

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2023 Legislative Session**

**Legislative Day No. 12  
July 31, 2023**

**HOWARD COUNTY TO WIT:**

The Chairperson called the legislative session to order at **10:11** a.m.

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

Michelle Harrod, Administrator to the County Council; Gary Kuc, County Solicitor; Amanda Mihill, Assistant County Solicitor; Jennifer Sager, Legislative Coordinator; Owen Kahn, Legislative Analyst; Isaiah Anderson, Executive Assistant, were also present.

**APPROVE JOURNAL AND MINUTE**

The Chairperson moved to approve the Journal - Legislative Session – July 5, 2023. The motion was seconded by Ms. Jung.

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

The motion to approve the Journal passed.

The Chairperson moved to approve the Minutes of:

General Plan Work Session #5 – July 12, 2023  
Legislative Public Hearing – July 17, 2023  
General Plan Public Hearing – July 19, 2023  
General Plan Work Session #6 – July 26, 2023

The motion was seconded by Ms. Jung.

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

The motion to approve the minutes passed.

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**FINAL CONSIDERATION**

## **Appointments and Reappointments**

**CR105-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Damilola Aimola to the Howard County  
Local Children's Board.

The Chairperson moved to approve CR1052023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR105-2023  
was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR105-2023 passed.

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**CR106-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Melanie Brown to the Board of Health.

The Chairperson moved to approve CR106-2023. The motion was seconded by Ms.  
Jung.

The roll call vote called by the Administrator on the motion to approve CR106-2023  
was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR106-2023 passed.

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**CR107-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Ebonee Fitzgerald to the Housing Commission.

The Chairperson moved to approve CR107-2023. The motion was seconded by Ms.  
Jung.

The roll call vote called by the Administrator on the motion to approve CR107-2023  
was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR107-2023 passed.

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**CR108-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Lorinzo Foxworth to the Howard County  
Commission for Veterans and Military Families.

The Chairperson moved to approve CR108-2023. The motion was seconded by Ms.  
Jung.

The roll call vote called by the Administrator on the motion to approve CR108-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR108-2023 passed.

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**CR109-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of H. Russell Frisby, Jr. to the Equal Business Opportunity Commission.

The Chairperson moved to approve CR109-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR109-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR109-2023 passed.

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**CR110-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Gift Gunaraj Jayakar to the Commission on Disabilities.

The Chairperson moved to approve CR110-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR110-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR110-2023 passed.

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**CR111-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Nicholas Jenkins to the Commission on Disabilities.

The Chairperson moved to approve CR111-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR111-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR111-2023 passed.

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**CR113-2023** - Introduced by The Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Regina V. Lee to the Commission on Disabilities.

The Chairperson moved to approve CR113-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR113-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR113-2023 passed.

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**CR114-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Isaac Ramsey to the Howard County Local Children's Board.

The Chairperson moved to approve CR114-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR114-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR114-2023 passed.

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**CR115-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Jai Salters to the Howard County Commission for Veterans and Military Families.

The Chairperson moved to approve CR115-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR115-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR115-2023 passed.

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**CR116-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Robert E. Suggs to the Commission on Disabilities.

The Chairperson moved to approve CR116-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR116-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR116-2023 passed.

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**CR117-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Bryan Weinstein to the Commission on Disabilities.

The Chairperson moved to approve CR117-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR117-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR117-2023 passed.

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**CR118-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the reappointment of Victoria I. Benitez to the La Alianza Latina Commission.

The Chairperson moved to approve CR118-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR118-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR118-2023 passed.

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**CR119-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the reappointment of Michele Brown to the Local Behavioral Health Advisory Board.

The Chairperson moved to approve CR119-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR119-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR119-2023 passed.

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**CR120-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the reappointment of Elise Choe to the Howard County Local  
Children's Board.

The Chairperson moved to approve CR120-2023. The motion was seconded by Ms.  
Jung.

The roll call vote called by the Administrator on the motion to approve CR120-2023  
was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR120-2023 passed.

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**CR121-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the reappointment of Gabrielle Demuren to the Recreation and Parks  
Board.

The Chairperson moved to approve CR121-2023. The motion was seconded by Ms.  
Jung.

The roll call vote called by the Administrator on the motion to approve CR121-2023  
was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR121-2023 passed.

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**CR122-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the reappointment of Tabitha Dixon to the Martin Luther King, Jr.  
Holiday Commission.

The Chairperson moved to approve CR122-2023. The motion was seconded by Ms.  
Jung.

The roll call vote called by the Administrator on the motion to approve CR122-2023  
was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR122-2023 passed.

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**CR123-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the reappointment of Mark Donovan to the Local Behavioral Health  
Advisory Board.

The Chairperson moved to approve CR123-2023. The motion was seconded by Ms.  
Jung.

The roll call vote called by the Administrator on the motion to approve CR123-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR123-2023 passed.

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**CR124-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the reappointment of Janet Edelman to the Local Behavioral Health Advisory Board.

The Chairperson moved to approve CR124-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR124-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR124-2023 passed.

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**CR125-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the reappointment of Robert A. Mentz to the Board of Library Trustees.

The Chairperson moved to approve CR125-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR125-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR125-2023 passed.

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**CR126-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the reappointment of Lily Peng to the Asian American and Pacific Islander Commission.

The Chairperson moved to approve CR126-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR126-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR126-2023 passed.

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**CR127-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the reappointment of Joan Webb Scornaienchi to the Local Behavioral Health Advisory Board.

The Chairperson moved to approve CR127-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR127-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR127-2023 passed.

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**CR112-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Sean P. Keller to the Howard County Commission for Veterans and Military Families.

The Chairperson moved to table CR112-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to table CR112-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to table CR112-2023 passed.

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## **Financial**

**CB33-2023** - Introduced by The Chairperson at the request of the County Executive  
AN ACT for purposes of the property tax credit for real property owned by certain disabled law enforcement officers or rescue workers, amending the definition of disabled law enforcement officer or rescue worker; and generally relating to the property tax credit for real property owned by certain law enforcement officers or rescue workers.

The Chairperson moved to approve CB33-2023. The motion was seconded by Ms. Jung.

The Chairperson moved to approve Amendment 1 to CB33-2023. The motion was seconded by Ms. Jung.

### **AMENDMENT 1**

*(This amendment:*

*1. Provides that individuals who became disabled in the course of employment with a City or a State law enforcement agency or while in active service of a City or State career or volunteer fire, rescue or emergency medical service are included in the definition of disabled law enforcement officer.*



2. Adds a \$6,000 cap for the amount of credit to be issued.
3. Removes certain obsolete language.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 to CB33-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The roll call vote called by the Administrator on the motion to approve CB33-2023 as amended was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CB33-2023 as amended passed.

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### **General**

**CR128-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION adopting the School Capacity Chart, pursuant to the Adequate Public Facilities Act of Howard County, to designate the elementary school regions, and the elementary schools, middle schools, and high schools constrained for new residential development during each of the following ten years as based on the definition of program capacity as defined by Howard County Public School System policy and requiring a certain joint special work meeting in accordance with Section 16.1103(d) of the Howard County Code.

The Chairperson moved to approve CR128-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR128-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR128-2023 passed.

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**CR129-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION adopting the Housing Unit Allocation Chart pursuant to the Adequate Public Facilities Act of Howard County.

The Chairperson moved to approve CR129-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR129-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR129-2023 passed.

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**CR130-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION approving a Financial Assurance Plan for Howard County's National Pollutant Discharge Elimination System, Municipal Separate Storm Sewer System permit programs, in accordance with Section 4-202.1 of the Environment Article of the Annotated Code of Maryland; and requiring certain copies be sent to the Maryland Department of the Environment.

The Chairperson moved to approve CR130-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR130-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR130-2023 passed.

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**CB34-2023** - Introduced by Deb Jung

AN ACT altering a certain provision of law when the County Purchasing Agent may award a contract for supplies and services without competition; requiring the County Purchasing Agent to forward a proposed contract to the County Council for review and comment; requiring the County Purchasing Agent to review certain comments by the County Council under certain circumstances; and generally relating to purchasing.

The Chairperson moved to approve CB34-2023. The motion was seconded by Ms. Jung.

Council Member Jung moved to approve Amendment 1 to CB34-2023. The motion was seconded by Ms. Rigby.

#### **AMENDMENT 1**

*(This amendment does the following:*

- 1. removes the County Auditor from the Contract Review Committee;*
- 2. requires the County Purchasing Agent, with certain exceptions, to forward certain information to the County Council before authorizing sole source purchases with a contract ceiling of \$500,000 or more;*
- 3. for a contract subject to approval by unanimous vote of the Contract Review Committee, requires the County Purchasing Agent to provide the County Auditor with a copy of the proposed contract, a notice of intent to execute, and a certain written justification;*
- 4. clarifies that "members" of the County Council shall be notified of the proposed process; and*
- 5. provides that the County Purchasing Agent "may" rather than "shall" review any comments by members of the County Council on a proposed contract and take into consideration those comments.)*

Council Member Jung moved to approve Amendment 1 to Amendment 1 to CB34-2023. The motion was seconded by Ms. Rigby.

**AMENDMENT 1 to AMENDMENT 1**

*(This amendment changes the phrase “contract ceiling value” to “total projected value” when requiring the County Purchasing Agent, with certain exceptions, to forward specified information to members of the County Council before authorizing sole source purchases with a total projected value of \$500,000 or more.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 1 to CB34-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve Amendment 1 to Amendment 1 to CB34-2023 passed.

Council Member Rigby moved to approve Amendment 2 to Amendment 1 to CB34-2023. The motion was seconded by Ms. Jung.

**AMENDMENT 2 to AMENDMENT 1**

*(This amendment provides for sole source purchasing for property needed to enhance public safety and clarifies what is meant by “property”.)*

The roll call vote called by the Administrator on the motion to approve Amendment 2 to Amendment 1 to CB34-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve Amendment 2 to Amendment 1 to CB34-2023 passed.

Council Member Jones moved to approve Amendment 3 to Amendment 1 to CB34-2023. The motion was seconded by Ms. Rigby.

**AMENDMENT 3 to AMENDMENT 1**

*(This his amendment alters from \$500,000 or more to \$1,000,000 or more the amount of the contract ceiling value for specified sole source purchases.)*

The roll call vote called by the Administrator on the motion to approve Amendment 3 to Amendment 1 to CB34-2023 was Yea: Council Members, Jones and Rigby. Nay: Jung, Walsh and Yungmann.

The motion to approve Amendment 3 to Amendment 1 to CB34-2023 failed.

The roll call vote called by the Administrator on the motion to approve Amendment 1 to CB34-2023 as amended was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve Amendment 1 to CB34-2023 as amended passed.

The roll call vote called by the Administrator on the motion to approve CB34-2023 as amended was Yea: Council Members, Rigby, Jung, Walsh and Yungmann. Nay: Council Member Jones

The motion to approve CB34-2023 as amended passed.

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**CR92-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION confirming the appointment of Mason Godsey to the Planning Board.

The Chairperson moved to remove CR92-2023 from the Table. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to remove CR92-2023 from the Table was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to remove CR92-2023 from the Table passed.

The Chairperson moved to approve CR92-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR92-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR92-2023 passed.

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**CR101-2023** - Introduced by The Chairperson at the request of the County Executive  
A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to grant easements to Baltimore Gas and Electric Company so that it may replace and relocate poles and other equipment maintained by Baltimore Gas and Electric Company on property owned by Howard County, Maryland 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 easements if he finds that the property may have a further public use.

The Chairperson moved to remove CR101-2023 from the Table. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to remove CR101-2023 from the Table was Yea: Council Members, Rigby, Jones, Jung, and Yungmann. Nay: Council Member Walsh.

The motion to remove CR101-2023 from the Table passed.

Council Member Walsh moved to table CR101-2023. The motion was seconded by Ms. Rigby.

The roll call vote called by the Administrator on the motion to table CR101-2023 was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR101-2023 passed.

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**Motion by Council to Suspend Rule 1.007(b)(1) Consideration of bills – Amendment Prefile (This requires 4 votes)**

According to Rule 1.007(b)(1), September Amendment prefile, (including amendments for CB28-2023 HoCo By Design), would be September 28<sup>th</sup> which is the day after the General Plan Amendment Work Session. To provide an opportunity for the drafting of amendments, and for review by Council Members and the public prior to this work session, we are proposing to set September Amendment prefile to Monday, September 25<sup>th</sup> at 12 noon.

The Chairperson moved to suspend Rule 1.007(b)(1) to change the September Amendment Prefile date from Thursday, September 28th at 2 pm to Monday, September 25th at 12 noon. The motion was seconded by Dr. Jones.

The roll call vote called by the Administrator on the motion to suspend Rule 1.007(b)(1) to change the September Amendment Prefile date from Thursday, September 28th at 2 pm to Monday, September 25th at 12 noon was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to suspend Rule 1.007(b)(1) to change the September Amendment Prefile date from Thursday, September 28th at 2 pm to Monday, September 25th at 12 noon passed.

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**Adjourned at 11:20 AM**