



# Howard County Council

George Howard Building  
3430 Court House Drive  
Ellicott City, Maryland 21043-4392

## COUNCILMEMBERS

Jennifer Terrasa, Chairperson  
District 3  
Mary Kay Sigaty, Vice Chairperson  
District 4  
Courtney Watson  
District 1  
Calvin Ball  
District 2  
Greg Fox  
District 5

## Agenda

May 4, 2013 – May 17, 2013

County Council  
Monday, May 6, 2013  
Banneker Room  
George Howard Building, 3430 Court House Drive, Ellicott City, MD  
**7:00 p.m.**

Public Hearing – Constant Yield

**7:30 p.m.**

Legislative Session

Day #6

Approve Journal –

March 18, 2013

March 28, 2013

Approve Minutes –

Legislative Public Hearing – April 15, 2013

Capital Budget Public Hearing – April 15, 2013

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. 42-2013 - Confirming the appointment of Renee Bitner, R.N., to the Adult Public Guardianship Review Board.

Council Resolution No. 43-2013 - Confirming the appointment of Pamela Blackwell, M. Ed., LCPC to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution No. 44-2013 - Confirming the appointment of Sandy Cederbaum to the Advisory Board on Consumer Affairs.

Council Resolution No. 45-2013 - Approving a list of Howard County residents to be sent to the Governor, in accordance with State law, so that the Governor may choose one of the residents from the list to fill a vacancy on the Property Tax Assessment Appeal Board.

Council Resolution No. 46-2013 - Confirming the appointment of Ian Kennedy to the Housing Commission.

Council Resolution No. 47-2013 - Confirming the appointment of Mark S. Kimberling to the Historic District Commission.

Council Resolution No. 48-2013 - Confirming the appointment of Ralph Paez to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution No. 49-2013 - Confirming the appointment of Stephen M. Rice to the Public Transportation Board.

Council Resolution No. 50-2013 - Confirming the appointment of Shannon Taitt to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution No. 51-2013 - Confirming the appointment of Sharonlee Vogel to the Adult Public Guardianship Review Board.

Council Resolution No. 52-2013 - Confirming the reappointment of Astamay Curtis to the Public Transportation Board.

Council Resolution No. 53-2013 - Approving a list of Howard County residents to be sent to the Governor, in accordance with State law, so that the Governor may choose one of the residents from the list to fill a vacancy on the Property Tax Assessment Appeal Board.

Council Resolution No. 54-2013 - Confirming the reappointment of Elizabeth Menachery, M.D. to the Adult Public Guardianship Review Board.

Council Resolution No. 55-2013 - Confirming the reappointment of Jason Michaelson to the Advisory Board on Consumer Affairs.

Council Resolution No. 56-2013 - Approving a list of Howard County residents to be sent to the Governor, in accordance with State law, so that the Governor may choose one of the residents from the list to fill a vacancy on the Property Tax Assessment Appeal Board.

Council Resolution No. 57-2013 - Confirming the reappointment of Timothy G. Wolf to the Adult Public Guardianship Review Board.

Council Resolution No. 58-2013 - Appointing the members of the Compensation Review Commission; providing that the Commission shall set the compensation and allowances of the County Council to be elected in November 2014 by resolution adopted no later than December 16, 2013; providing that the Commission shall make a recommendation concerning compensation and allowances of the County Executive to be elected in November 2014; and providing that the commission shall terminate on April 30, 2014.

Financial (Non-FY2014 Budget)

Council Resolution No. 78-2013 - Approving certain transfers between major categories of the Howard County Board of Education Operating Budget for Fiscal Year 2013; transferring \$106,150 to the Student Personnel Services category; transferring \$780,000 to the Instruction Salaries Category; transferring \$1,710,000 to the Fixed Charges category; transferring \$300,000 to the Administration category; and transferring \$844,200 to the Textbooks and Instructional Supplies category.

General

Council Bill No. 16-2013 - Pursuant to Section 1.111(e) of the Howard County Code and Section 612 of the Howard County Charter, approving provisions in a collective bargaining agreement between Howard County and the Howard County Public Safety Dispatchers Association 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 Howard County Public Safety Dispatchers Association that will be effective through the end of Fiscal Year 2015 and that includes payment of certain compensation in future fiscal years; and providing for the application of this Act.

Council Bill No. 17-2013 - 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.

Council Bill No. 18-2013 - 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.

Council Bill No. 19-2013 - Pursuant to Section 1.111(e) of the Howard County Code and Section 612 of the Howard County Charter, approving provisions in a collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees, Howard County Local 1810, 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 1810, Council 67, AFL-CIO that will be effective through the end of Fiscal Year 2015 and that includes payment of certain compensation in future fiscal years; and providing for the application of this Act.

Council Bill No. 20-2013 - Pursuant to Section 1.111(e) of the Howard County Code and Section 612 of the Howard County Charter, 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

2015 and that includes payment of certain compensation in future fiscal years; and providing for the application of this Act.

Council Bill No. 21-2013 - Pursuant to Section 1.111(e) of the Howard County Code and Section 612 of the Howard County Charter, approving provisions in a collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees, Howard County Local 3888, 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 3888, Council 67, AFL-CIO that will be effective through the end of Fiscal Year 2015 and that includes payment of certain compensation in future fiscal years; and providing for the application of this Act.

Council Bill No. 22-2013 - Amending the eligibility requirements for the water/sewer connection financing program; setting forth the purpose and applicability of the program; making certain technical corrections; and generally related to the water/sewer connection financing program.

Council Resolution No. 59-2013 - Pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to grant a non-exclusive maintenance easement, a retaining wall easement, and a non-exclusive access easement, collectively comprising a total of 0.1973 acres, to CSX Transportation, Inc. on property owned by the County known as Parking Lot B located on Main Street 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 and submits his finding to the County Council for its consideration.

Council Resolution No. 60-2013 - Endorsing the provision of financing by the State Department of Business and Economic Development for an economic development project in Howard County and certifying that the project is consistent with the County's plan for economic development.

#### Budget

Council Bill No. 23-2013 - Amending the Pay Plan for Howard County; providing pay scales for employees; adding certain specialty pays; amending certain overtime and compensatory time provisions; adding certain position classifications; adding pay grades that apply to certain bargaining units; amending certain pay grades; making certain technical corrections; providing for the application of this Act; and generally relating to the Pay Plan for Howard County.

Council Bill No. 24-2013 - Amending the Classification Plan for Howard County; amending and adding certain class descriptions; providing for the application of this Act; and generally relating to amendments to the Howard County Classification Plan.

Council Bill No. 25-2013 - Adopting the current expense budget and the capital budget for the fiscal year beginning July 1, 2013 and ending June 30, 2014, to be known as the Annual Budget and Appropriation Ordinance of Howard County, Fiscal Year 2014.

Council Bill No. 26-2013 - Purpose of authorizing and empowering Howard County, Maryland to borrow money in the principal amount of up to \$136,063,342 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County capital projects (including bridge projects, general county projects, storm drainage projects, school system projects, fire and rescue projects, road construction projects, roadside and sidewalk projects, library projects, community college projects, parks and recreation projects, and police projects), which are specified and described in the County's 2014 Capital Budget (including, without limitation, borrowings for certain capital projects previously authorized in other calendar years, which such authorization has lapsed or will lapse), and to pay costs of issuance of such bonds; authorizing the County to issue bond anticipation notes or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Bill No. 27-2013 - purpose of authorizing and empowering Howard County, Maryland to borrow money in the principal amount of up to \$142,021,533 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County water and sewer capital projects which are specified and described in the County's Capital Budget (including, without limitation, borrowings for certain water and sewer capital projects previously authorized in prior calendar years which such authorization has lapsed or will lapse), and to pay costs of issuance of such bonds; authorizing the County to issue bond anticipation notes or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with benefit assessments, ad valorem taxes levied upon the assessable property in the Metropolitan District and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Bill No. 28-2013 - Purpose of authorizing and empowering Howard County, Maryland to borrow money in a principal amount of up to \$35,962,219 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County road construction projects and other capital projects specified and described in the County's 2014 Capital Budget (including, without limitation, borrowings for certain of such capital projects previously authorized), and to pay costs of issuance of such bonds; authorizing and empowering the County to issue bond anticipation notes or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with building excise taxes and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Bill No. 29-2013 - Purpose of authorizing and empowering Howard County, Maryland to borrow money in the aggregate principal amount of up to \$5,000,000, on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County education capital projects as more particularly described in the County's 2014 Capital Budget, and to pay costs of issuance of such bonds; authorizing and empowering the County to issue bond anticipation notes or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with school facility surcharges and other available funds,

to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Bill No. 30-2013 - Purpose of authorizing and empowering Howard County, Maryland to borrow money in the aggregate principal amount of up to \$13,191,000, on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County environmental services projects as more particularly described in the County's Capital Budget, and to pay costs of issuance of such bonds; authorizing and empowering the County to issue bond anticipation notes or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with amounts held in the Environmental Services Special Revenue Fund and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Bill No. 31-2013 - Authorize and empower Howard County, Maryland, to enter into installment purchase agreements to acquire development rights in agricultural lands located within the County (Project No. G-0163), for an aggregate purchase price of not more than \$50,000,000, plus interest thereon; providing that the County's obligation to pay the purchase price under and interest on such agreements shall be a general obligation of the County made upon its full faith and credit; and to levy taxes upon the assessable property within the County sufficient, together with the portion of the transfer tax imposed on transfers of real property in Howard County which is dedicated to agricultural land preservation and other available funds, to provide for the payment of the purchase price under and interest on any agreements so entered into; and providing for and determining various matters in connection therewith.

Council Resolution No. 61-2013 - Approving the Capital Program for Howard County for Fiscal Years 2015 through 2019 and the Extended Capital Program for Fiscal Years 2020 through 2023.

Council Resolution No. 62-2013 - Approving the Fiscal Year 2014 operating budget for the Howard Community College and indicating appropriations for major functional categories.

Council Resolution No. 63-2013 - Approving the Fiscal Year 2014 budget for the Howard County Library System and indicating appropriations for object classes.

Council Resolution No. 64-2013 - Setting forth the Fiscal Year 2014 Operating Budget for the Howard County Board of Education.

Council Resolution No. 65-2013 - Approving the Fiscal Year 2014 budget for the Howard County Health Department and indicating appropriations for object classes.

Council Resolution No. 66-2013 - Approving schedules for charges pertaining to the Metropolitan District, to water and sewer service, and to shared sewage disposal facilities.

Council Resolution No. 67-2013 - Approving schedules of fees for the functions regulated by the Department of Public Works.

Council Resolution No. 68-2013 - Approving schedules of fees, fines and charges for functions regulated by the Howard County Department of Inspections, Licenses and Permits.

Council Resolution No. 69-2013 - Approving schedules of fees and charges for functions regulated or administered by the Department of Planning and Zoning.

Council Resolution No. 70-2013 - Adopting a schedule of fees for functions regulated by the Department of Finance.

Council Resolution No. 71-2013 - Approving schedules of fees and rates for functions regulated and administered by the Department of Police.

Council Resolution No. 72-2013 - approving fee and rate schedules for:

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

Council Resolution No. 73-2013 - Levying a tax on certain admissions and amusements, establishing classes of admissions and amusements, setting tax rates on different classes, and providing for certain exemptions from the tax.

Council Resolution No. 74-2013 - Establishing a recordation tax rate on instruments of writing that are recorded with the Clerk of the Circuit Court.

Council Resolution No. 75-2013 - Adopting the schedule of rates for the Building Excise Tax.

Council Resolution No. 76-2013 - Levying Fire and Rescue tax rates beginning July 1, 2013.

Council Resolution No. 77-2013 - Levying a property tax for the fiscal year beginning July 1, 2013 and ending June 30, 2014; setting the tax rates for property; and providing for the collection of the property tax.

Final Consideration

Consent

Council Resolution No. 31-2013 - Confirming the appointment of Nancy A. Briguglio to the Equal Business Opportunity Commission.

Council Resolution No. 32-2013 - Confirming the appointment of Ann H. Jones to the State Agricultural Preservation Advisory Board and to the Howard County Agricultural Land Preservation Board.

Council Resolution No. 33-2013 - Confirming the appointment of Vivian M. Lawyer to the Personnel Board.

Council Resolution No. 34-2013 - Confirming the reappointment of Ricky Bauer to the State Agricultural Preservation Advisory Board and to the Howard County Agricultural Land Preservation Board.

Council Resolution No. 35-2013 - Confirming the reappointment of Howard Feaga to the State Agricultural Preservation Advisory Board and to the Howard County Agricultural Land Preservation Board.

Council Resolution No. 36-2013 - Confirming the reappointment of Joshua D. Sullivan to the Human Rights Commission.

Council Resolution No. 40-2013 - Introduced by the Chairperson - Calling the County Council of Howard County, Maryland into legislative session on May 23, 2013.

Council Resolution No. 41-2013 - Introduced by the Chairperson - Calling the County Council of Howard County, Maryland into legislative session on July 25, 2013.

#### Financial

Supplementary Budget & Appropriation Ordinance No. 8-FY2013 – Transferring \$18,908 from the Grants Fund, Contingency Reserve to the Office of Transportation to reflect increased funding for the Work on Wheels grant program.

Supplementary Budget & Appropriation Ordinance No. 9-FY2013 – Transferring \$770,000 from the General Fund, Contingency Reserve to the Department of Public Works for unanticipated expenses for snow removal.

#### General

Council Bill No. 12-2013 - Amending the Howard County Employees' Retirement Plan pursuant to the Heroes Earnings Assistance and Relief Tax Act of 2008; amending certain definitions; amending certain death benefits, disability benefits, and differential wage provisions for pension plan participants with military service; and generally relating to the Howard County Employees' Retirement Plan.

Council Bill No. 13-2013 - Amending the Howard County Police and Fire Employees' Retirement Plan pursuant to the Heroes Earnings Assistance and Relief Tax Act of 2008; amending certain definitions; amending certain death benefits, disability benefits, and differential wage provisions for pension plan participants with military service; and generally relating to the Howard County Police and Fire Employees' Retirement Plan.

Council Bill No. 14-2013 - Amending the Howard County Employees' Retirement Plan to define the term "spouse"; making certain technical corrections; and generally relating to the Howard County Employees' Retirement Plan.



Council Bill No. 15-2013 - Amending the Howard County Police and Fire Employees' Retirement Plan to define the term "spouse"; making certain technical corrections; and generally relating to the Howard County Police and Fire Employees' Retirement Plan.

Council Resolution No. 28-2013 - Introduced by, The Chairperson at the request of Several Emerson Development LLCs - Close a portion of Sterling Drive, as shown in Exhibits A and B, in accordance with Section 18.204 of the Howard County Code.

Council Resolution No. 29-2013 - Introduced by, The Chairperson at the request of the Department of Public Works - Close a portion of Linden Church road, as shown in Exhibits A and B, in accordance with Section 18.204 of the Howard County Code.

Council Resolution No. 37-2013 - Declaring that a total of approximately 6.149 acres of real property owned by Howard County and identified as (1) a portion of the road bed of Sterling Drive and (2) a certain open space parcel are 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 property to the homeowners association serving the adjacent property, Emerson Development HOA, LLC; 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.

Council Resolution No. 38-2013 - Pursuant to Sections 16.301 and 16.200(a) of the Howard County Code, granting a variance for government uses from the structure and use setback for a fence on property located along Stephens Road and located in the Planned Employment Center Zoning District.

Council Resolution No. 39-2013 - Adopting Howard County's Annual Action Plan for housing and community services to qualify for the receipt of federal Community Development Block Grant and Home Investment Partnership Program funds.

#### Tabled Legislation

Council Resolution No. 150-2011 – 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. 24-2013 - Confirming the appointment of Ryan C. Frederic to the Howard County Board of Directors of the Revenue Authority.

Council Resolution No. 25-2013 - Confirming the appointment of Katie Weyrauch to the Environmental Sustainability Board.

Council Resolution No. 26-2013 - Confirming the reappointment of Dr. Byung H. Ahn to the Commission on Disability Issues.

Council Resolution No. 27-2013 - Confirming the reappointment of Kristen Perry to the Public Ethics Commission.

Council Bill No. 11-2013 - Pursuant to Section 612 of the Howard County Charter, approving a multi-year agreement between Howard County, Maryland and Grant Capital Management, Inc., a Maryland corporation, where Grant Capital will finance the acquisition of certain equipment including, without limitation, Fire Department apparatus, furniture, library books and computers through a Tax-Exempt Master Equipment Lease-Purchase Agreement.

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County Council  
Thursday, May 9, 2013  
C. Vernon Gray Room  
George Howard Building, 3430 Court House Drive, Ellicott City, MD  
**9:30 a.m.**

Work Session – Operating Budget  
Community Services, Funds and Revenues

**11:00 a.m.**

Public Hearing – General Budget Public Hearing

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County Council  
Monthly Meeting  
Tuesday, May 14, 2013  
C. Vernon Gray Room  
George Howard Building, 3430 Court House Drive, Ellicott City, MD  
**8:30 a.m.**

**9:00 a.m.**

Work Session – Capital & Operating  
Education

**11:00 a.m.**

Work Session – Capital & Operating  
Library

**1:00 p.m.**

Work Session – Capital & Operating  
Howard Community College

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County Council  
Wednesday, May 15, 2013  
C. Vernon Gray Room  
George Howard Building, 3430 Court House Drive, Ellicott City, MD  
4:30 p.m.

Work Session – Operating Budget  
General Government

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County Council  
Thursday, May 16, 2013  
C. Vernon Gray Room  
George Howard Building, 3430 Court House Drive, Ellicott City, MD  
9:30 a.m.

Work Session – Optional Budget

Visit the Council's website (<http://cc.howardcountymd.gov>) to view legislation, send written testimony, and sign-up electronically to testify at public hearings.

Persons needing accommodations to fully participate in the meeting, please contact the Council Office, 410-313-2001, at least eight working days in advance.