

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2015 Legislative Session

Legislative Day No. 7

June 1, 2015

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **7:33** p.m.

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

Jessica Feldmark, Administrator to the County Council; Jennifer Sager, Legislative Coordinator; Theo Wimberly, Legislative Analyst; Lisa Geerman, Audit Manager; Margaret Ann Nolan, County Solicitor; Jim Vannoy, Senior Assistant County Solicitor; Charity Respass, Administrative Aide were also present.

APPROVE JOURNAL AND MINUTES

The Chairperson moved to approve the Journal for Legislative Day No. 5, May 4, 2015 and the Journal for Legislative Day No. 6, May 22, 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.

The Chairperson moved to approve the minutes for the Constant Yield Tax Hearing on May 4, 2015, the Budget Work Session on May 6, 2015, the Budget Work Session on May 11, 2015 the Budget Public Hearing on May 11, 2015, the Budget Public Hearing on May 12, 2015, the Budget Work Session on May 14, 2015, the Legislative Public Hearing on May 18, 2015 and the Budget Work Session on May 19, 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 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 46-2015 – A RESOLUTION confirming the appointment of Louis Earl Armiger to the Public Transportation Board.

Council Resolution 47-2015 - A RESOLUTION confirming the appointment of Heidi Burghardt to the Commission on Disability Issues.

Council Resolution 48-2015 - A RESOLUTION confirming the appointment of Brad Closs to the Board to Promote Self-Sufficiency.

Council Resolution 49-2015 - A RESOLUTION confirming the appointment of Susan Garber to the Planning Board.

Council Resolution 50-2015 - A RESOLUTION confirming the appointment of Peter M. Hong to the Pension Oversight Commission.

Council Resolution 51-2015 - A RESOLUTION confirming the appointment of Elizabeth Anne Larney to the Cemetery Preservation Advisory Board.

Council Resolution 52-2015 - A RESOLUTION confirming the appointment of Diane B. Mikulis to the Commission on Disability Issues.

Council Resolution 53-2015 - A RESOLUTION confirming the appointment of Charles A. Phillips, Jr., to the Board of Directors of the Economic Development Authority.

Council Resolution 54-2015 - A RESOLUTION confirming the appointment of Michael Smith to the Recreation & Parks Board.

Council Resolution 56-2015 - A RESOLUTION confirming the appointment of Andrew Weinrub to the Board of Directors of the Economic Development Authority.

Council Resolution 57-2015 - A RESOLUTION confirming the appointment of Edward P. Wilson to the Environmental Sustainability Board.

Council Resolution 58-2015 - A RESOLUTION confirming the reappointment of Darryl L. Burnett to the Board of Health.

Council Resolution 59-2015 - A RESOLUTION confirming the reappointment of Eileen Diggs, LCSW-C, to the Board of Social Services.

Council Resolution 60-2015 - A RESOLUTION confirming the reappointment of Ronald J.

Hartman to the Public Transportation Board.

Council Resolution 61-2015 - A RESOLUTION confirming the reappointment of Michelle Henry to the Adult Public Guardianship Review Board.

Council Resolution 62-2015 - A RESOLUTION confirming the reappointment of Joanne Kiebler to the Recreation & Parks Board.

Council Resolution 63-2015 - A RESOLUTION confirming the reappointment of Archana Goel Leon-Guerrero, M.D., to the Adult Public Guardianship Review Board.

Council Resolution 64-2015 - A RESOLUTION confirming the reappointment of Paul G. Nagy, Ph.D., to the Board of Health.

Council Resolution 65-2015 - A RESOLUTION confirming the reappointment of Nikki Young to the Adult Public Guardianship Review Board.

Council Resolution 88-2015 – A RESOLUTION confirming the appointment of Mohammed Shiraz Ahmed to the Human Rights Commission.

Council Resolution 89-2015 – A RESOLUTION confirming the appointment of Ivan R. Betancourt to the Human Rights Commission.

Council Resolution 90-2015 – A RESOLUTION confirming the appointment of Fred L. Coover to the Adult Public Guardianship Review Board.

Council Resolution 91-2015 – A RESOLUTION confirming the appointment of Barry C. Curtis to the Equal Business Opportunity Commission.

Council Resolution 92-2015 – A RESOLUTION confirming the appointment of James Filipezak, Ph. D., to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution 93-2015 – A RESOLUTION confirming the appointment of Elliott Finkelstein to the Commission on Disability Issues.

Council Resolution 94-2015 – A RESOLUTION confirming the appointment of Stephen Foster to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution 95-2015 – A RESOLUTION confirming the appointment of Robert S. Goodwin to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution 96-2015 – A RESOLUTION confirming the appointment of Gwynn Marsh-Armstrong to the Howard County Local Children’s Board.

Council Resolution 97-2015 – A RESOLUTION confirming the appointment of John C. Monahan to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution 98-2015 – A RESOLUTION confirming the appointment of Scepter Spainbey to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution 99-2015 – A RESOLUTION confirming the reappointment of Omar Aziz to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution 100-2015 – A RESOLUTION confirming the reappointment of Chuen-Chin Bianca Chang to the Human Rights Commission.

Council Resolution 101-2015 – A RESOLUTION confirming the reappointment of Maria Mouratidis, Psy. D. to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution 102-2015 – A RESOLUTION confirming the reappointment of Thomas Schmidt, R.N. to the Board of Directors of the Howard County Mental Health Authority.

Council Resolution 103-2015 – A RESOLUTION confirming the reappointment of Diana Carson Seybolt, Ph.D. to the Board of Directors of the Howard County Mental Health Authority.

General

Council Bill 27-2015 - AN ACT pursuant to Section 612 of the Howard County Charter, approving an Assignment and Amendment of Lease Agreement between Howard County, Maryland and ODC-Retail, LLC, for the lease of space known as Suites I, J, and K located at 9900 Washington Boulevard, Laurel, Maryland; and authorizing the County Executive to take certain actions in connection with the Agreement.

Council Bill 28-2015 – Introduced by: Jon Weinstein; Co-Sponsored by: Calvin Ball and Jen Terrasa - AN ACT prohibiting the use of Electronic Smoking Devices in certain public places and in certain places of employment; defining certain terms; and generally relating to smoking in Howard County.

Council Resolution 44-2015 - A RESOLUTION endorsing the provision of financing by the State Department of Business and Economic Development for economic development projects in Howard County and certifying that the projects are consistent with the County's plan for economic development.

Council Resolution 67-2015 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code, declaring that certain real property owned by Howard County, Maryland, containing approximately 0.098 acres, and located at 8518 Frederick Road, Ellicott City, Maryland is no longer needed by the County for public purposes; authorizing the County

Executive to sell the property; 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 sell the property if he finds that it may have a further public use.

Council Resolution 68-2015 – A RESOLUTION pursuant to Section 4.201 of the Howard County Code, declaring that certain real property known as the “Flier Building” owned by Howard County, Maryland, containing approximately 2.159 acres, and located at 10750 Little Patuxent Parkway, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to sell the property; 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 sell the property if he finds that it may have a further public use.

Council Resolution 69-2015 – A RESOLUTION pursuant to Section 4.201 of the Howard County Code, declaring that certain real property known as the “Hurst Building” owned by Howard County, containing approximately 1.92 acres, and located at 9770 Washington Boulevard and 9790 Washington Boulevard, Laurel, Maryland, is no longer needed by the County for public purposes; authorizing the County Executive to sell the property; 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 sell the property if he finds that it may have a further public use.

Council Resolution 104-2015 – A RESOLUTION adopting the Housing Unit Allocation Chart for Fiscal Year 2016 pursuant to the Adequate Public Facilities Act of Howard County.

Council Resolution 105-2015 – A RESOLUTION adopting the Open/Closed Chart, pursuant to the Adequate Public Facilities Act of Howard County, to designate the school regions and school districts that are open for residential development.

Council Resolution 106-2015 – A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that a Public Sewer and Utility Easement comprising approximately 0.050 acres and located across 5110 Talbots Landing in Ellicott City is no longer needed by Howard County, Maryland for public purposes; authorizing the County Executive to terminate the property interest, vesting title to the underlying property owners; 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 abandon the easement if he finds that the easement may have a further public use.

Council Resolution 107-2015 – A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that a portion of a Public Traffic Signal Accessory Device and Utility Easement comprising approximately 0.0183 acres and located along Broken Land Parkway is no longer needed by Howard County, Maryland for public purposes; authorizing the County Executive to terminate the property interest, vesting title to the underlying property owner; 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 abandon the easement if he finds that the easement may have a further public use.

FINAL CONSIDERATION

The Chairperson moved to suspend the rules to allow the third reading by short title. 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 suspend the rules to allow the third reading by short title passed.

Appointment

Council Resolution 45-2015 - A RESOLUTION confirming the appointment of Gary W. Kuc as County Solicitor.

The Chairperson moved to approve Council Bill 45-2015. 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 Council Bill 45-2015 passed.

Financial (Non Budget)

Council Resolution 66-2015 - Introduced by: The Chairperson at the request of the Board of Education - A RESOLUTION approving certain transfers between major categories of the Howard County Board of Education Operating Budget for Fiscal Year 2015; transferring \$1,800,000 to the Operation of Plant category and transferring \$2,500,000 to the Fixed Charges category.

The Chairperson moved to approve Council Resolution 66-2015. 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 Council Resolution 66-2015 passed.

Council Bill 16-2015 - AN ACT amending the Annual Budget and Appropriation Ordinance for Fiscal Year 2015 by transferring \$900,000 from the Department of Police to the Department of

Public Works to account for increased costs for snow removal.

The Chairperson moved to approve Council Bill 16-2015. 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 Council Bill 16-2015 passed.

General

Council Bill 17-2015 - Introduced by: Calvin Ball - AN ACT requiring that healthy food and beverage options be provided on certain County properties and for certain county programs, under certain conditions; establishing standards for healthy food and beverages in connection with these requirements; providing exemptions for these requirements; establishing certain requirements on placement, pricing, advertising and marketing of food and beverages in relation to these requirements; establishing certain duties for the Office of Purchasing in relation to these requirements; and generally relating to healthy food and beverages.

Dr. Ball moved to table Council Bill 17-2015. 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 table Council Bill 17-2015 passed.

Council Bill 18-2015 - AN ACT amending PlanHoward 2030, the general plan for Howard County, to include Patapsco Heritage Area Management Plan and recognizing that the Plan is a way to further opportunities for recreation, environmental and historic conservation, and heritage tourism and to support economic development; and generally relating to planning, zoning and land use in Howard County.

The Chairperson moved to approve Council Bill 18-2015. 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 Council Bill 18-2015 passed.

Council Bill 19-2015 - AN ACT pursuant to Section 612 of the Howard County Charter, approving a Second Amendment to Lease Agreement between Howard County, Maryland and LSOP 3 MD 3 LLC for the lease of space located at 9770 Patuxent Woods Drive, Columbia, Maryland; and authorizing the County Executive to take certain actions in connection with the Agreement.

The Chairperson moved to approve Council Bill 19-2015. 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 Council Bill 19-2015 passed.

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. (tabled 4-6-2015)

The Chairperson moved to remove Council Bill 12-2015 from the table. 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 remove Council Bill 12-2015 from the table passed.

The Chairperson moved to approve Council Bill 12-2015. 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 Council Bill 12-2015 passed.

Adjourned **7:51** p.m.

Tabled

Council Resolution No. 125-2014 - 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 1/5/15)

Council Resolution 29-2015 - A RESOLUTION confirming the appointment of Kimberly A. Hartman to the Howard County Local Children's Board. (tabled 5-4-2015)