



Howard County Council

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

COUNCILMEMBERS

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

Agenda

May 3, 2014 – May 16, 2014

County Council

Constant Yield Hearing

Monday, May 5, 2014

Banneker Room

George Howard Building, 3430 Court House Drive, Ellicott City, MD

7:00 p.m.

County Council

Monday, May 5, 2014

Banneker Room

George Howard Building, 3430 Court House Drive, Ellicott City, MD

7:30 p.m.

Legislative Session

Day #5

Approve Journal -

April 7, 2014

Approve Minutes -

Capital Budget Hearing – April 9, 2014

Capital Budget Work Session – April 16, 2014

Legislative Public Hearing – April 21, 2014

Closed Meeting – Opened and Closed Minutes – April 22, 2014

Operating Budget and Capital Budget Public Hearing – April 28, 2014

Operating Budget and Capital Budget Work Session – April 30, 2014

Operating Budget and Capital Budget Work Session – May 2, 2014

Introduction of Legislation

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

Appointments

Council Resolution 40-2014 - Confirming the appointment of Bitu Dayhoff to the Howard County Local Children's Board.

Council Resolution 41-2014 - Confirming the appointment of Erica C. Roberts to the Planning Board.

Council Resolution 42-2014 - Confirming the appointment of Charley C. Sung to the Alcoholic Beverage Hearing Board.

Financial (Non-FY2015 Budget)

Council Resolution 43-2014 - A RESOLUTION approving certain transfers between major categories of the Howard County Board of Education Operating Budget for Fiscal Year 2014; transferring \$500,000 to the Administration category; transferring \$450,000 to the Textbooks and Instructional Supplies category; transferring \$250,000 to the Other Instructional Costs category; and transferring \$2,750,000 to the Fixed Charges category.

General

Council Bill 16-2014 – AN ACT authorizing the advance payment of real property tax in accordance with State law and generally relating to real property tax in Howard County.

Council Bill 17-2014 – AN ACT pursuant to Section 612 of the Howard County Charter, approving a multiyear Grant Agreement between Howard County, Maryland and the Downtown Columbia Arts and Culture Commission, Inc., a Maryland non-profit corporation, for the purpose of funding certain improvements to Merriweather Post Pavilion.

Council Bill 18-2014 – Introduced by: Calvin Ball; Co-sponsored by: Greg Fox, Mary Kay Sigaty, Jennifer Terrasa and Courtney Watson - AN ACT amending the Rehabilitation Loan Program to allow loans for renovations and expansions; amending the moderate income housing unit provisions to prohibit certain alternatives in certain areas; requiring the use of fee in lieu funds for homeownership opportunities in certain areas; prohibiting the Department of Housing and Community Development and the Housing Commission from participating in certain housing projects; and generally related to moderate income housing units and the Rehabilitation Loan Program in Howard County.

Council Bill 19-2014 (ZRA 150) – AN ACT amending the Howard County Zoning Regulations to change certain bonus density options and percentages of employment land use areas that apply when age-restricted adult housing is provided in MXD-6 developments, under certain conditions; amending the process for certain Preliminary Plan amendments under certain conditions; and generally relating to the Howard County Zoning Regulations.

Council Bill 20-2014 (ZRA 149) - Introduced by: Greg Fox; Co-sponsored by: Mary Kay Sigaty and Courtney Watson - AN ACT amending the Howard County Zoning Regulations to alter and include new definitions related to composting and wood processing; removing all references to Mulch Manufacturing; adding Natural Wood Waste Recycling Facilities as a Conditional Use on County Preservation Easements under certain conditions; adding Natural Wood Waste Recycling Facilities as a Permitted Use in the M-1 (Manufacturing: Light) zoning district; adding Composting Facilities as a Permitted Use in the Solid Waste Overlay zoning district with a M-2 (Manufacturing: Heavy) underlying zone under certain conditions; removing Composting Facilities as a Conditional Use in the RC (Rural Conservation) zoning district; adding Natural Wood Waste Recycling Facilities as a Conditional Use in the RC (Rural Conservation) zoning district under certain conditions; and generally related to Composting and Wood Processing uses.

Council Bill 21-2014 (ZRA 148) - Introduced by: The Chair at the Request of the Dayton Rural Preservation Society, LLC. - AN ACT amending the Howard County Zoning Regulations to alter and include new definitions related to composting and wood processing; removing Composting Facility as a Conditional Use on County Preservation Easements; adding Natural Wood Waste Recycling Facilities as a Permitted Use in the M-1 (Manufacturing: Light) zoning district; adding Composting Facilities as a Permitted Use in the Solid Waste Overlay zoning district with a M-2 (Manufacturing: Heavy) underlying zone under certain conditions; removing Composting Facilities as a Conditional Use in the RC (Rural Conservation) zoning district; and generally related to Composting and Wood Processing uses.

Budget

Council Bill 22-2014 - AN ACT amending the Pay Plan for Howard County; providing pay scales for employees; lengthening certain longevity pays for certain Correctional managers; amending certain specialty pays; amending certain overtime and compensatory time provisions; adding, removing and amending certain position classifications; reflecting 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 23-2014 – AN ACT amending the Classification Plan for Howard County; amending and adding certain class descriptions; clarifying certain eligibility to participate in a union; providing for the application of this Act; and generally relating to amendments to the Howard County Classification Plan.

Council Bill 24-2014 – AN ACT adopting the current expense budget and the capital budget for the fiscal year beginning July 1, 2014 and ending June 30, 2015, to be known as the Annual Budget and Appropriation Ordinance of Howard County, Fiscal Year 2015.

Council Bill 25-2014 – AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in the principal amount of up to \$156,123,336 on its full faith and credit, and issue and sell its bonds or other obligations 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 resurfacing projects, road construction projects, roadside and sidewalk projects, library projects, community college projects, parks and recreation projects, police projects, sewer projects and traffic improvements projects), which are specified and described in the County's 2015 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 or other obligations; 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 26-2014 – AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in the principal amount of up to \$55,526,614 on its full faith and credit, and issue and sell its bonds or other obligations therefor, to be used to pay costs of certain County water and sewer capital projects which are specified and described in the County's 2015 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 or other obligations; 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 27-2014 – AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in a principal amount of up to \$27,561,012 on its full faith and credit, and issue and sell its bonds or other obligations therefor, to be used to pay costs of certain County road construction projects which are specified and described in the County's 2015 Capital Budget (including, without limitation, borrowings for certain of such capital projects previously authorized), and to pay costs of issuance of such bonds or other obligations; 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 28-2014 – AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in the aggregate principal amount of up to \$4,000,000, on its full faith and credit, and issue and sell its bonds or other obligations therefor, to be used to pay costs of certain County education capital projects as more particularly described in the County's 2015 Capital Budget, and to pay costs of issuance of such bonds or other obligations; 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 29-2014 – AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in the aggregate principal amount of up to \$4,406,000 on its full faith and credit, and issue and sell its bonds or other obligations therefor, to be used to pay costs of certain County environmental services projects as more particularly described in the County's 2015 Capital Budget, and to pay costs of issuance of such bonds or other obligations; 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 30-2014 – AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in the aggregate principal amount of up to \$4,406,000 on its full faith and credit, and issue and sell its bonds or other obligations therefor, to be used to pay costs of certain County environmental services projects as more particularly described in the County's 2015 Capital Budget, and to pay costs of issuance of such bonds or other obligations; 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 31-2014 – AN ACT to 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 \$5,406,832, 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 44-2014 - A RESOLUTION approving the Capital Program for Howard County for Fiscal Years 2016 through 2020 and the Extended Capital Program for Fiscal Years 2021 through 2024.

Council Resolution 45-2014 - A RESOLUTION approving the Fiscal Year 2015 operating budget for the Howard Community College and indicating appropriations for major functional categories.

Council Resolution 46-2014 - A RESOLUTION approving the Fiscal Year 2015 budget for the Howard County Library System and indicating appropriations for object classes.

Council Resolution 47-2014 - A RESOLUTION setting forth the Fiscal Year 2015 Operating Budget for the Howard County Board of Education.

Council Resolution 48-2014 - A RESOLUTION approving the Fiscal Year 2015 budget for the Howard County Health Department and indicating appropriations for object classes.

Council Resolution 49-2014 - A RESOLUTION approving schedules for charges pertaining to the Metropolitan District, to water and sewer service, and to shared sewage disposal facilities.

Council Resolution 50-2014 - A RESOLUTION approving schedules of fees for the functions regulated by the Department of Public Works.

Council Resolution 51-2014 - A RESOLUTION approving schedules of fees, fines and charges for functions regulated by the Howard County Department of Inspections, Licenses and Permits.

Council Resolution 52-2014 - A RESOLUTION approving schedules of fees and charges for functions regulated or administered by the Department of Planning and Zoning.

Council Resolution 53-2014 - A RESOLUTION approving schedules of fees and rates for functions regulated and administered by the Department of Police.

Council Resolution 54-2014 - A RESOLUTION 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 55-2014 - A RESOLUTION 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 56-2014 - A RESOLUTION establishing a recordation tax rate on instruments of writing that are recorded with the Clerk of the Circuit Court.

Council Resolution 57-2014 - A RESOLUTION adopting the schedule of rates for the Building Excise Tax.

Council Resolution 58-2014 - A RESOLUTION levying Fire and Rescue tax rates beginning July 1, 2014.

Council Resolution 59-2014 - A RESOLUTION levying a property tax for the fiscal year beginning July 1, 2014 and ending June 30, 2015; setting the tax rates for property; and providing for the collection of the property tax.

Council Resolution 60-2014 - A RESOLUTION setting the fee-in-lieu rate for moderate income housing.

Final Consideration

Consent

Council Resolution 30-2014 - Confirming the appointment of Susan M. Hailman to the Commission on Aging.

Council Resolution 31-2014 - Confirming the appointment of Opel T. Jones, I to the Human Rights Commission.

Council Resolution 32-2014 - Confirming the reappointment of Katherine Elicker to the Environmental Sustainability Board.

Council Resolution 33-2014 - Confirming the reappointment of Richard J. Green to the Advisory Board on Consumer Affairs.

Council Resolution 34-2014 - Confirming the reappointment of Andrew A. Monjan, Ph. D., M.P.H. to the Commission on Aging.

Financial

SAO3-FY2014 - AN ACT transferring \$2,000,000 from the General Reserve, Contingency Fund to the Department of Public Works and increasing the General Fund budget of the Department of Public Works and the County by an additional \$1,300,000 for unanticipated expenses for snow removal; and declaring, under section 610(b) of the Howard County Charter, that this transfer is necessary to meet a public emergency affecting life, health or property.

TAO3-FY2014 - AN ACT transferring \$100,000 in grant funding from Capital Project C0214, Category Contingency Fund, to Capital Project C0337, Ellicott City Improvements and Enhancements, for the Ellicott City Streetscape Program grant.

General

Council Bill 12-2014 – Introduced By, Jen Terrasa - AN ACT amending the Howard County Code to require developers conducting presubmission community meetings in accordance with Section 16.128 and 16.205 of the County Code to send notification to any school within a three-mile radius of the subject property; and generally relating to presubmission community meetings.

Council Bill 13-2014 – Introduced By, Courtney Watson; Co-Sponsored By, Calvin Ball and Jen Terrasa - AN ACT requiring County Boards and Commissions and the Howard County Housing Commission to publicly post minutes and agendas of all open meetings; and generally relating to Boards and Commissions.

Council Bill 14-2014 – Introduced By, Jen Terrasa; Co-Sponsored By, Calvin Ball and Courtney Watson - AN ACT amending the building code to conform terms relating to persons with disabilities; amending the Equal Business Opportunity Commission to conform terms relating to persons with disabilities; amending the human rights provisions to conform terms relating to persons with disabilities; amending housing and community development programs to conform terms relating to persons with disabilities; amending the Howard County Cable Television Systems Franchise Act to conform terms relating to persons with disabilities; amending towing provisions to conform terms relating to persons with disabilities; amending recreations and parks provisions to conform terms relating to persons with disabilities; and generally relating to people with disabilities.

Council Resolution 35-2014 - A RESOLUTION declaring that a portion of certain real property consisting of 0.6113 acres located on Guilford Road and owned by Howard County, Maryland is no longer needed by the County for a public purpose; authorizing the County Executive to convey the property to The Salvation Army in exchange for the acquisition of 0.6113 acres of adjacent property owned by The Salvation Army; waiving the advertising and bidding requirements of Section 4.201 of the County Code in connection with the property's conveyance; and providing that the County Executive is not bound to terminate the County's interest in the property if he finds that the property may have a further public use.

Council Resolution 36-2014 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to convey certain real property owned by the County shown as Parcel A, containing approximately 1.7386 acres to the Howard County Housing Commission; 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 land if he finds that the land may have a further public use.

Council Resolution 37-2014 - A RESOLUTION 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.

Council Resolution 38-2014 - Introduced By, Courtney Watson -A RESOLUTION requesting the Howard County Environmental Sustainability Board to review the potential environmental impacts of locating Composting Facility & Mulch Manufacturing uses on agricultural land in Howard County and make a recommendation to the County Council by a certain date and requesting the County Executive to provide appropriate county resources to support this effort.

Council Resolution 39-2014 - Introduced By, Calvin Ball - A RESOLUTION, creating a task force to study standards and related parking issues for locating fueling stations and to recommend standards for locating facilities.

Tabled

Council Resolution No. 150-2011 - Introduced by Greg Fox - 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. (tabled 10-4-11)

Council Resolution No. 117-2013 - 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. (tabled 10-7-13)

County Council
Capital Budget Work Session
(Operating Budget: Public Facilities - DILP, DPZ, Soil Conservation, DPW)
Wednesday, May 7, 2014
Banneker Room
George Howard Building 3430 Court House Drive, Ellicott City, MD
9:30 a.m.

County Council
Capital Budget Work Session
(Operating Budget: Community Services – Rec & Parks, Citizen Serv., Transportation, Health, Mental Health, Soc. Services, Extension, Community Service Partnerships)
Friday, May 9, 2014
Banneker Room
George Howard Building 3430 Court House Drive, Ellicott City, MD
9:30 a.m.

County Council
Monthly Meeting
Monday, May 12, 2014
C. Vernon Gray Room
George Howard Building 3430 Court House Drive, Ellicott City, MD
4:30 p.m.

County Council
Capital Budget Work Session – Funds
(Operating Budget: General Gov't – Exec., Admin., Finance, Law, Econ. Dev., DTCS, Housing)
Tuesday, May 13, 2014
Banneker Room
George Howard Building 3430 Court House Drive, Ellicott City, MD
8:30 a.m.

County Council
Capital Budget Work Session – if needed
Wednesday, May 14, 2014
Banneker Room
George Howard Building 3430 Court House Drive, Ellicott City, MD
8:30 a.m.

County Council
Capital Budget Public Hearing – General Budget
Wednesday, May 14, 2014
Banneker Room
George Howard Building 3430 Court House Drive, Ellicott City, MD
11:00 a.m.

County Council
Capital Budget Work Session cont'd – if needed
Wednesday, May 14, 2014
Banneker Room
George Howard Building 3430 Court House Drive, Ellicott City, MD
After hearing

County Council
Capital Budget Work Session – if needed
Any Remaining Issues
Friday, May 16, 2014
Banneker Room
George Howard Building 3430 Court House Drive, Ellicott City, MD
8:30 a.m.

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.