

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2022 Legislative Session

**Legislative Day No. 12
July 27, 2022**

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **10:03** p.m.

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

Michelle Harrod, Administrator to the County Council; Auditor; Gary Kuc, County Solicitor; Amanda Mihill, Assistant County Solicitor; Jennifer Sager, Legislative Coordinator; Maureen Arthurs, Director of Government Affairs; Lynn Rosen, Legislative Analyst; and Margery Sayers, Executive Assistant were also present.

APPROVE JOURNALS AND MINUTES

Chairperson Jones moved to approve the Journal for Legislative Session July 5, 2022. The motion was seconded by Council Member Rigby.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve the journal passed.

Chairperson Jones moved to approve the Journal for Legislative Session July 6, 2022. The motion was seconded by Council Member Rigby.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve the journal passed.

Chairperson Jones moved to approve the Minutes for Legislative Public Hearing July 18, 2022. The motion was seconded by Council Member Rigby.

The roll call vote called by the Administrator on the motion was: Yea: Council Members Jones, Jung, Rigby, and Walsh; Abstain: Council Member Yungmann

The motion to approve the minutes passed.

FINAL CONSIDERATION

Financial

Council Resolution 109-2022 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between Howard County, Maryland and certain entities that will provide renewable energy to the County pursuant to a certain Renewable Energy Power Purchase Agreement to abate certain County personal property tax.

Chairperson Jones moved to approve Council Resolution 109-2022. The motion was seconded by Council Member Rigby.

The roll call vote called by the Administrator on the motion to approve CR109-2022 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve CR109-2022 passed.

Council Resolution 110-2022 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between Howard County, Maryland, Clear View Farm LLC, and various Solar Power entities regarding the construction and operation of a solar array located on the property known as Clear View Farm in compliance with a certain Renewable Energy Power Purchase Agreement. *(No expiration)*

Chairperson Jones moved to approve Council Resolution 110-2022. The motion was seconded by Council Member Rigby.

Chairperson Jones moved to approve Amendment 1 to Council Resolution 110-2022. The motion was seconded by Council Member Rigby.

AMENDMENT 1 to CR110-2022

(This amendment:

- 1. Corrects the total acreage subject to the PILOT Agreement in Exhibit C to the Agreement;*
- 2. Removes certain acreage amounts that do not reflect the acreage of the PILOT Agreement;*
- 3. Clarifies that abatement shall become effective when the Project is under construction;*
- 4. Clarifies that the abatement of County real property tax shall apply to any increase in taxes;*
- 5. Corrects what is intended by "Owner" as related to the entity seeking the PILOT Agreement;*

and

6. Corrects numbering.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 to CR110-2022 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve the Amendment 1 to CR110-2022 passed.

The roll call vote called by the Administrator on the motion to approve CR110-2022 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve CR110-2022 as amended passed.

Council Resolution 111-2022 - A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between the Howard County, Maryland, Triple Creek Farm Properties LLC, and various Solar Power entities regarding the construction and operation of a solar array located on the property known as Triple Creek Farm in compliance with a certain Renewable Energy Power Purchase Agreement. *(No expiration)*

Chairperson Jones moved to approve Council Resolution 111-2022. The motion was seconded by Council Member Rigby.

Chairperson Jones moved to approve Amendment 1 to Council Resolution 111-2022. The motion was seconded by Council Member Rigby.

AMENDMENT 1 to CR111-2022

(This amendment:

- 1. Corrects the percent of the property that will be used for the project;*
- 2. Corrects the total acreage subject to the PILOT Agreement in Exhibit C to the Agreement;*
- 3. Removes certain acreage amounts that do not reflect the acreage of the PILOT Agreement;*
- 4. Clarifies that abatement shall become effective when the Project is under construction;*
- 5. Clarifies that the abatement of County real property tax shall apply to any increase in taxes;*
- 6. Corrects what is intended by "Owner" as related to the entity seeking the PILOT Agreement; and*
- 7. Corrects numbering.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to CR111-2022 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve the Amendment 1 to CR111-2022 passed.

The roll call vote called by the Administrator on the motion to approve CR111-2022 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve CR111-2022 as amended passed.

General

Council Bill 48-2022 - AN ACT to establish an LGBTQIA+ Commission; providing for the membership of the Commission; providing for the purpose and duties of the Commission; providing for the method of appointment and staff; requiring certain meetings and certain reports; providing the expiration dates of the terms of the initial members of the Commission; and generally relating to the LGBTQIA+ Commission. (*Expires 9/13/22; 10/18/2022 if extended; or 11/22/22 if extended twice*)

Chairperson Jones moved to approve Council Bill 48-2022. The motion was seconded by Council Member Rigby.

Chairperson Jones moved to approve Amendment 1 to Council Bill 48-2022. The motion was seconded by Council Member Rigby.

AMENDMENT 1 to CB48-2022

(This amendment:

- 1. Increases the number of possible members to 21;*
- 2. Adds the President of Howard Community College or the President's designee;*
- 3. Adds a student who attends a college or university; and*
- 4. Clarifies that the staggering of initial appointments applies to appointed, non-student members.)*

Council Member Jung moved to approve Amendment 1 to Amendment 1 to Council Bill 48-2022. The motion was seconded by Council Member Rigby.

AMENDMENT 1 to AMENDMENT 1 to CB48-2022

(This amendment requires the appointed members of the Commission to be residents of Howard County.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 1 to CB48-2022 was: Yea: Council Members Jung, Walsh and Yungmann; Nay: Council Members Jones and Rigby

The motion to approve the Amendment 1 to Amendment 1 to CB48-2022 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 1 to CB48-2022 amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve Amendment 1 to CB48-2022 as amended passed.

Vice Chair Rigby moved to approve Amendment 2 to Council Bill 48-2022. The motion was seconded by Council Member Jones.

AMENDMENT 2 to CB48-2022

(This amendment adds incarcerated individuals to the list of individuals for whom the Commission is required to advise the County Executive and the County Council on policy and programs to improve outcomes for underserved and at-risk segments of the LGBTQIA+ population.)

The roll call vote called by the Administrator on the motion to approve Amendment 2 to CB48-2022 was: Yea: Council Members Jung, Walsh and Yungmann; Nay: Council Members Jones and Rigby

The motion to approve the Amendment 2 to CB48-2022 passed.

The roll call vote called by the Administrator on the motion to approve CB48-2022 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve CB48-2022 as amended passed.

Council Bill 49-2022 - AN ACT to establish La Alianza Latina Commission; providing for the membership of the Commission; providing for the purpose and duties of the Commission; providing for the method of appointment and staff; requiring certain meetings and certain reports; providing the expiration dates of the terms of the initial members of the Commission; and generally relating to La Alianza Latina Commission. *(Expires 9/13/22; 10/18/2022 if extended; or 11/22/22 if extended twice)*

Chairperson Jones moved to approve Council Bill 49-2022. The motion was seconded by Council Member Rigby.

Chairperson Jones moved to approve Amendment 1 to Council Bill 49-2022. The motion was seconded by Council Member Rigby.

AMENDMENT 1 to CB49-2022

(This amendment:

- 1. Adds a member who attends a college or university;*
- 2. Reduces the number of high school members;*
- 3. Adds that the Commission shall make recommend initiatives that will also support Latino businesses; and*
- 4. Corrects staggering of initial appointments.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to CB49-2022 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve Amendment 1 to CB49-2022 passed.

The roll call vote called by the Administrator on the motion to approve CB49-2022 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve CB49-2022 as amended passed.

Council Resolution 112-2022 - A RESOLUTION adopting the 2022 Howard County Land Preservation, Parks and Recreation Plan. *(No expiration)*

Chairperson Jones moved to approve Council Resolution 112-2022. The motion was seconded by Council Member Rigby.

Chairperson Jones moved to approve Amendment 1 to Council Resolution 112-2022. The motion was seconded by Council Member Rigby.

AMENDMENT 1 to CR112-2022

(This amendment corrects the name of the Plan to remove references to “draft” and to correct references to the name of the Plan in the Resolution. This amendment also gives the Department the authority to insert cover letters prior to final publication.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 to CR112-2022 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve Amendment 1 to CR112-2022 passed.

Chairperson Jones moved to approve Amendment 2 to Council Resolution 112-2022. The motion was seconded by Council Member Rigby.

AMENDMENT 2 to CR112-2022

(This amendment corrects the reflected goal of acres of parkland per 1,000 residents as included on page 177. The goal of 25 acres of parkland per 1,000 residents is correctly reflect on page 42 of the Plan but needs to be corrected in the chart on page 177. Likewise, total estimated costs, total acres acquired, short-term costs, mid-term costs, and long-term costs estimates also need to be inserted into the Capital Improvements Plan table on page 177.)

The roll call vote called by the Administrator on the motion to approve Amendment 2 to CR112-2022 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve Amendment 2 to CR112-2022 passed.

The roll call vote called by the Administrator on the motion to approve CR112-2022 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve CR112-2022 as amended passed.

Council Bill 50-2022 - Introduced by Deb Jung - AN ACT amending the Howard County Code to require newly appointed members of the Howard County Board of Appeals to complete certain land use training courses as a condition of their appointment; and generally relating to the Howard County Board of Appeals. *(Expires 9/13/22; 10/18/2022 if extended; or 11/22/22 if extended twice)*

Council Member Jung moved to approve Council Bill 50-2022. The motion was seconded by Council Member Walsh.

Vice Chair Rigby moved to approve Amendment 1 to Council Bill 50-2022. The motion was seconded by Council Member Jones.

AMENDMENT 1 to CB50-2022

(This amendment corrects the reflected goal of acres of parkland per 1,000 residents as included on page 177. The goal of 25 acres of parkland per 1,000 residents is correctly reflect on page 42 of the Plan but needs to be corrected in the chart on page 177. Likewise, total estimated costs, total acres acquired, short-term costs, mid-term costs, and long-term costs estimates also need to be inserted into the Capital Improvements Plan table on page 177.)

Vice Chair Rigby moved to approve Amendment 1 to Amendment 1 to Council Bill 50-2022. The motion was seconded by Council Member Jones.

AMENDMENT 1 to Amendment 1 to CB50-2022

(This amendment adds a virtual option for the training.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 1 to CB50-2022 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve Amendment 1 to Amendment 1 to CB50-2022 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 1 to CB50-2022 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann

The motion to approve Amendment 1 to CB50-2022 as amended passed.

The roll call vote called by the Administrator on the motion to approve CB50-2022 as amended was: Yea: Council Members Jung, Rigby, Walsh and Yungmann; Nay: Council Member Jones

The motion to approve CB50-2022 as amended passed.

Adjourned at 10:46 a.m.