

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2015 Legislative Session

Legislative Day No. 3

March 2, 2015

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **7:34** p.m.

Chairperson Mary Kay Sigaty, Vice Chairperson Jon Weinstein, Council Member Calvin Ball, Council Member Greg Fox, and Council Member Jennifer Terrasa were present.

Jessica Feldmark, Administrator to the County Council; Craig Glendenning, County Auditor; Theodore Wimberly, Legislative Analyst; James Vannoy, Senior Assistant County Solicitor; Jennifer Sager, Legislative Coordinator, and Rozonna Hightower, Admin Support were also present.

APPROVE JOURNAL

The Chairperson moved to approve the journal for Legislative Day No. 2, February 2, 2015. The motion was seconded by Mr. Weinstein.

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

The motion to approve the journal passed.

APPROVE MINUTES

The Chairperson moved to approve the minutes for the following meetings:

- January 26, 2015 – Monthly Meeting
- January 26, 2015 – Work Session
- February 9, 2015 – Monthly Meeting
- February 17, 2015 – Public Hearing

The motion to approve the minutes for the following meetings was seconded by Mr. Weinstein.

- January 26, 2015 – Monthly Meeting
- January 26, 2015 – Work Session
- February 9, 2015 – Monthly Meeting
- February 17, 2015 – Public Hearing

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

The motion to approve the minutes passed.

INTRODUCTION OF LEGISLATION

The following legislation is introduced by the Chairperson at the request of the County Executive unless otherwise noted:

Appointments

Council Resolution 18-2015 - A RESOLUTION confirming the appointment of Dr. Timothy J. Collins to the Board of Directors of the Economic Development Authority.

Council Resolution 19-2015 - A RESOLUTION confirming the appointment of Jan Horan to the Commission on Aging.

Council Resolution 20-2015 - A RESOLUTION confirming the appointment of Jennifer VanBlarcum to the Alcohol & Drug Abuse Advisory Board.

Council Resolution 21-2015 - A RESOLUTION confirming the reappointment of Sharonlee Vogel to the Commission on Aging.

Financial

SAO6-FY2015 - AN ACT transferring \$1,200,000 from the General Fund, Contingency Reserve to the Department of Public Works for unanticipated expenses for snow removal.

Council Bill 7-2015 - AN ORDINANCE authorizing and providing for the issuance of Howard County, Maryland Consolidated Public Improvement Refunding Bonds and Howard County, Maryland Metropolitan District Refunding Bonds; providing that such bonds shall be general obligations of the County; providing for the disbursement of the proceeds of such bonds and the levying of taxes to pay debt service on such bonds; providing for the private (negotiated) sale of such bonds; providing for an escrow deposit agreement and a continuing disclosure agreement; 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, the final list of refunded bonds, and certain other matters, details, forms, documents or procedures; and providing for and determining various matters in connection therewith.

General

Council Bill 8-2015 - Introduced by: Calvin Ball, Jennifer Terrasa, and Jon Weinstein - AN ACT to prohibit the carrying of certain weapons in certain County-owned buildings; renaming a certain subtitle; and generally relating to weapons controls in County buildings.

Council Bill 9-2015 – AN ACT adopting the 2014 National Electrical Code as the Electrical Code for Howard County; regulating the design, construction, alteration, improvement or modification to electrical equipment; adopting certain local amendments to the Electrical Code; amending the qualifications for appointment to the Board of Electrical Examiners; clarifying the timing of certain license exams; clarifying the signatories on certain applications; making certain technical corrections; and generally relating to the electrical code in Howard County.

Council Bill 10-2015 – AN ACT adopting the International Building Code, 2015, the International Residential Code, 2015, the International Mechanical Code, 2015, and the International Energy Conservation Code, 2015; providing that such codes collectively comprise the Howard County Building Code; regulating the design, construction, alteration, improvement, or modification of a building, structure, or other related equipment; adopting certain local amendments to the Building Code; adopting penalties for the violation of the Building Code; making certain technical corrections; and generally relating to the regulation of building and construction in Howard County.

Council Bill 11-2015 – AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 27.19 acres of agricultural land located at 14651 Viburnum Drive, Dayton, Howard County, Maryland, from John and Dale Chiorini or any other owner thereof for a maximum purchase price of \$627,000.00 or, if less, not more than \$23,059.20 per acre or portion thereof, rounded to the next highest \$100.00, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such purchase price and interest on the deferred portion of such purchase price shall be a full faith and credit general obligation of the County; providing for the levying of taxes for such payments; authorizing the County Executive to modify such Agreement; and providing for and determining various matters in connection therewith.

Council Bill 12-2015 – AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 167.82 acres of agricultural land located at 15325 Leondina Drive, Glenwood, Howard County, Maryland, from Cattail Meadows, LLC or any other owner thereof for a maximum purchase price of \$6,630,300 or, if less, not more than \$39,508.00 per acre or portion thereof, rounded to the next highest \$100, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such purchase price and interest on the deferred portion of such purchase price shall be a full faith and credit general obligation of the County; providing for the levying of taxes for such payments; authorizing the County Executive to modify such Agreement; and providing for and determining various matters in connection therewith.

Council Bill 13-2015 - AN ACT pursuant to Section 612 of the Howard County Charter, approving a multi-year Master Services Agreement between Howard County, Maryland and Automatic Data Processing, Inc. to process the County's payroll for a term of five years with one-year renewals; and approving the agreement for certain renewal years in accordance with Section 4.110(d) of the Howard County Code.

Council Resolution 22-2015 - Introduced by: The Chairperson - A RESOLUTION amending the Howard County Council Rules of Procedure to alter the way amendments are journalized; and generally relating to the Council Rules of Procedure.

Council Resolution 23-2015 - A RESOLUTION, pursuant to Section 2-105 of the Tax-Property Article of the Annotated Code of Maryland, approving the names of Manya Archie, Charles Curry, Tony L. George, Thomas G. Rohmann, and Donald Trent to be submitted to the Director of the Maryland Department of Assessments and Taxation as nominees for the position of Howard County Supervisor of Assessments.

FINAL CONSIDERATION

The Chairperson moved to allow the reading of bills by short title on third reading. The motion was seconded by Mr. Weinstein.

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

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

Consent

Council Resolution 3-2015 - Confirming the appointment of Angela M. Boyter to the Commission on Aging.

Council Resolution 4-2015 – Confirming the appointment of Jill M. Bussey to the Advisory Board on Consumer Affairs.

Council Resolution 5-2015 – Confirming the appointment of Nicole Czarnecki to the Commission on Disability Issues.

Council Resolution 6-2015 –Confirming the appointment of Joanne Drielak to the Public Ethics Commission.

Council Resolution 7-2015 – Confirming the appointment of Thomas Paxton to the Environmental Sustainability Board.

Council Resolution 8-2015 – Confirming the appointment of Bruno V. Reich to the Historic Preservation Commission.

Council Resolution 9-2015 – Confirming the reappointment of Chinwe Calista Adetula to the Alcohol & Drug Abuse Advisory Board.

Council Resolution 10-2015 – Confirming the reappointment of Richard J. Bergin to the Alcohol & Drug Abuse Advisory Board.

Council Resolution 11-2015 – Confirming the reappointment of Jane O’Leary to the Board to Promote Self-Sufficiency.

Council Resolution 12-2015 – Confirming the reappointment of Pastor Donald M. Poole to the Board to Promote Self-Sufficiency.

Council Resolution 13-2015 – Confirming the reappointment of Dorothy Ruck to the Howard County Animal Matters Hearing Board.

Council Resolution 14-2015 – Confirming the reappointment of Joan Webb Scornaienchi to the Alcohol & Drug Abuse Advisory Board.

The Chairperson moved to approve the items on the consent agenda: Council Resolutions 3-2015, 4-2015, 5-2015, 6-2015, 7-2015, 8-2015, 9-2015, 10-2015, 11-2015, 12-2015, 13-2015, and 14-2015. The motion was seconded by Mr. Weinstein

The roll call vote called by the Administrator on the motion to approve the items on the consent agenda was: Yea: Council members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve the items on the consent agenda: Council Resolutions 3-2015, 4-2015, 5-2015, 6-2015, 7-2015, 8-2015, 9-2015, 10-2015, 11-2015, 12-2015, 13-2015, and 14-2015 passed.

Financial

SAO5-FY2015 - AN ACT transferring \$50,000 from the Grants Fund, Contingency Reserve to the Department of County Administration, Office of Transportation for the Electric Bus Grant.

The Chairperson moved to approve SAO5-FY2015. The motion was seconded by Mr. Weinstein

The roll call vote called by the Administrator on the motion to approve SAO5-FY2015 was: Yea: Council members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve SAO5-FY2015 passed.

Council Bill 3-2015 - AN ACT, reorganizing the Executive Branch of County Government pursuant to Section 403 of the Howard County Charter; changing the name of the Office of Environmental Sustainability; amending the qualifications of the Office administrator; amending the duties and responsibilities of the Office; making certain technical corrections; and generally relating to the Executive Branch of County Government.

The Chairperson moved to approve Council Bill 3-2015. The motion was seconded by Mr. Weinstein.

The Chairperson moved to approve Amendment #1 to Council Bill 3-2015. The motion was seconded by Mr. Ball.

Amendment No. 1

(This amendment clarifies that the Office, in its work with other entities, is focused on economic and environmental sustainability.)

On page 3, in line 31, strike “OR” and substitute “AND”.

On page 4, in line 2, strike “OR” and substitute “AND”. Also on page 4, in line 17, immediately after “ECONOMIC” insert “AND ENVIRONMENTAL”.

The roll call vote called by the Administrator on the motion to approve Amendment #1 to Council Bill 3-2015 was: Yea: Council members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #1 to Council Bill 3-2015 passed.

The Chairperson moved to approve Amendment #2 to Council Bill 3-2015. The motion was seconded by Mr. Ball.

Amendment No. 2

(This amendment adds entities to the list of entities that the Office will consult to ensure agricultural innovation and economic sustainability.)

On page 4, in line 16, strike “AUTHORITY” and substitute “AUTHORITY, HOWARD SOIL CONSERVATION DISTRICT, UNIVERSITY OF MARYLAND EXTENSION AND MARYLAND DEPARTMENT OF AGRICULTURE”.

The roll call vote called by the Administrator on the motion to approve Amendment #2 to CB3-2015 was: Yea: Council members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #2 to Council Bill 3-2015 passed.

The roll call vote called by the Administrator on the motion to approve Council Bill 3-2015 as amended was: Yea: Council members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 3-2015 as amended passed.

Council Bill 4-2015 - AN ACT, reorganizing the Executive Branch of County Government pursuant to Section 403 of the Howard County Charter; amending certain definitions; providing that the County Executive shall designate the Executive Secretary of the Human Rights Commission; amending the number of times per year the Commission is required to meet; requiring that the Commission perform certain

outreach and education activities; making certain corrections to conform to the State’s Open Meetings Act; removing the requirement that the Human Rights Administrator serve as the Executive Secretary to the Human Rights Commission; correcting cross references; clarifying certain language; clarifying certain standards of review to ensure consistency; clarifying that only ripe cases may proceed; clarifying certain actions taken by County Employees; clarifying certain notice and nonexclusive remedy provisions; requiring certain reports; authorizing certain corrections to outlining style; making certain technical corrections; and generally relating to the Executive Branch of County Government

The Chairperson moved to table Council Bill 4-2015. The motion was seconded by Ms. Terrasa

The roll call vote called by the Administrator on the motion to table Council Bill 4-2015 was: Yea: Council members Ball, Sigaty, Terrasa and Weinstein. Nay: Fox

The motion to table Council Bill 4-2015 passed.

Council Resolution 15-2015 - Introduced by: The Chairperson - A RESOLUTION calling the County Council of Howard County, Maryland into legislative session on specified dates.

The Chairperson moved to approve Council Resolution 15-2015. The motion was seconded by Mr. Weinstein

The roll call vote called by the Administrator on the motion to approve Council Resolution 15-2015 was: Yea: Council members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 15-2015 passed.

Council Resolution 16-2015 – Introduced by: Calvin Ball, Mary Kay Sigaty, Jennifer Terrasa, and Jon Weinstein - A RESOLUTION requesting that the Howard County Police Department’s Citizen Advisory Council establish a Committee on Community Policing and make recommendations related to community policing.

Mr. Ball moved to approve Council Resolution 16-2015. The motion was seconded by Mr. Weinstein.

Mr. Fox moved to approve Amendment #1 to Council Resolution 16-2015. The motion was seconded by Chairperson.

Amendment No. 1

(This amendment makes a technical correction, clarifies the criteria for the Committee on Community Policing, and adds stakeholders from whom input should be sought.)

On page 1, in line 2, strike “communitie” and substitute “communities”.

Also on page 1, in line 21, after “safety” insert “and respect for law enforcement”.

Also on page 1, in line 23, after “cameras;” insert “to awareness of the daily risks faced by our police in carrying out their duties;”

On page 1, in line 29, after “devices” insert “without impeding the ability to safely and effectively carry out the duties of law enforcement”.

Also on page 2, in line 7, before the colon insert “, in the context of the preamble of the resolution”.

Also on page 2, at the end of line 19 strike the period and substitute “; and

5. for community leaders such as elected officials, non-profit leaders, and the clergy, evaluate training and simulation activities that are currently available through the Police Department, seek out best practices related to enhancing the understanding of the duties and responsibilities of the police and make recommendations for implementing these activities to enhance an understating of the risks and challenges of our law enforcement community.”.

On page 3:

after item 5, add a new item:

“6. The Howard County Sheriff’s FOP, Lodge131;”

after item 11, add a new item:

“13. The Columbia Association;”

renumber the rest of the items accordingly.

The Chairperson moved to approve Amendment #1 to Amendment #1 to Council Resolution 16-2015.
The motion was seconded by Mr. Fox.

Amendment No. 1 to Amendment 1

(This amendment clarifies the need for the Committee and the kinds of programs elsewhere that the Committee should review.)

On page 1, strike lines 2, 3, and 4 and substitute:

*“Also on page 1, strike lines 19 through 24 and substitute “**WHEREAS, in the absence of crisis, it is prudent to consider opportunities to focus on strengthening relationships between police, community leaders, and the broader community to improve public safety and mutual respect, including enhancements to:***

(1) police presence in the community;

(2) equipment and resources available to law enforcement officials, including new uses for technology such as body cameras;

(3) community awareness of the daily risks faced by police in carrying out their duties; and

(4) research and adoption of best practices in law enforcement; and".

Also on page 1, strike line 7 in its entirety.

Also on page 1, strike lines 8 through 13 and substitute:

"Also on page 2, in line 10, strike "in the U.S." and in line 11 after "County" insert "including community outreach programs which offer training and simulation activities to enhance public understanding of the duties and responsibilities of the police as well as the risks and challenges they face".

Also on page 1, before line 14 insert:

*"On page 3, at line 20, insert: "**AND BE IT FURTHER RESOLVED** by the County Council of Howard County that as the Committee on Community Policing accomplishes the work outlined in this Resolution it should consider, but not be limited to, all the factors listed in the preamble of this Resolution."*

The roll call vote called by the Administrator on the motion to approve *Amendment #1 to Amendment #1* to Council Resolution 16-2015 was: Yea: Council members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve *Amendment #1 to Amendment #1* to Council Resolution 16-2015 passed

The roll call vote called by the Administrator on the motion to approve Amendment #1 as amended to Council Resolution 16-2015 was: Yea: Council members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment #1 as amended to Council Resolution 16-2015 passed

The roll call vote called by Administrator on the motion to approve Council Resolution 16-2015 as amended was: Yea: Council members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution 16-2015 as amended passed.

Council Resolution 17-2015 - Introduced by: Jon Weinstein and Mary Kay Sigaty - A RESOLUTION endorsing the Howard County Office of Emergency Management's application with the Division of Neighborhood Revitalization, Community Development Block Grant Program, in the Maryland Department of Housing and Community Development for certain grants under the National Disaster Resilience Competition in the U.S. Department of Housing and Urban Development.

Mr. Weinstein moved to withdraw Council Resolution 17-2015. The motion was seconded by Chairperson

The roll call vote called by the Administrator on the motion to withdraw Council Resolution 17-2015 was: Yea: Council members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to withdraw Council Resolution 17-2015 passed.

Council Bill 5-2015 - Introduced by: The Chairperson - AN ACT to alter the definition of “employee” for purposes of the Howard County Public Ethics Law; to exclude certain mutual funds from the definition of “interest”; to clarify the retention period for certain filings; providing that certain subpoenas may be sent by certified mail and may be judicially enforced; eliminating a requirement that a request be made before a certain notice is provided; making technical corrections; and generally relating to the Howard County Public Ethics Law.

The Chairperson moved to approve Council Bill 5-2015. The motion was seconded by Mr. Weinstein

The roll call vote called by the Administrator on the motion to approve Council Bill 5-2015 was: Yea: Council members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 5-2015 passed.

Council Bill 6-2015 - Introduced by: Mary Kay Sigaty; Co-Sponsored by: Dr. Calvin Ball, Jennifer Terrasa and Jon Weinstein - AN ACT amending the Howard County Code to clarify that the Department of Planning and Zoning is required to send their technical staff reports for any petitions considered by the Zoning Board, County Council, Planning Board, Hearing Examiner, or Board of Appeals to the appropriate decision making body and the general public at least two weeks prior to the required public hearing or meeting; generally related to the Department of Planning and Zoning’s technical staff reports.

The Chairperson moved to approve Council Bill 6-2015. The motion was seconded by Mr. Weinstein

The roll call vote called by the Administrator on the motion to approve Council Bill 6-2015 was: Yea: Council members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill 6-2015 passed.

The Chairperson adjourned the legislative session at **8:05** p.m.

Tabled

Council Resolution 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 125-2014 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to convey certain real property owned by the County containing approximately 2.142 acres to Rock Realty, Inc.; 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 convey the land if he finds that the land may have a further public use. (tabled 1-5-2015)

Council Bill 4-2015 - AN ACT, reorganizing the Executive Branch of County Government pursuant to Section 403 of the Howard County Charter; amending certain definitions; providing that the County Executive shall designate the Executive Secretary of the Human Rights Commission; amending the number of times per year the Commission is required to meet; requiring that the Commission perform certain outreach and education activities; making certain corrections to conform to the State’s Open Meetings Act; removing the requirement that the Human Rights Administrator serve as the Executive Secretary to the Human Rights Commission; correcting cross references; clarifying

certain language; clarifying certain standards of review to ensure consistency; clarifying that only ripe cases may proceed; clarifying certain actions taken by County Employees; clarifying certain notice and nonexclusive remedy provisions; requiring certain reports; authorizing certain corrections to outlining style; making certain technical corrections; and generally relating to the Executive Branch of County Government