

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2023 Legislative Session**

**Legislative Day No. 2  
February 6, 2023**

**HOWARD COUNTY TO WIT:**

The Chairperson called the legislative session to order at **7:03** p.m.

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

Michelle Harrod, Administrator to the County Council; Craig Glendenning, County Auditor; Gary Kuc, County Solicitor; Amanda Mihill, Assistant County Solicitor; Jennifer Sager, Legislative Coordinator; Theo Wimberly, Administrative Manager; Owen Kahn, Legislative Analyst; Margery Sayers, Executive Assistant and Brenda Smith, Administrative Support were also present.

**HONORARY RESOLUTIONS**

Honorary Resolution was presented to Eagle Scout, Alexander Burstrem

Honorary Resolution was presented to Sandy Cedarbaum in recognition of her retirement as the Oakland Mills Village Manager

Honorary Resolution was presented to Dr. Daria Willis in recognition as a Living Legend

Honorary Resolution was presented to Mavis Ellis in recognition as a Living Legend

**APPROVE JOURNAL AND MINUTES**

The Chairperson moved to approve the Journal for Legislative Session January 3, 2023. The motion was seconded by Ms. Jung.

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.

The Chairperson moved to approve the Minutes of the Monthly Meeting – January 9, 2023, the Legislative Public Hearing – January 17, 2023, Special Meeting to Hold a Closed Session – January 17, 2023 and the Legislative Work Session – January 23, 2023. The motion was seconded by Ms. Jung.

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 Minutes passed.

Council Member Jung moved to approve adding Council Resolution 37-2023 to the Agenda for Introduction and Final Consideration as late filed legislation. The motion was seconded by Ms. Rigby.

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

The motion to approve adding Council Resolution 37-2023 to the Agenda for Introduction and Final Consideration as late filed legislation passed.

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## **INTRODUCTION OF LEGISLATION**

### **Appointments**

**CR11-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Koko Aiolutepoa to the Asian American and Pacific Islander Commission.

**CR12-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Sameer C. Ahirrao to the Asian American and Pacific Islander Commission

**CR13-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Misako Aoki to the Asian American and Pacific Islander Commission.

**CR14-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Victoria I. Benitez to the La Alianza Latina Commission.

**CR15-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Jin "JC" Chung to the Asian American and Pacific Islander Commission.

**CR16-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Naresh C. Das, Ph.D., to the Asian American and Pacific Islander Commission.

**CR17-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Kimberly Eggborn to the Asian American and Pacific Islander Commission.

**CR18-2023** - Introduced by The Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Sanjay G. George to the Asian American and Pacific Islander Commission.

**CR19-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Sanjeev Gholap to the Asian American and Pacific Islander Commission.

**CR20-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Tomoko Hoogenboom, Ph.D., to the Asian American and Pacific Islander Commission.

**CR21-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Saffiyah Gonzales Madraswala to the Asian American and Pacific Islander Commission.

**CR22-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Khin Rupa Waddy Maung, M.D. to the Asian American and Pacific Islander Commission.

**CR23-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Dhaval Shah to the Asian American and Pacific Islander Commission.

**CR24-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Young Ran Smith to the Asian American and Pacific Islander Commission.

**CR25-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of May-Fong Tsay to the Asian American and Pacific Islander Commission.

**CR26-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Jodie Wang to the Asian American and Pacific Islander Commission.

**CR27-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Helen Won to the Asian American and Pacific Islander Commission.

**CR28-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Lanlan Xu, Ph.D., to the Asian American and Pacific Islander Commission.

**CR29-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Kui Zhao, AICP, to the Asian American and Pacific Islander Commission.

**CR30-2023** - Introduced by The Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Tia Metzger to the Environmental Sustainability Board.

### **Re-Appointments**

**CR31-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the reappointment of Robert F. Ford, Jr. to the Human Rights Commission.

**CR32-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the reappointment of Scott B. Markow to the Human Rights Commission.

### **Financial**

**CB7-2023** - Introduced by The Chairperson at the request of the County Executive  
AN ACT pursuant to Section 612 of the Howard County Charter, approving a multi-year Agreement between Howard County, Maryland and ePlus Technology, Inc. for certain endpoint detection response systems used by the County known as CrowdStrike Falcon, CrowdStrike Falcon Complete and CrowdStrike ITP, 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.

### **General**

**CR33-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between Howard County; Chaberton Solar Lime Kiln LLC; and Jo-Ann Middleton, Katherine Robinson and Janet Srock, for the construction and operation of a solar array located on property located at 11959 Lime Kiln Road, Fulton, Howard County, Maryland.

**CR34-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between Howard County, Community Power Group, LLC, and Dale Haylett, Jr. for the construction and operation of a solar array located on property located on Roxbury Road, Glenelg, Howard County, Maryland.

**CR35-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between Howard County, Chaberton Solar Catherine LLC, and St. Mary Coptic Orthodox Church of Maryland, Inc, for the construction and operation of a solar array located on property located at 2000 St. Mary Drive, Cooksville, Howard County, Maryland.

**CR36-2023** - Introduced by The Chairperson at the request of the County Executive

A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between Howard County, Chaberton Solar Catherine ANEM LLC, and St. Mary Coptic Orthodox Church of Maryland, Inc, for the construction and operation of a solar array located on property located at 2000 St. Mary Drive, Cooksville, Howard County, Maryland.

**CR37-2023** - Introduced by Deb Jung

A RESOLUTION expressing the County Council's support for State Senate Bill 162 and House Bill 204, which would amend the composition and duties of the Maryland Aviation Commission.

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### **FINAL CONSIDERATION**

After hearing no objections, the Administrator read Council Resolutions 1-, 2 -, 3-, 4-, 5-, 6-, 8-, and CR9-2023, together for a single combined roll call vote.

### **Appointments**

**CR1-2023** - Introduced by The Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Isabella Clancy to the Commission for Women.

**CR2-2023** - Introduced by The Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Tabitha Dixon to the Martin Luther King, Jr. Holiday Commission.

**CR3-2023** - Introduced by The Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Sharon Stanley Merriweather to the Board of Health.

**CR4-2023** - Introduced by The Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Chris Rhodes to the Howard County Agricultural Preservation Board.

**CR5-2023** - Introduced by The Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Andrea L. Rose to the Pension Oversight Commission.

**CR6-2023** - Introduced by The Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Miesha L. Suber to the Housing and Community Development Board.

## Re-Appointments

**CR8-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the reappointment of Mae Beale to the Commission for Women.

**CR9-2023** - Introduced by Deb Jung  
A RESOLUTION reappointing Lynn Foehrkolb to the Board of Appeals of Howard County, Maryland, to fill a term ending on December 31, 2027.

The Chairperson moved to approve Council Resolutions 1-, 2-, 3-, 4-, 5-, 6-, 8-, and CR9-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve Council Resolutions 1-, 2-, 3-, 4-, 5-, 6-, 8-, and CR9-2023 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Resolution 1-, 2-, 3-, 4-, 5-, 6-, 8- and CR9-2023 passed.

### Financial

**CB1-2023** - Introduced by The Chairperson at the request of the County Executive  
AN ACT providing that the tax credit for Agricultural Land shall automatically renew, as long as the property owner remains eligible; providing a date by when a property owner shall initially apply; and generally relating to the tax credit for Agricultural Land.

The Chairperson moved to approve Council Bill 1-2023. The motion was seconded by Ms. Jung.

The Chairperson moved to approve Amendment 1. The motion was seconded by Ms. Jung.

#### **Amendment No. 1**

*(This amendment provides for automatic renewal of the credit for certain properties.)*

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

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 1-2023 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 1-2023 as amended passed.

### **General**

**CB2-2023** - Introduced by The Chairperson at the request of the County Executive  
AN ACT pursuant to Section 612 of the Howard County Charter, approving a Tenth Amendment and Renewal of Lease between Howard County, Maryland and Symphony Woods, LLC, that expands the leased premises located at 5950 Symphony Woods Drive, Columbia, Maryland, to a total of approximately 2,385 rentable square feet and that extends the term to June 30, 2030; authorizing the County Executive to make changes to the Amendment, under certain conditions; authorizing the County Executive to execute the Amendment; and generally relating to the Amendment.

The Chairperson moved to approve Council Bill 2-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve Council Bill 2-2023 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 2-2023 passed.

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**CB3-2023** - Introduced by The Chairperson at the request of the County Executive  
AN ACT amending the Clean Energy Loan Program by defining certain terms; amending the scope of eligibility to receive a Clean Energy Loan; adding improvements that are eligible under the Program; adding qualifying costs that are eligible for reimbursement under the Program; clarifying default provisions; amending when surcharges will be collected; setting forth the term by which the Clean Energy Loan shall be repaid; setting forth the Clean Energy Loan Program Administrator; making certain technical corrections; and generally relating to the Clean Energy Loan Program.

The Chairperson moved to approve Council Bill 3-2023. The motion was seconded by Ms. Jung.

The Chairperson moved to approve Amendment 1. The motion was seconded by Ms. Jung.

### **Amendment No. 1**

*(This amendment clarifies that the program is established to also assist in the refinance of projects and removes reference to certain minimum loan amounts.)and removes reference to certain minimum loan amounts.)*

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

The motion to approve Amendment 1 passed.

Council Member Walsh moved to approve Amendment 2. The motion was seconded by Ms. Rigby.

**Amendment No. 2**

*(This Amendment makes appliances that burn fossil fuels ineligible for the Clean Energy Loan Program.)*

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

The motion to approve Amendment 2 passed.

Council Member Walsh moved to approve Amendment 2. The motion was seconded by Ms. Rigby.

The roll call vote called by the Administrator on the motion to approve Council Bill 3-2022 as amended was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Council Bill 3-2022 as amended passed.

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**CB4-2023** - Introduced by Christiana Rigby

AN ACT imposing an assessment on each trip generated by a Transportation Network Service company originating in the County; providing for collection of the assessment; creating a Transit Services Improvement Fund; specifying the components and uses of the Fund; requiring a certain Report; and generally relating to for-hire transportation network activities.

The Chairperson moved to approve Council Bill 4-2023. The motion was seconded by Ms. Jung.

Council Member Walsh moved to table Council Bill 4-2023. The motion was seconded by Ms. Rigby.

The roll call vote called by the Administrator on the motion to table Council Bill 4-2022 was: Yea: Council Members, Jung, Rigby, Walsh and Yungmann. Nay: Council Member Jones.

The motion to table Council Bill 4-2022 passed.

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**CB6-2023 (ZRA 203)** - Introduced by The Chair at the request of Demirel Plaza, LLC

AN ACT amending the Howard County Zoning Regulations to allow Age-Restricted Adult



Housing as a permitted use in the Office Transition (OT) zoning district, under certain conditions; and generally relating to Age-Restricted Adult Housings.

The Chairperson moved to approve Council Bill 6-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve Council Bill 6-2022 was: Yea: Council Members, Rigby, Jones and Yungmann. Nay: Council Members Jung and Walsh.

The motion to approve Council Bill 6-2022 passed.

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**CR10-2023** - Introduced by The Chairperson at the request of the County Executive

A RESOLUTION approving an amendment to the Howard County Master Plan for Water and Sewerage to add the Lyhus Property to the Inventory of Existing Multi-Use Community Well and Surface Water Supply and the Summary of Existing and Planned Permit Discharges.

The Chairperson moved to approve Council Resolution 10-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve Council Resolution 10-2023 was: Yea: Council Members, Rigby, Jones, Jung and Yungmann. Nay: Council Member Walsh.

The motion to approve Council Resolution 10-2022 passed.

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**CB5-2023** - Introduced by Christiana Rigby

AN ACT requiring the Department of Inspections, Licenses, and Permits to report to the County Council with recommendations about changes to the Howard County Building Code that would be needed to require all-electric buildings, requiring the Department to consider specified exemptions and considerations; setting a certain deadline, and generally relating to the Howard County Building Code.

The Chairperson moved to approve Council Bill 5-2023. The motion was seconded by Ms. Jung.

The Chairperson moved to approve Amendment 1. The motion was seconded by Ms. Walsh.

**Amendment No. 1**

*(This amendment defines “Net Zero Energy” and requires the Department to offer net zero energy standards for County government-owned buildings.)*

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

The motion to approve Amendment 1 passed.

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

**Amendment No.   2**

*(This amendment seeks to have an inventory of County buildings and their current energy sources be included in the final report.)*

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

The motion to approve Amendment 2 passed.

Council Member Yungmann moved to approve Amendment 3. The motion was seconded by Ms. Jung.

**Amendment No.   3**

*(This amendment removes references to additions and major renovations.)*

The roll call vote called by the Administrator on the motion to approve Amendment 3 was:  
Yea: Council Member Yungmann. Nay: Council Members Jones, Jung, Rigby and Walsh.

The motion to approve Amendment 3 failed.

Council Member Yungmann moved to approve Amendment 4. The motion was seconded by Ms. Jung.

**Amendment No.   4**

*(This amendment adds as exemptions to be evaluated: specified fireplaces, outdoor grills and generators.)*

The roll call vote called by the Administrator on the motion to approve Amendment 4 was:

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

The motion to approve Amendment 4 failed.

Council Member Yungmann moved to approve Amendment 5. The motion was seconded by Ms. Jung.

**Amendment No. 5**

*(This amendment changes the due date and contents for the report.)*

Council Member Jones moved to approve Amendment 1 to Amendment 5. The motion was seconded by Ms. Jung.

**Amendment No. 1 to Amendment No. 5**

*(This amendment changes the due date to be 30 days after publication of the State report.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 5 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 1 to Amendment 5 passed

The roll call vote called by the Administrator on the motion to approve Amendment 5 as amended was: Yea: Council Members Jones, Jung, and Yungmann. Nay: Council Members Rigby, and Walsh.

The motion to approve Amendment 5 passed as amended.

Council Member Walsh moved to approve Amendment 6. The motion was seconded by Ms. Rigby.

**Amendment No. 6**

*(This amendment adds to the required report how the County plans to achieve climate action goals established in Executive Order 12-2022 in partnership with entities which receive County funds.)*

The roll call vote called by the Administrator on the motion to approve Amendment 6 was: Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 6 passed.

Council Member Walsh moved to approve Amendment 7. The motion was seconded by Ms. Jung.

**Amendment No. 7**

*This Amendment adds to the required report recommendations on how the permitting or approval standards and processes can be amended.)*

The roll call vote called by the Administrator on the motion to approve Amendment 7 was:  
Yea: Council Members Jung and Walsh. Nay: Council Members Jones, Rigby and Yungmann.

The motion to approve Amendment 7 failed.

Council Member Walsh moved to approve Amendment 8. The motion was seconded by Ms. Rigby.

**Amendment No. 8**

*(This amendment adds to the required report how the County will maximize use of certain federal, state, and other climate action incentives to reduce greenhouse gas emissions.)*

The roll call vote called by the Administrator on the motion to approve Amendment 8 was:  
Yea: Council Members Jones, Jung, Rigby, Walsh and Yungmann.

The motion to approve Amendment 8 passed.

Council Member Walsh moved to approve Amendment 9. The motion was seconded by Ms. Jung.

**Amendment No. 9**

*(This amendment adds to the required report a study on the feasibility of different building standards.)*

The roll call vote called by the Administrator on the motion to approve Amendment 9 was:  
Yea: Council Members Jones and Walsh. Nay: Council Members Jones, Rigby and Yungmann.  
Yungmann.

The motion to approve Amendment 9 failed.

Council Member Walsh moved to approve Amendment 10. The motion was seconded by Ms. Jung.

**Amendment No. 10**

*(This adds to the required report recommendations on maximizing resident investment in climate infrastructure and appliance replacement and retrofit programs.)*

The roll call vote called by the Administrator on the motion to approve Amendment 10 was: Yea: Council Members Jones, Jung, Walsh and Yungmann. Nay: Council Member Rigby.

The motion to approve Amendment 10 passed

Council Member Walsh moved to approve Amendment 11. The motion was seconded by Ms. Jung.

**Amendment No. 11**

*(This Amendment makes the County Executive responsible for the required report.)*

The roll call vote called by the Administrator on the motion to approve Amendment 11 was: Yea: Council Members Jung, Walsh and Yungmann. Nay: Council Members Rigby and Jones.

The motion to approve Amendment 11 passed

Council Member Walsh moved to consider Council Bill 5 as substantive. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to consider Council Bill 5 as substantive was: Yea: Council Members, Jones, Jung, Rigby, Walsh and Yungmann.

The motion to consider Council Bill 5 as substantive passed.

Council Member Walsh moved to table Council Bill 5 as amended in order to hold a Public Hearing. The motion was seconded by Ms. Rigby.

The roll call vote called by the Administrator on the motion to table Council Bill 5 as amended was: Yea: Council Members, Jones, Jung, Rigby, Walsh and Yungmann.

The motion to table Council Bill 5 as amended passed.

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**CR37-2023** Introduced by Deb Jung - A RESOLUTION expressing the County Council's support for State Senate Bill 162 and House Bill 204, which would amend the composition and duties of the Maryland Aviation Commission.

Council Member Jung moved to approve Council Resolution 37-2023. The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to approve Council Resolution 37-2023 was: Yea: Council Members, Jung, Rigby, Walsh and Yungmann. Nay: Council Member Jones.

The motion to approve Council Resolution 37 passed

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**Adjourned at 9:12 PM**

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### **Tabled**

**CB4-2023** - Introduced by Christiana Rigby

AN ACT imposing an assessment on each trip generated by a Transportation Network Service company originating in the County; providing for collection of the assessment; creating a Transit Services Improvement Fund; specifying the components and uses of the Fund; requiring a certain Report; and generally relating to for-hire transportation network activities

**CB5-2023** - Introduced by Christiana Rigby

AN ACT requiring the Department of Inspections, Licenses, and Permits to report to the County Council with recommendations about changes to the Howard County Building Code that would be needed to require all-electric buildings, requiring the Department to consider specified exemptions and considerations; setting a certain deadline, and generally relating to the Howard County Building Code.