watson.

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

The motion to approve the journal and minutes passed.

The Chairperson moved to approve the minutes for the Legislative Public Hearing – January 22, 2014. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Sigaty, Terrasa and Watson. Abstain: Council Member Fox.

The motion to approve the minutes for Legislative Public Hearing – January 22, 2014 passed.

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

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

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

The Chairperson moved to suspend the rules to allow the introduction of a bill (Council Bill 7-2014, Sigaty) that was not prefiled.

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

The motion to suspend the rules to allow the introduction of a bill (Council Bill 7-2014, Sigaty) 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 No. 10-2014 - A RESOLUTION confirming the appointment of Tajuddin I. Sabree to the Equal Business Opportunity Commission.

Council Resolution No. 11-2014 - A RESOLUTION confirming the reappointment of Victoria L. F. Gaunt to the Howard County Animal Matters Hearing Board.

Council Resolution No. 12-2014 - A RESOLUTION confirming the reappointment of Mary Jo Neil to the Commission for Women.

Council Resolution No. 13-2014 - A RESOLUTION confirming the reappointment of Chelsea Stanton to the Commission on Disability Issues.

Council Resolution No. 14-2014 - A RESOLUTION confirming the reappointment of Rev. Robert Turner to the Human Rights Commission.

Council Resolution No. 15-2014 – A RESOLUTION confirming the reappointment of Alex Walker to the Commission on Disability Issues.

Council Resolution No. 16-2014 - A RESOLUTION confirming the reappointment of Joan Webb Scornaienchi to the Commission for Women.

Financial

Supplementary Budget & Appropriation Ordinance No. 2-FY2014 - AN ACT transferring \$16,559 from the Grants Fund, Contingency Reserve to the Circuit Court for a grant for courthouse security.

Council Bill No. 3-2014 - AN ORDINANCE providing for the issuance at any one time and from time to time of general obligation bond anticipation notes in anticipation of the issuance of the County's general obligation bonds in an aggregate principal amount outstanding at any one time not to exceed the aggregate principal amount of general obligation bonds authorized to be issued by Howard County, Maryland at the time such notes are issued; providing that such bond anticipation notes shall be sold at private (negotiated) or at public sale for a price at, above or below, the par value thereof, as may be determined by the County Executive; providing that such bond anticipation notes may be issued as variable rate demand obligations, notes in the nature of commercial paper or other similar obligations and authorizing the County Executive to determine various matters and to take various other actions in connection therewith; providing that such bond anticipation notes not paid with bond proceeds may be paid with proceeds of bond anticipation notes authorized by this Ordinance; covenanting to pay the principal of and interest on any such bond anticipation notes with the proceeds of the bonds in anticipation of the sale of which such notes are issued; covenanting to issue the bonds in anticipation of which any such bond anticipation notes are issued as soon as the reason for deferring the issuance thereof no longer exists; providing for the levy and collection of all taxes, charges and assessments necessary for the payment when due of the principal of and interest on all notes issued pursuant to this Ordinance not paid with proceeds of bonds or notes issued under this Ordinance; providing for disbursement of the proceeds of the Notes; delegating authority to the County Executive the power to enter into all agreements which may be necessary or desirable to secure and market the notes authorized pursuant to this Ordinance; generally providing for the issuance, sale and delivery of bond anticipation notes and determining various matters in connection therewith.

General

Council Bill No. 4-2014 - Introduced by, The Chairperson - A CORRECTIVE ACT amending Council Bill 32-2013 in order to correct an enrollment error in the bill that incorrectly reflected the County Council's action regarding a certain property.

Council Bill No. 5-2014 - Introduced by, The Chairperson at the request of the Compensation Review Commission - AN ACT to repeal and enact a new Section 5.200 "Annual Salary" of Subtitle 2 "Compensation" of Title 5 "County Council" of the Howard County Code to set the annual salary of the members of the Howard County Council for the term beginning in December 2014.

Council Bill No. 6-2014 - Introduced by, The Chairperson at the request of the Compensation Review Commission - AN ACT to repeal and enact a new Section 6.100 "Annual Salary" of Subtitle 1 "Compensation of the County Executive" of Title 6 "County Executive and the Executive Branch" of the Howard County Code to set the annual salary of the members of the Howard County Executive for the term beginning in December 2014.

Council Bill No. 7-2014 - Introduced by, Mary Kay Sigaty - AN ACT to clarify when an animal is "at-large" in Howard County; and generally relating to animal control in Howard County.

Council Resolution No. 17-2014 - A RESOLUTION authorizing the County Purchasing Agent to waive the formal competitive bidding requirements of Title 4, Subtitle 1 of the Howard County Code in order to enter into an agreement with the Columbia Association, Inc., a Maryland corporation, to make certain improvements to the storm drainage channel under the Cradlerock Way Bridge.

Council Resolution No. 18-2014 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to grant an easement to the Columbia Association, Inc., a Maryland Corporation, on certain real property owned by the County that goes under Cradlerock Way located in Columbia; 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 grant the easement if he finds that the land may have a further public use.

Council Resolution No. 19-2014 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to grant an easement to Baltimore Gas and Electric Company on certain real property owned by the County known as Open Space Lot 11 located in Ellicott City; 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 grant the easement if he finds that the land may have a further public use.

Council Resolution No. 20-2014 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to grant an easement to Baltimore Gas and Electric Company on property owned by the County located along Court House Drive in Ellicott City; 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 grant the easement if he finds that the land may have a further public use.

Council Resolution No. 21-2014 - 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.

Council Resolution No. 22-2014 - A RESOLUTION in accordance with Howard County's Urban Renewal Law, finding that certain properties of the Long Reach Village Center in Columbia constitute a blighted area; finding that the rehabilitation or redevelopment of these properties by means of an Urban Renewal Project is necessary in the interest of the public health, safety and welfare of the residents of the County; establishing the area in which the Project will take place; authorizing the acquisition of certain properties in the Long Reach Village Center as part of the Project; authorizing preparation of the plans necessary for the Project; and generally relating to urban renewal in Howard County.

Council Resolution No. 23-2014 - Introduced by, Council Members Calvin Ball, Mary Kay Sigaty, Jennifer Terrasa and Courtney Watson – A RESOLUTION requesting that the Howard County Public Transportation Board provide a report to the County Council and County Executive on the performance of the Howard County public transportation system and on specific improvements required of the system to meet the increasing demand for public transportation options in and around Howard County.

The Chairperson moved to remove CR 158-2013 from the table. The motion was seconded by Ms. Watson.

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

The motion to remove CR 158-2013 from the table passed.

FINAL CONSIDERATION

Consent

Council Resolution No. 158-2013 - A RESOLUTION confirming the appointment of Vananzo H. Eaton to the Pension Oversight Commission.

Council Resolution No. 2-2014 - A RESOLUTION confirming the appointment of Bruce MacDonald to the Alcohol & Drug Abuse Advisory Board.

Council Resolution No. 3-2014 - A RESOLUTION confirming the appointment of Collin Sullivan to the Howard County Local Children's Board.

Council Resolution No. 4-2014 - A RESOLUTION confirming the reappointment of Sherman Howell to the Environmental Sustainability Board.

Council Resolution No. 5-2014 - A RESOLUTION confirming the reappointment of Dr. Mark Southerland to the Environmental Sustainability Board.

Council Resolution No. 6-2014 - A RESOLUTION confirming the reappointment of Jeanne M. Zarnoch to the Personnel Board.

The Chairperson moved to approve Council Resolutions 158-2013, 2, 3, 4, 5 and 6-2014. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members, Ball, Fox, Sigaty, Terrasa, and Watson

The motion to Approve Council Resolutions 158-2013, 2, 3, 4, 5 and 6-2014 passed.

Council Resolution No. 1-2014 - A RESOLUTION confirming the appointment of Michele Brown to the Board of Directors of the Howard County Mental Health Authority.

The Chairperson moved to table CR1-2014. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members, Ball, Fox, Sigaty, Terrasa, and Watson

The motion to table CR1-2014 passed.

Council Bill No. 1-2014 - AN ACT amending the Howard County Zoning Regulations to amend the Purpose Statement of the TOD District; to provide that the district may allow for certain uses; to allow certain industrial uses, subject to certain criteria; and generally relating to the Howard County Zoning Regulations.

The Chairperson moved to approve Council Bill No. 1-2014. The motion was seconded by Ms. Watson.

The Chairperson moved to approve amendment #1. The motion was seconded by Ms. Watson.

Amendment No. 1

(This amendment clarifies when lower density residential units may be appropriate and clarifies when industrial uses are allowed.)

On page 2, in line 16, after “USES” insert “OR LOWER DENSITY RESIDENTIAL UNITS”.

On page 2, in line 17, strike “NONRESIDENTIAL”.

On page 2, in line 20, strike beginning with the second “TO” down through and including “DEVELOPMENT.” in line 22.

On page 3, in line 8, after “PROPOSED” insert “INDUSTRIAL”.

On page 3, in line 9, after “UNITS” insert “WITHIN THE SAME PROJECT”.

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

The motion to approve Amendment 1 passed.

The Chairperson moved to approve Amendment 2. The motion was seconded by Ms. Watson.

Amendment No. 2

(This amendment specifies a minimum parcel size of at least 30 acres for Light Industrial Uses in the TOD zoning districts).

On page 3, in line 4, after “PROPERTY”, insert “IS AT LEAST 30 ACRES OR GREATER AND”.

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

The motion to approve Amendment 2 passed.

The Chairperson moved to approve Amendment 3. The motion was seconded by Ms. Watson.

Amendment No. 3

(This amendment specifies a maximum building height of 50-feet for Light Industrial Use buildings in the TOD zoning districts).

On page 3, in line 8, after “BUILDING”, insert “WITH A MAXIMUM BUILDING HEIGHT OF 50 FEET”.

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

The motion to approve Amendment 3 passed.

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

The motion to approve Council Bill 1-2014, as amended, was passed.

Council Bill No. 2-2014 - AN ACT requiring certain recycling services for certain apartment complexes and condominiums; requiring compliance with the County's "Apartment and Condominium Recycling Plan"; authorizing certain inspections; providing for certain penalties; and generally related to apartment and condominium recycling in Howard County.

The Chairperson moved to approve Council Bill No. 2-2014. The motion was seconded by Ms. Watson.

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

The motion to approve Council Bill No. 2-2014 passed.

Council Resolution No. 7-2014 - A RESOLUTION approving an amendment to the Solid Waste Management Plan, 2003-2013, in accordance with the procedure required by State Law.

The Chairperson moved to approve Council Resolution No. 7-2014. The motion was seconded by Ms. Watson.

The Chairperson moved to approve amendment 1. The motion was seconded by Ms. Watson.

Amendment No. 1

(This amendment corrects a cross reference.)

In the Apartment and Condominium Recycling Plan, attached to the Resolution as introduced, at the bottom of the second page, in the last paragraph, strike "§16.611" and substitute "§18.611".

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

The motion to approve amendment 1 passed.

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

The motion to approve Council Resolution No. 7, as amended, was passed.

Council Resolution No. 8-2014 - Introduced by, Courtney Watson
Co-Sponsored by, Calvin Ball, Mary Kay Sigaty, and Jennifer Terrasa - A RESOLUTION,
creating a task force to study the issues associated with human trafficking in Howard County, to
educate the public about human trafficking, to identify and serve victims of human trafficking,
and to increase prosecution of traffickers.

The Chairperson moved to approve Council Resolution No. 8-2014. The motion was
seconded by Ms. Watson.

The Chairperson moved to approve amendment 1. The motion was seconded by Ms.
Watson.

Amendment No. 1

*(This amendment broadens the reference to training and alters the
membership of the task force.)*

On page 2:

- beginning in line 2 down through line 3, strike “law enforcement”.
- strike lines 14 and 15 in their entirety and renumber accordingly.
- in lines 28 and 29, in each instance, strike “Two representatives” and substitute “A
representative”.
- in line 28, strike “and”.
- in line 29, strike the period and substitute a semicolon.
- After line 29, insert:
“13. A representative from HoCo AGAST (Howard County Advocacy Group Against
Slavery and Trafficking);
14. A representative from the Howard County General Hospital;
15. The Director of the Department of Citizen Services or the Director’s designee; and
16. Director of Howard County Department of Technology and Communications
Services or the Director’s designee.”

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

The motion to approve amendment 1 passed.

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

The motion to approve Council Resolution No. 8, as amended, was passed.

Council Resolution No. 9-2014 - Introduced by the Chairperson - A RESOLUTION calling the County Council of Howard County, Maryland into legislative session on specified dates.

The Chairperson moved to approve Council Resolution No. 9-2014. The motion was seconded by Ms. Watson.

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

The motion to approve Council Resolution No. 9-2014 passed.

Tabled

Council Resolution 150-2011 - A RESOLUTION proposing to add a section to Article VIII. "Centralized Purchasing" of the Howard County Charter to limit the exercise of the power of eminent domain so that the power is used only for public purposes and not for private economic development, 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 XIA of the Maryland Constitution.

Council Resolution No. 117-2013 - A RESOLUTION declaring that a total of approximately 0.841 acres of real property owned by Howard County and identified as a portion of the right-of-way of Dorsey Run Road is no longer needed for a public purpose; 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 property to Coastal Sunbelt Produce; and providing that the County Executive is not bound to convey the property if he finds that the land may have a further public use and submits his finding to the County Council for its consideration.