

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2021 Legislative Session

Legislative Day No. 10

June 7, 2021

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **7:02p.m.** through Virtual *via Webex*.

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

Michelle Harrod, Administrator to the County Council; Gary Kuc, County Solicitor; Craig Glendenning, County Auditor; Jeff Meyers, Senior Legislative Analyst; Margery Sayers, Executive Assistant and Rozonna Hightower, Administrative Support were also present.

JOURNALS AND MINUTES

The Chairperson move to approve the Journals of:

Legislative Session May 3, 2021
Special Legislative Session May 5, 2021
Budget Adoption Legislative Session May 26, 2021

The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve the Journals of May 3rd, May 5th, and May 26th was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve the Journals of May 3rd, May 5th, and May 26th 2021 passed.

The Chairperson moved to approve the Minutes of:

Operating Budget Work Session #1 – May 3, 2021
Constant Yield Tax Hearing – May 3, 2021
Operating Budget Public Hearing – May 5, 2021

Special Public Hearing (CB28-2021) – May 5, 2021
Operating Budget Work Session #2 – May 7, 2021
Budget Public Hearing – May 10, 2021
Operating Budget Work Session #1 cont'd – May 10, 2021
Operating Budget Work Session #3 – May 12, 2021
Operating Budget Work Session #4 – May 14, 2021
Operating Budget Work Session #5 – May 17, 2021
Legislative Public Hearing – May 17, 2021
Budget Amendment Work Session - May 21, 2021

The motion was seconded by Dr. Jones

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

Operating Budget Work Session #1 – May 3, 2021
Constant Yield Tax Hearing – May 3, 2021
Operating Budget Public Hearing – May 5, 2021
Special Public Hearing (CB28-2021) – May 5, 2021
Operating Budget Work Session #2 – May 7, 2021
Budget Public Hearing – May 10, 2021
Operating Budget Work Session #1 cont'd – May 10, 2021
Operating Budget Work Session #3 – May 12, 2021
Operating Budget Work Session #4 – May 14, 2021
Operating Budget Work Session #5 – May 17, 2021
Legislative Public Hearing – May 17, 2021
Budget Amendment Work Session - May 21, 2021

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

The motion to approve the above minutes passed.

LATE FILING

The Chairperson move to approve amending the agenda to allow for the introduction of legislation which was not prefiled, (CR110-2021). The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve amending the agenda to allow for the introduction of legislation which was not prefiled, (CR110-2021) was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve amending the agenda to allow for the introduction of legislation which was not prefiled, (CR110-2021) 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 94-2021 - A RESOLUTION confirming the appointment of Christina J. Bostick, Esquire, to the Human Trafficking Prevention Coordination Council. *(No expiration date)*

Council Resolution 96-2021 - A RESOLUTION confirming the appointment of Jonah Daniel Hornum to the Human Rights Commission. *(No expiration date)*

Council Resolution 97-2021 - A RESOLUTION confirming the appointment of Vinitha Nithianandam, to the Human Trafficking Prevention Coordination Council. *(No expiration date)*

Council Resolution 98-2021 - A RESOLUTION confirming the appointment of Jimmy Rhee to the Board of Directors of the Economic Development Authority. *(No expiration date)*

Council Resolution 99-2021 - A RESOLUTION confirming the appointment of Sahara Ukaegbu to the Human Rights Commission. *(No expiration date)*

Council Resolution 100-2021 - A RESOLUTION confirming the appointment of Anthony Carroll Wisniewski, Esquire, to the Board of Health. *(No expiration date)*

Council Resolution 101-2021 - A RESOLUTION confirming the appointment of Gerardus “Jerry” Wykoff, to the Howard County Commission for Veterans and Military Families. *(No expiration date)*

Council Resolution 102-2021 - A RESOLUTION 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. *(No expiration date)*

Reappointments

Council Resolution 103-2021 - A RESOLUTION confirming the reappointment of Richard Lombardo to the Board of Directors of the Economic Development Authority. *(No expiration date)*

Financial

Council Bill 43-2021 - AN ACT making emergency appropriations pursuant to Section 610(b) of the Howard County Charter and amending the Annual Budget and Appropriation for Fiscal Year 2021 in order to receive additional grant funding from the United States Department of the Treasury to provide rent and utility assistance; from the United States Department of Housing and Urban Development as part of the HOME Grant; from the Federal Emergency Management Agency's Public Assistance Program and the U.S. Department of Health and Human Services through the Howard County Health Department to provide funding to the County for costs associated with staffing community vaccination clinics led and funded by the Howard County Health Department and to fund the County's Mobile Integrated Community Health Program; and the first half of the Coronavirus State and Local Fiscal Recover Funds from the American Rescue Plan from through the United States Department of the Treasury, and declaring that this Act is an Emergency Bill necessary to meet a public emergency affecting life, health or property. *(Expires 8/16/21; 9/20/21 if extended; or 10/25/21 if extended twice.)*

Council Bill 44-2021 - AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 24.6 acres of agricultural land located on Buckskin Lake Drive, Ellicott City, Howard County, Maryland, from Karen Moore-Roby or any other owner thereof for a maximum purchase price of \$629,800 or, if less, not more than \$25,600 per acre or portion thereof, rounded to the next highest \$100, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such purchase price and interest on the deferred portion of such purchase price shall be a full faith and credit general obligation of the County; providing for the levying of taxes for such payments; authorizing the County Executive to modify such Agreement; and providing for and determining various matters in connection therewith. *(Expires 8/16/21; 9/20/21 if extended; or 10/25/21 if extended twice.)*

Council Bill 45-2021 - AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 39.25 acres of agricultural land located on Jennings Chapel Road, Woodbine, Howard County, Maryland, from JRNL, LLC or any other owner thereof for a maximum purchase price of \$1,122,600 or, if less, not more than \$28,600 per acre or portion thereof, rounded to the next highest \$100, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such purchase price and interest on the deferred portion of such purchase price shall be a full faith and credit general obligation of the County; providing for the levying of taxes for such payments; authorizing the County Executive to modify such Agreement; and providing for and determining various matters in connection therewith. *(Expires 8/16/21; 9/20/21 if extended; or 10/25/21 if extended twice.)*

Council Bill 46-2021 - AN ACT pursuant to Section 612 of the Howard County Charter, approving a multi-year Lease between Howard County, Maryland and FV 9017 Red Branch,

LLC, for the lease of 8,125 square feet of leasable space, commonly known as Suite E, located at 9017 Red Branch Road, Columbia, Maryland 21045; authorizing the County 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 8/16/21; 9/20/21 if extended; or 10/25/21 if extended twice.*)

Council Resolution 110-2021 - A RESOLUTION approving supplemental appropriation and certain transfers between major categories in the Howard County Board of Education's Operating Budget for Fiscal Year 2022, per request of the Board of Education; to increase the Board of Education's General Fund appropriation by \$12 million through adding \$12 million in use of the School System's Fund Balance, and include categorical transfers to align with spending needs; to increase Grant Fund appropriation by \$58,506,702 to account for \$43,506,702 in Elementary and Secondary School Emergency Relief Fund III (ESSER III) and a \$15 million increase in grant fund contingency; and to align the Board's budget to the adopted Fiscal Year 2022 Operating Budget; and generally relating to the Fiscal Year 2022 Operating Budget of the Board of Education. (*No expiration date*)

General

Council Bill 47-2021 - 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 International Association of Firefighters, Howard County Local 2000 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 International Association of Firefighters, Howard County Local 2000 that will be effective through the end of Fiscal Year 2023 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 International Association of Firefighters, Howard County Local 2000. (*Expires 8/16/21; 9/20/21 if extended; or 10/25/21 if extended twice.*)

Council Bill 48-2021 - AN ACT amending the Pay Plan for Howard County; providing pay scales for certain employees based on certain recently negotiated agreements; amending certain pay scales; amending overtime and compensatory time provisions relative to certain police employees; providing for the application of this Act; and generally relating to the Pay Plan for Howard County. (*Expires 8/16/21; 9/20/21 if extended; or 10/25/21 if extended twice.*)

Council Bill 49-2021 - AN ACT amending Recreation and Parks provisions of the County Code; prohibiting discrimination in accordance with the County Code; providing that certain activities may be conducted upon a permit required by the Director; clarifying the reserved use of park property; clarifying, amending and adding activities that require a permit; incorporating provisions related to electronic bikes and scooters; prohibiting ice skating, off-

road vehicles, and standup paddle boarding on park property; providing that wading is only allowed in certain areas as deemed appropriate; prohibiting certain conduct related to cultural and historic resources on park property; requiring certain actions with regard to animals on park property; adding that certain recording devices shall be considered an encroachment on park property; prohibits the verbal or physical harassment of an individual or park employee; prohibits smoking and vaping on park property; requires that unmanned aircraft shall comply with Federal Aviation Administration regulations; prohibits certain mowing and the release of certain wildlife; allowing that a person may be banned from park property for a certain period of time; amending certain civil penalties; and generally related to recreation and parks. *(Expires 8/16/21; 9/20/21 if extended; or 10/25/21 if extended twice.)*

Council Bill 50-2021 - AN ACT amending Council Bill No. 59-2018 to provide an additional two years before certain adjustments will be null and void unless certain conditions are met related to Zoning Board approval and the connection to public water and sewer related to the development of Property located west of Clarksville Pike (Md Route 108) and south of Sheppard Lane, in Clarksville, Howard County, Maryland; and generally relating to PlanHoward 2030. *(Expires 8/16/21; 9/20/21 if extended; or 10/25/21 if extended twice.)*

Council Resolution 104-2021 - A RESOLUTION adopting the Housing Unit Allocation Chart for Fiscal Year 2022 pursuant to the Adequate Public Facilities Act of Howard County. *(No expiration date)*

Council Resolution 105-2021 - 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. *(No expiration date)*

Council Resolution 106-2021 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that a portion of land containing a total of 0.288 acres owned by Howard County, Maryland located on Maryland Route 103 at Fire Station No. 2 is no longer needed by the County for public purposes; authorizing the County Executive to convey, upon certain consideration, fee simple title to and permanent easement interests in 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 use for the property. *(No expiration date)*

Council Resolution 107-2021 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that a portion of land owned by Howard County, Maryland and located at Centennial Park, along Centennial Lane and Maryland Route 108, is no longer needed by the County for public purposes; authorizing the County Executive to convey, upon certain consideration, fee simple title to 0.8344 acres and permanent easement interests in 0.1514 acres 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 use for the property. *(No expiration date)*

Council Resolution 108-2021 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that a portion of land containing a total of 1.120 acres owned by Howard County, Maryland located at Maryland Route 103 at Old Stockbridge Drive and Wesley Lane is no longer needed by the County for public purposes; authorizing the County Executive to convey 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 use for the property. *(No expiration date)*

Council Bill 51-2021 (ZRA194) – Introduced by: The Chairperson - AN ACT to permit motor vehicle fueling facilities in the PGCC Multi-use Subdistrict subject to Planning Board approval and under specified conditions; and generally relating to the Howard County Zoning Regulations. *(Expires 8/16/21; 9/20/21 if extended; or 10/25/21 if extended twice.)*

Council Resolution 109-2021 – Introduced by: The Chairperson - A RESOLUTION calling the County Council of Howard County, Maryland into legislative session on a specified date. *(No expiration date)*

FINAL CONSIDERATION

Reappointments

Council Resolution 60-2021 - A RESOLUTION confirming the reappointment of Joan Hash to the Human Rights Commission. *(No expiration date)*

Council Resolution 61-2021 - A RESOLUTION confirming the reappointment of Dr. Kathleen Hetherington to the Board of Directors of the Economic Development Authority. *(No expiration date)*

Council Resolution 62-2021 - A RESOLUTION confirming the reappointment of Peter K. Hwang to the Human Rights Commission. *(No expiration date)*

Council Resolution 63-2021 - A RESOLUTION confirming the reappointment of Archana G. Leon-Guerrero to the Adult Public Guardianship Review Board. *(No expiration date)*

Council Resolution 64-2021 - A RESOLUTION confirming the reappointment of Nikki Young to the Adult Public Guardianship Review Board. *(No expiration date)*

The Chairperson moved to approve CR 60-2021; 61-2021; 62-2021; 63-2021; and 64-2021. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to approve CR 60-2021; 61-2021; 62-2021; 63-2021; and 64-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve CR 60-2021; 61-2021; 62-2021; 63-2021; and 64-2021 passed.

General

Council Bill 42-2021 – Introduced by: Deb Jung - AN ACT requiring the Department of Planning and Zoning, in collaboration with specified County agencies, to establish a system of data collection; requiring the Department of Planning and Zoning, in collaboration with specified County agencies, to recommend actions to improve the retention of existing forest areas and effectiveness of mitigation measures; and generally relating to the Forest Conservation Act. (Expires 7/12/21; 8/16/21 if extended; or 9/20/21 if extended twice.)

The Chairperson moved to approve Council Bill 42-2021. The motion was seconded by Dr. Jones.

Ms. Walsh moved to approve amendment No. 1 to CB 42-2021. The motion was seconded by Ms. Jung.

Amendment No. 1 to Council Bill 42-2021

(This amendment requires that the Department of Planning and Zoning report to the County Council include additional specified information. This amendment alters the reporting period for the initial report by DPZ to the County Council, the due date for the initial report, and the due date for the first three-year report.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Council Bill 42-2021 was: Yea: Council Members Jung and Walsh. Nay: Council Members Jones, Rigby and Yungmann.

The motion to approve Amendment 1 to Council Bill 42-2021 failed.

The roll call vote called by the Administrator on the motion to approve Council Bill 42-2021: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 42-2021 passed.

Council Resolution 109-2021 – Introduced by: The Chairperson - A RESOLUTION calling the County Council of Howard County, Maryland into legislative session on a specified date. (No expiration date)

Vice Chairperson moved to approve Council Resolution 109 -2021. The motion was seconded by Mr. Yungmann.

The roll call vote called by the Administrator on the motion to approve Council Resolution 109 -2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 109 -2021 passed.

Budget (FY2022)

Council Resolution 74-2021 – Introduced by: Liz Walsh and Cosponsored by Deb Jung and Christiana Rigby - A RESOLUTION increasing the fees charged by the Department of Planning and Zoning for Zoning Regulation Amendment petitions; and generally relating to fees. (goes into effect 7/1/2021 if not passed)

Vice Chairperson moved to withdraw Council Resolution 74-2021. The motion was seconded by Mr. Yungmann.

The roll call vote called by the Administrator on the motion to withdraw Council Resolution 74-2021 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to withdraw Council Resolution 74-2021 passed.

Adjourned at 8:02pm

Tabled

Council Resolution 35-2021 - Introduced by: The Chairperson - A RESOLUTION setting a date by which the Councilmanic Redistricting Commission is required to prepare a plan of Councilmanic Districts and present the plan to the Howard County Council; setting a date following presentation of the plan of Councilmanic Districts to the County Council by which, if no ordinance re-establishing the boundaries of the Councilmanic Districts has been enacted, the plan submitted by the Councilmanic Redistricting Commission becomes law; and generally relating to Councilmanic Redistricting. (No expiration date)

Tabled 03-01-2021