

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2014 Legislative Session

Legislative Day No. 12

October 29, 2014

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at 4:30 p.m.

Chairperson; Calvin Ball, Vice Chairperson; Courtney Watson, Council Member; Greg Fox, Council Member; Mary Kay Sigaty, Council Member; and Jennifer Terrasa, Council Member, were present.

Sheila Tolliver, Administrator to the County Council; Meredith Beach, Legislative Assistant; Jim Vannoy, Office of Law; and Jennifer Sager, Legislative Coordinator were also present.

APPROVE JOURNAL

The Chairperson moved to approve the journal for Legislative Day No. 11, October 6, 2014. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve the journal passed.

APPROVE MINUTES

The Chairperson moved to approve the minutes for the Legislative Public Hearing – October 20, 2014. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Fox, Sigaty, Terrasa and Watson. Abstain: Council Member Ball.

The motion to approve the minutes passed.

The Chairperson moved to allow the reading of bills by short title. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion to allow the reading of bills by short title was: Yea: Council Members Fox, Sigaty, Terrasa and Watson. Abstain: Council Member Ball.

The motion to allow the reading of bills by short title passed.

FINAL CONSIDERATION

Appointments

Council Resolution No. 118-2014 - Introduced by: Chairperson A RESOLUTION reappointing John D. Lederer to the Board of Appeals of Howard County, Maryland, to fill a term ending on December 31, 2019.

The Chairperson moved to table Council Resolution No. 118-2014. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion to table Council Resolution No. 118-2014 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to table Council Resolution No. 118-2014 passed.

Council Resolution No. 98-2014 - A RESOLUTION confirming the appointment of Ali Goraya to the Howard County Board of Directors of the Revenue Authority.

The Chairperson moved to remove Council Resolution No. 98-2014 from table. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion to remove Council Resolution No. 98-2014 from table was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to remove Council Resolution No. 98-2014 from table passed.

The Chairperson moved to approve Council Resolution No. 98-2014. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion to approve Council Resolution No. 98-2014 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve Council Resolution No. 98-2014 passed.

General

Council Bill No. 52-2014 - AN ACT pursuant to Section 612 of the Howard County Charter, approving a multi-year Energy Performance Contract between Howard County, Maryland and Energy Systems Group, LLC where Energy Systems Group will develop and implement comprehensive energy efficiency guaranteed savings program at certain County facilities and energy using systems.

The Chairperson moved to approve Council Bill No. 52-2014. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion to approve Council Bill No. 52-2014 was: Yea: Council Members Ball, Sigaty, Terrasa and Watson. Recused: Council Member Fox.

The motion to approve Council Bill No. 52-2014 passed.

Council Bill No. 53-2014 - AN ACT pursuant to Section 612 of the Howard County Charter, approving a multi-year Solar Power & Services Agreement between Howard County, Maryland and Bith Energy, Inc., for the construction of a canopy mounted solar photovoltaic array, with two electric vehicle charging stations powered by the solar canopy, and for the provision of electrical energy output from the canopy; and authorizing the County Executive to take certain actions in connection with the Agreement.

The Chairperson moved to approve Council Bill No. 53-2014. The motion was seconded by Ms. Watson.

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

Amendment No. 1

(This amendment substitutes a new Agreement in order to:

- 1. Add a notary block and revise the execution clause;*
- 2. Insert the following Exhibits: Grant Agreement (Exhibit A), Construction Schedule (Exhibit B), Various Schedules (Exhibit C), Grant Special Conditions (Exhibit D), Host Acknowledgment and Confirmation (Exhibit F), Owner/Lessor Acknowledgment and Confirmation (Exhibit G), List of Approved Subcontractors (Exhibit H), and Provider's Insurance Requirements (Exhibit I).*
- 3. Correct exhibit references in the body of the Agreement;*
- 4. Remove cover page marked "Confidential and Proprietary";*

5. *Update insurance requirements for the County's protection; and*
6. *Revise Section 12.2. for the County's protection.)*

Remove the Solar Power & Services Agreement, attached to the Bill as Exhibit A, and substitute a revised Solar Power & Services Agreement as attached to this Amendment.

The roll call vote called by the Chairperson on the motion to approve Amendment 1 was:
Yea: Council Members Ball, Sigaty, Terrasa and Watson. Rescued: Council Member Fox

The motion to approve Amendment 1 passed.

The roll call vote called by the Chairperson on the motion to approve Council Bill No. 53-2014 as amended was: Yea: Council Members Ball, Sigaty, Terrasa and Watson. Rescued: Council Member Fox.

The motion to approve Council Bill No. 53-2014 as amended passed.

Council Resolution No. 119-2014 - A RESOLUTION endorsing the provision of financing by the State Department of Business and Economic Development for an economic development project in Howard County and certifying that the project is consistent with the County's plan for economic development.

The Chairperson moved to approve Council Resolution No. 119-2014. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion to approve Council Resolution No. 119-2014 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve Council Resolution No. 119-2014 passed.

Council Resolution No. 120-2014 - A RESOLUTION requesting the Columbia Downtown Housing Corporation to consider whether legislative changes are necessary and appropriate to ensure that the Downtown Columbia Plan's vision for a full spectrum of affordable housing can be achieved and to recommend any changes believed necessary and appropriate to the County Council and County Executive; requiring input from certain stakeholders; establishing certain deadlines; and providing for certain staff assistance.

The Chairperson moved to approve Council Resolution No. 120-2014. The motion was seconded by Ms. Watson.

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

Amendment No. 1

(This amendment adds the Howard County Association of Realtors to the stakeholders group.)

On page 2, make the following changes:

1. In line 11, strike “5” and substitute “4”;
2. In line 13, strike “4” and substitute “5”;
3. In line 14, strike “and”;
4. In line 15, strike “5” and substitute “6” and, in the same line, strike “Commission.” and substitute “Commission; and”; and
5. In line 16, insert “7. The Howard County Association of Realtors.”.

The roll call vote called by the Chairperson on the motion to approve Amendment 1 was:
Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve Amendment 1 passed.

The roll call vote called by the Chairperson on the motion to approve Council Resolution No. 120-2014 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve Council Resolution No. 120-2014 as amended passed.

Council Resolution No. 121-2014 - A RESOLUTION adopted pursuant to the Maryland Economic Development Revenue Bond Act providing for the issuance by Howard County, Maryland, of up to \$8,035,000 of its limited obligation bonds and the loan of the proceeds thereof to Glenelg Country School, Inc. to be used to (1) refund (a) the Howard County, Maryland Economic Development Revenue Bond (Glenelg Country School Facility) 2001 Issue and (b) Howard County, Maryland Economic Development Revenue Bond (Glenelg Country School Facility) 2008 Issue; and (2) finance the costs of projects on the school’s campus, located in the County which include (a) the expansion and revitalization of the athletic facilities, including the construction of a two- story press box, grandstands and restoration of existing tennis courts and athletic center floors, (b)

renovation and restoration of exterior and interior structural defects in existing buildings, including the Historic Manor House, and updating fire and safety concerns, and (c) costs of issuance and other related costs; reserving certain rights; providing for the issuance of bond anticipation notes for such purposes; authorizing the County Executive to specify, prescribe, determine, provide for or approve certain matters, details, documents or procedures; and specifying and describing various matters in connection therewith.

The Chairperson moved to approve Council Resolution No. 121-2014. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion to approve Council Resolution No. 121-2014 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve Council Resolution No. 121-2014 passed.

Council Resolution No. 122-2014 - A RESOLUTION pursuant to Section 5-301 of the Education Article of the Annotated Code of Maryland, approving the Howard County Board of Education's Capital Budget Request for Fiscal Year 2016 and Capital Improvement Program Request for Fiscal Years 2017-2021 for the purpose of submission to the Interagency Committee on School Construction.

The Chairperson moved to approve Council Resolution No. 122-2014. The motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion to approve Council Resolution No. 122-2014 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve Council Resolution No. 122-2014 passed.

Adjourned 4:47 p.m.

Tabled

Council Resolution No. 100-2014 - A RESOLUTION confirming the appointment of Judy Harris to the Board of Directors of the Economic Development Authority. (tabled 10-6-2014)

Council Resolution No. 105-2014 - A RESOLUTION confirming the appointment of E. Randolph Marriner to the Board of Directors of the Economic Development Authority. (tabled 10-6-2014)

Council Resolution No. 80-2014 – Confirming the reappointment of William E. Erskine to the Board of Directors of the Economic Development Authority. (tabled 7-25-2014).

Council Resolution No. 118-2014 - Council Resolution 118-2014 – Introduced by Chairperson, Confirming the reappointment of John D. Lederer to the Board of Appeals of Howard County, Maryland, to fill a term ending on December 31, 2019. (tabled 10-29-14)