

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2023 Legislative Session

**Legislative Day No. 13
November 6, 2023**

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **7:02** 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; Owen Khan, Legislative Analyst; Isaiah Anderson, Executive Assistant and Rozonna Hightower, Administrative Aide were also present.

APPROVE JOURNAL AND MINUTES

The Chairperson moved to approve the **Journals** of:

Legislative Session – October 2, 2023
Legislative Session – October 11, 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 Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve the Journals passed.

The Chairperson moved to approve the **Minutes** of:

Joint Meeting with Board of Education – October 11, 2023
Legislative Public Hearing – October 16, 2023
Legislative Work Session – October 23, 2023
MDOT FY2024 Consolidated Transportation Program Briefing to Howard County – October 30, 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 Rigby, Jones, Jung, and Walsh and Yungmann.

The motion to approve the minutes passed.

INTRODUCTION OF LEGISLATION

Introduction

Appointments

- CR172-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Cedric Brown to the Housing and Community Development Board.
- CR173-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Ashwin Hazarika to the Howard County Local Children's Board.
- CR174-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Andrea LeWinter to the Equal Business Opportunity Commission.
- CR176-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the reappointment of Elvira Dominguez McCullough to the La Alianza Latina Commission.

Reappointments

- CR177-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the reappointment of Sharon Pinder to the Equal Business Opportunity Commission.
- CR178-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the reappointment of Yolanda Vazquez to the La Alianza Latina Commission.

General

- CB42-2023** - Introduced by The Chairperson at the request of the County Executive
AN ACT to implement State Law relating to police discipline, including provisions related to an Administrative Charging Committee and Trial Boards; providing for an Administrative Charging Committee under State Law; setting forth the qualifications for members, method of selection, and exclusions from membership; defining certain terms; requiring the advertisement of certain vacancies; providing for budget and staff; requiring a minimum number of meetings; requiring certain training; providing for the terms of Committee members; allowing for certain stipends; setting forth the duties of the Committee; requiring that members submit to certain background investigations; authorizing the adoption of Rules of Procedure; providing for certain legal representation; authorizing the Committee to take certain actions in accordance with State Law; requiring members to maintain confidentiality; requiring civilian members to provide financial disclosure statements; providing for the removal of members; requiring each law enforcement agency to establish a Trial Board process in accordance with State Law; providing for certain legal representation and budget; requiring civilian members of the Trial Board to submit financial disclosure statements; and generally relating to police discipline in Howard County.
- CB43-2023** - Introduced by The Chairperson at the request of the County Executive
Co-sponsor(s) Christiana Rigby
AN ACT authorizing the County or the Housing Commission to assign the right to purchase by written agreement to certain entities who may acquire or finance the purchase of rental housing; clarifying the time that an offer shall remain open; amending the minimum number of affordable units; defining certain terms; providing that certain assignments may be recorded; requiring that

certain covenants be recorded; and generally related to the notice and right to purchase rental housing.

- CB44-2023** - Introduced by The Chairperson at the request of the County Executive
Co-sponsor(s) Christiana Rigby
AN ACT prohibiting the increase in the amount of rent over a specified amount for certain regulated units; requiring the publication of the permitted amount of rent increase; allowing a landlord to apply for a capital improvement surcharge upon a showing of certain criteria; allowing a fair return for a regulated unit; providing certain exemptions; defining certain terms; requiring that certain fees be prominently displayed; setting forth penalties; inserting a severability clause; providing for the abrogation of certain provisions of this Act; establishing a workgroup to study the effect of this Act; and generally relating to rental increases in Howard County.
- CB41-2023** - Introduced by The Chairperson at the request of the County Executive
AN ACT amending the Adequate Public Facilities Act in order to remove references to specific types of housing unit allocations; removing references to “geographic” targets as a basis for the housing unit allocation chart; and generally relating to the Adequate Public Facilities Act of Howard County.
- CR179-2023** - 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.
- CR180-2023** - 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.
- CR181-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION declaring that a portion of certain real property consisting of 0.376 acres of land located on Rogers Avenue 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 Our Lady’s Center, Inc., in exchange for the acquisition of 0.548 acres of adjacent property owned by Our Lady’s Center; 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.
- CR182-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION endorsing the 2023 RTA/Howard County Transit Development Plan as a guide for future transit development in Howard County and in the Central Maryland region.
- CR183-2023** - 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 the Howard County, Maryland and Waverly Winds, LLC for property located at 5501-5627 Cedar Lane, which will comprise a mixed-income, rental housing development to be known as Building A of Waverly Winds Apartments.
- CR184-2023** - 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 the Howard County, Maryland and Waverly Winds Four, LLC for property located at 5501-5627 Cedar Lane, which will comprise a mixed-income, rental housing development to be known as Building B of Waverly Winds Apartments.
- CB45-2023** - Introduced by Liz Walsh
AN ACT requiring a restaurant that offers children’s meals for sale to offer a certain number of

healthy children's meal for sale; specifying the options required for a certain children's meal; requiring a restaurant that offers for sale a children's meal with a beverage to include a certain default beverage; preserving a consumer's choice to purchase and a restaurant's right to sell a children's meal other than a healthy children's meal; requiring the Howard County Department of Health to create and disseminate certain written informational resources; providing for the enforcement of this Act; providing for the severability of certain provisions of this Act; and generally relating to healthy meals for children.

FINAL CONSIDERATION

All appointment resolutions except for CR154 and CR160-2023 were read and voted on together

Appointments

- CR153-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Leslie Bauer to the State Agricultural Preservation Advisory Board.
- CR155-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Roxanne Cox to the Equal Business Opportunity Commission.
- CR156-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Kellyann Few to the Environmental Sustainability Board.
- CR157-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Monteith Mitchell to the La Alianza Latina Commission.
- CR158-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Katie Myers to the Cemetery Preservation Advisory Board.
- CR159-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Derek Patrick to the State Agricultural Preservation Advisory Board.
- CR161-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of William Phillip Webster to the Environmental Sustainability Board.

Reappointments

- CR162-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the reappointment of Ash Baker to the LGBTQIA+ Commission.
- CR163-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the reappointment of Brian Bailey to the LGBTQIA+ Commission.
- CR164-2023** - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the reappointment of Abby Gibbon to the Howard County Agricultural Preservation Board.

CR165-2023 - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the reappointment of Abby Gibbon to the State Agricultural Preservation Advisory Board.

CR166-2023 - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the reappointment of Cathy Hudson to the Howard County Agricultural Preservation Board.

CR167-2023 - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the reappointment of Cathy Hudson to the State Agricultural Preservation Advisory Board.

CR168-2023 - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the reappointment of Beck Rainbow Lynn Seckler to the LGBTQIA+ Commission.

The Chairperson moved to approve CR153, 155, 156, 157, 158, 159, 161, 162, 163, 164, 165, 166, 167, and 168-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR153, 155, 156, 157, 158, 159, 161, 162, 163, 164, 165, 166, 167, and 168-2023 was Yea: Council Members Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR153, 155, 156, 157, 158, 159, 161, 162, 163, 164, 165, 166, 167, and 168-2023 passed.

*Appointment resolutions **CR154 and CR160-2023** were read and voted on together*

CR154-2023 - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Xavier V. Bruce to the Equal Business Opportunity Commission.

CR160-2023 - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Andrew Sherman to the Equal Business Opportunity Commission.

The Chairperson moved to table Council Resolutions 154 and 160-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to table Council Resolutions 154 and 160-2023 was Yea: Council Members Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve table Council Resolutions 154 and 160 passed.

CB38-2023 - Introduced by The Chairperson at the request of the County Executive
AN ORDINANCE authorizing the issuance, sale and delivery of up to \$150,000,000 consolidated public improvement bonds and up to \$50,000,000 metropolitan district bonds, pursuant to various bond enabling laws; providing that such bonds shall be general obligations of the County; authorizing the County Executive to specify, prescribe, determine, provide for or approve the final principal amounts, maturity

schedules, interest rates and redemption provisions for such bonds, and other matters, details, forms, documents or procedures and to determine the method of sale of such bonds; providing for the disbursement of the proceeds of such bonds and for the levying of taxes to pay debt service on such bonds; and providing for and determining various matters in connection therewith.

The Chairperson moved to approve CB38-2023. The motion was seconded by Ms. Jung.

The Chairperson moved to approve Amendment 1 to CB38-2023. The motion was seconded by Ms. Jung.

Amendment 1 to CB38-2023

(This amendment corrects the property tax assessable base amount.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 to CB38-2023 was Yea: Council Members Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve Amendment 1 to CB38-2023 passed.

The roll call vote called by the Administrator on the motion to approve CB38-2023 as amended was Yea: Council Members, Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CB38-2023 as amended passed.

CR169-2023 - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION adopting the Howard County Natural Hazards Mitigation Plan.

The Chairperson moved to approve CR169-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR169-2023 was Yea: Council Members Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR169-2023 passed.

CR171-2023 - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION pursuant to Title 5, Subtitle 3 of the Education Article of the Annotated Code of Maryland, approving the Howard County Board of Education's Capital Budget Request for Fiscal Year 2025 and Capital Improvement Program Request for Fiscal Years 2026-2030 for the purpose of submission to the Interagency Commission on School Construction.

The Chairperson moved to approve CR171-2023. The motion was seconded by Ms. Jung.

The Chairperson moved to approve Amendment 1 to CR171-2023. The motion was seconded by Ms. Jung.

Amendment 1 to CR171-2023

(This amendment substitutes revised pages to reflect what has been approved by the Board of Education. Note that only the Fiscal Year 2025 capital budget proposal has been approved by the Board. Fiscal Years 2026-30 have not been approved by the Board.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 to CR171-2023 was Yea: Council Members Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve Amendment 1 to CR171-2023 passed.

The Chairperson moved to table CR171-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to table CR171-2023 was Yea: Council Members Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR171-2023 as amended passed.

CB39-2023 (ZRA 204) - Introduced by Christiana Rigby
AN ACT amending the definitions of "Parking Area, Parking Facility or Parking Use" and "Solar Collector, Rooftop" to ensure that solar canopies are permitted by right uses on parking structures.; and generally relating to solar canopies.

The Chairperson moved to approve CB39-2023. The motion was seconded by Ms. Jung.

The Chairperson moved to approve Amendment 1 to CB39-2023. The motion was seconded by Ms. Jung.

Amendment 1 to CB39-2023

(This amendment corrects the property tax assessable base amount.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 to CB39-2023 was Yea: Council Members Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve Amendment 1 to CB39-2023 passed.

The roll call vote called by the Administrator on the motion to approve CB39-2023 as amended was Yea: Council Members Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CB39-2023 as amended passed.

CB40-2023 - Introduced by Liz Walsh
AN ACT removing certain exemptions for stream restoration projects in the Forest Conservation Act, removing the definition of a stream restoration project, and generally relating to the Forest Conservation Act.

Ms. Walsh moved to table CB40-2023. The motion was seconded by Ms. Jung

The roll call vote called by the Administrator on the motion to table CB40-2023 was Yea: Council Members Rigby, Jones, Jung, Walsh and Yungmann.

The motion to table CB40-2023 passed.

The Chairperson moved to suspend the rules to allow for a late file resolution. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to suspend the rules to allow for a late file resolution was Yea: Council Members Rigby, Jones, Jung, Walsh and Yungmann.

The motion to suspend the rules to allow for a late file resolution passed.

The following Resolution was read once to Introduce then a second time for Final Consideration by the Administrator:

CR185-2023 - A RESOLUTION calling the County Council of Howard County, Maryland into legislative session on specified dates.

The Chairperson moved to approve CR185-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR185-2023 was Yea: Council Members Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR185-2023 passed.

Tabled Legislation

Chairperson moved to remove CR131-2023 from the table. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to remove CR131-2023 from the table was Yea: Council Members Rigby, Jones, Jung, Walsh and Yungmann.

The motion to remove CR131-2023 from the table passed.

CR131-2023 - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Leslie Bauer to the Howard County Agricultural Preservation Board.

Chairperson moved to approve CR131-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR131-2023 was Yea: Council Members Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR131-2023 passed.

The Chairperson moved to remove CR 141-2023 from the table. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to remove CR141-2023 from the table was Yea: Council Members Rigby, Jones, Jung, Walsh and Yungmann.

The motion to remove CR141-2023 from the table passed.

CR141-2023 - Introduced by The Chairperson at the request of the County Executive
A RESOLUTION confirming the appointment of Derek Patrick to the Howard County Agricultural Preservation Board.

Chairperson moved to approve CR141-2023. The motion was seconded by Ms. Jung.

The roll call vote called by the Administrator on the motion to approve CR141-2023 was Yea: Council Members Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve CR141-2023 passed.

The Chairperson moved to remove CR 101-2023 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, Walsh and Yungmann.

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

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 approve CR101-2023. The motion was seconded by Ms. Jung.

Ms. Walsh moved to approve Amendment 1 to CR101-2023. The motion was seconded by Ms. Jung.

Amendment 1 to CR101-2023

(This Amendment requires BGE to comply with the Howard County Historic Preservation Commission's recommendations for the Department of Recreation and Parks' project to expand a parking lot located partially within the Easement Areas.)

The roll call vote called by the Administrator on the motion to approve Amendment 1 to CR101-2023 was Yea: Council Members Rigby, Jones, Jung, Walsh and Yungmann.

The motion to approve Amendment 1 to CR101-2023 passed.

The Chairperson moved to approve CR101-2023 as amended. The motion was seconded by Ms. Jung.

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

The motion to approve CR101-2023 as amended passed.

Adjourned at 8:07 p.m.