

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2015 Legislative Session

Legislative Day No. 8

July 6, 2015

HOWARD COUNTY TO WIT:

The Chairperson called the legislative session to order at **7:10** 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; Jeff Meyers, Legislative Analyst; James Vannoy, Office of Law; Gary Kuc, County Solicitor; Jennifer Sager, Legislative Coordinator; were also present.

APPROVE JOURNAL

The Chairperson moved to approve the journal for Legislative Day No. 7, June 1, 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 Monthly Meeting – June 8, 2015; Legislative Public Hearing – June 15, 2015; and Legislative Work Session – June 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 minutes passed.

The Chairperson moved to approve the minutes for the Quarterly Meeting with the Board of Education – June 16, 2015.

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

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 108-2015 – A RESOLUTION confirming the appointment of John Dove to the Environmental Sustainability Board.

Council Resolution 109-2015 – A RESOLUTION confirming the appointment of Bradley Myers to the Housing Commission.

Council Resolution 110-2015 – A RESOLUTION confirming the appointment of Christopher Oxenham to the Housing Commission.

Council Resolution 111-2015 – A RESOLUTION confirming the appointment of Catherine Strawley to the Environmental Sustainability Board.

Council Resolution 112-2015 – A RESOLUTION confirming the appointment of Alan Whitworth to the Public Works Board.

Council Resolution 113-2015 – A RESOLUTION confirming the reappointment of Angela M. Boyter to the Commission on Aging.

Council Resolution 114-2015 – A RESOLUTION confirming the reappointment of Alison Buckley to the Howard County Commission for Veterans and Military Families.

Council Resolution 115-2015 – A RESOLUTION confirming the reappointment of Richard A. Kohr, Jr. to the Board of Directors of the Economic Development Authority.

Financial

Council Bill 29-2015 – AN ACT amending the Annual Budget and Appropriation Ordinance for Fiscal Year 2016 in order to correct certain negative amounts in certain grant appropriations; to add the Grant Fund, Contingency Reserve; to add a grant that was inadvertently omitted; to correct certain account numbers; and generally relating to the Annual Budget and Appropriation Ordinance for Fiscal Year 2016.

General

Council Bill 30-2015 – AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 52.95 acres of agricultural land located on Manor Lane, Ellicott City, Howard County, Maryland, from Genevieve Carroll or any other owner thereof for a maximum purchase price of \$1,639,700 or, if less, not more than \$30,966.00 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 31-2015 – AN ACT approving an amendment to a multi-year collective bargaining agreement between Howard County and the Howard County Police Officers' Association, Lodge 21 that will be effective through the end of Fiscal Year 2017 and that includes payment of certain compensation in future fiscal years; ratifying certain previously approved provisions in a collective bargaining agreement between Howard County and the Howard County Police Officers' Association, Lodge 21, that are in conflict with the provisions of Title 1 "Human Resources" of the Howard County Code or the Employee Manual; providing for the application of this Act; and generally relating to the collective bargaining agreement between Howard County and the Howard County Police Officers' Association, Lodge 21.

Council Bill 32-2015 – AN ACT approving an amendment to a multi-year collective bargaining agreement between Howard County and the FOP Lodge 143, Howard County Police Supervisors' Alliance that will be effective through the end of Fiscal Year 2017 and that includes payment of certain compensation in future fiscal years; ratifying certain previously approved provisions in a collective bargaining agreement between Howard County and the FOP Lodge 143, Howard County Police Supervisors' Alliance, that are in conflict with the provisions of Title 1 "Human Resources" of the Howard County Code or the Employee Manual; providing for the application of this Act; and generally relating to the collective bargaining agreement between Howard County and the FOP Lodge 143, Howard County Police Supervisors' Alliance.

Council Bill 33-2015 – AN ACT approving an amendment to a multi-year collective bargaining agreement between Howard County and the International Association of Firefighters, Howard County Local 2000 that will be effective through the end of Fiscal Year 2017 and that includes payment of certain compensation in future fiscal years; ratifying certain previously approved provisions in a collective bargaining agreement between Howard County and the International Association of Firefighters, Howard County Local 2000, that are in conflict with the provisions of Title 1 “Human Resources” of the Howard County Code or the Employee Manual; providing for the application of this Act; and generally relating to the collective bargaining agreement between Howard County and the International Association of Firefighters, Howard County Local 2000.

Council Bill 34-2015 – AN ACT amending the Pay Plan for Howard County; correcting the pay scales for certain Sheriff employees; adding certain pay scales for members of certain collective bargaining units that will be effective June 12, 2016; providing police and fire management employees with the same cost-of-living adjustment provided to certain collective bargaining units by this Act; providing for the application of this Act; and generally relating to the Pay Plan for Howard County.

Council Bill 35-2015 (ZRA 151) – Introduced by: The Chairperson at the request of C. Godfrey Garvey - AN ACT amending the Howard County Zoning Regulations’ B-1 (Business: Local) District to add Commercial Schools as a permitted use; and generally relating to the B-1 (Business: Local) District.

Council Bill 36-2015 (ZRA 153) – Introduce by: The Chairperson at the request of Michael L. Buch. - AN ACT amending the Howard County Zoning Regulations’ R-APT (Residential: Apartments) District to repeal the maximum building length limitation; and generally relating to the R-APT (Residential: Apartments) District.

Council Bill 37-2015 (ZRA 155) – Introduced by: The Chairperson at the request of Jonathan L. Miller and Sonya A. Miller - AN ACT amending the Howard County Zoning Regulations’ Home-Based Contractors conditional use to permit the Home-Based Contractors conditional use in the R-20 zoning district under certain conditions; and generally relating to Home-Based Contractors.

Council Bill 38-2015 (ZRA 157) – Introduced by: The Chairperson at the request of Demirel Plaza, LLC - AN ACT amending the Howard County Zoning Regulations’ OT (Office Transition) District to add Personal Service Establishments as a permitted use; and generally relating to the OT (Office Transition) District.

Council Resolution 116-2015 – Introduced by: Jon Weinstein at the request of Linwood Center, Inc. - A RESOLUTION endorsing an application by Linwood Center, Inc. to the Maryland Department of Housing and Community Development’s Community Investment Tax Credit program providing tax credits for individuals who donate to certain 501(c)(3) organizations.

Council Resolution 117-2015 – Introduced by: Chairperson at the request of Community Action Council of Howard County - A RESOLUTION endorsing an application by the Community Action Council of Howard County to the Maryland Department of Housing and Community Development's Community Investment Tax Credit program providing tax credits for individuals who donate to certain 501(c)(3) organizations.

Council Resolution 118-2015 - A RESOLUTION authorizing the disposal of certain Dodge Charger vehicles owned by Howard County to the Maryland Police Training Commission.

Council Resolution 119-2015 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code, declaring that a certain property interest in a portion of a County right-of-way named Hale Haven Drive located in Ellicott City, Howard County, Maryland containing approximately 0.0538 acres is no longer needed by Howard County, Maryland for public purposes; authorizing the County Executive to grant a permanent access and utility easement to Verizon Wireless; 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 easement if he finds that the land may have a further public use.

Council Resolution 120-2015 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that a certain property interest in a portion of County Open Space known as Parcel 82 on Tax Map 35 located on Guilford Road containing approximately 4195 square feet is no longer needed by Howard County, Maryland for public purposes; authorizing the County Executive to convey a driveway easement interest to the adjacent 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 grant the easement if he finds that the property may have a further public use.

Council Resolution 121-2015 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code, declaring that a certain interest in a portion of real property owned by the County located at the Timbers of Troy Golf Course containing approximately 5,811 square feet is no longer needed by Howard County, Maryland for public purposes; authorizing the County Executive to grant an easement for the installation of fiber optic cable to PEG Bandwidth MD, LLC; 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 easement if he finds that the land may have a further public use.

Council Resolution 122-2015 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that a portion of County Open Space known as part of Parcel 130, Lot 1 on Tax Map 17 located on N. Pine Orchard Lane containing approximately 0.1098 acres is no longer needed by Howard County, Maryland for public purposes; authorizing the County Executive to convey a fee simple interest to the adjacent 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

convey the property if he finds that it may have a further public use.

Council Resolution 123-2015 – Introduced by: Greg Fox - A RESOLUTION ratifying the conveyance of 0.157 of an acre of real property in Clarksville by the County to the State Highway Administration.

The Chairperson moved to allow the reading of bills by short title on second and third readings. 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 allow the reading of bills by short title on second and third readings passed.

SPECIAL PUBLIC HEARING

A special public hearing on CR116-2015 and CR117-2015 was held before beginning the final consideration of legislation. These resolutions have been requested by two of our local nonprofit organizations as part of their applications to the State for the Community Investment Tax Credit program. Given the deadline these organizations face for submitting their applications to the State, the Council heard testimony on these resolutions and gave them final consideration during the legislative session.

Council Resolution 116-2015 – Introduced by: Jon Weinstein at the request of Linwood Center, Inc. - A RESOLUTION endorsing an application by Linwood Center, Inc. to the Maryland Department of Housing and Community Development's Community Investment Tax Credit program providing tax credits for individuals who donate to certain 501(c)(3) organizations.

- a. Bill Moss – 13475 Brighton Dam Road, Clarksville - called to speak

Council Resolution 117-2015 – Introduced by: Chairperson at the request of Community Action Council of Howard County - A RESOLUTION endorsing an application by the Community Action Council of Howard County to the Maryland Department of Housing and Community Development's Community Investment Tax Credit program providing tax credits for individuals who donate to certain 501(c)(3) organizations.

- a. Bitu Dayhoff – 6728 Fairford Lane, Pikesville - called to speak
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FINAL CONSIDERATION

Consent

Council Resolution 46-2015 – A RESOLUTION confirming the appointment of Louis Earl Armiger to the Public Transportation 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 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.

Ms. Terrasa moved to approve Consent Agenda. The motion was seconded by Ms. Sigaty.

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 Consent Agenda passed.

Appointments

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

The Chairperson moved to approve Council Resolution No. 47 -2015. The motion was seconded by Mr. Weinstein.

Council Member Terrasa moved to table Council Resolution No. 47 -2015. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to table Council Resolution No. 47-2015 was: Yea: Council Member Terrasa. Nay: Council Members Ball, Fox, Sigaty, and Weinstein.

The motion to table Council Resolution No. 47-2015 failed.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 47-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 47-2015 passed.

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

The Chairperson moved to approve Council Resolution No. 48 -2015. The motion was seconded by Mr. Weinstein.

Council Member Terrasa moved to table Council Resolution No. 48 -2015. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to table Council Resolution No. 48-2015 was: Yea: Council Member Terrasa. Nay: Council Members Ball, Fox, Sigaty, and Weinstein.

The motion to table Council Resolution No. 48-2015 failed.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 48-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 48-2015 passed.

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

The Chairperson moved to approve Council Resolution No. 50 -2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 50-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 50-2015 passed.

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

The Chairperson moved to approve Council Resolution No. 51 -2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 51-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 51-2015 passed.

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

The Chairperson moved to approve Council Resolution No. 52 -2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 52-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 52-2015 passed.

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

The Chairperson moved to approve Council Resolution No. 53 -2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 53-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 53-2015 passed.

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

The Chairperson moved to approve Council Resolution No. 54 -2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 54-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 54-2015 passed.

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

The Chairperson moved to approve Council Resolution No. 56 -2015. The motion was seconded by Mr. Weinstein.

Council Member Terrasa moved to table Council Resolution No. 56 -2015. The motion was not seconded.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 56-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 56-2015 passed.

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

The Chairperson moved to approve Council Resolution No. 57 -2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 57-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 57-2015 passed.

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

The Chairperson moved to approve Council Resolution No. 90 -2015. The motion was seconded by Mr. Weinstein.

Council Member Terrasa moved to table Council Resolution No. 90 -2015. The motion was not seconded.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 90-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 90-2015 passed.

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

The Chairperson moved to approve Council Resolution No. 91 -2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 91-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 91-2015 passed.

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

The Chairperson moved to approve Council Resolution No. 93 -2015. The motion was seconded by Mr. Weinstein.

Council Member Terrasa moved to table Council Resolution No. 93 -2015. The motion was not seconded.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 93 -2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 93-2015 passed.

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

The Chairperson moved to approve Council Resolution No. 94 -2015. The motion was seconded by Mr. Weinstein.

Council Member Terrasa moved to table Council Resolution No. 94 -2015. The motion was not seconded.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 94 -2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 94-2015 passed.

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.

The Chairperson moved to approve Council Resolution No. 95 -2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 95 -2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 95-2015 passed.

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

The Chairperson moved to approve Council Resolution No. 96 -2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 96 -2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 96-2015 passed.

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.

The Chairperson moved to approve Council Resolution No. 97 -2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 97 -2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 97-2015 passed.

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

The Chairperson moved to approve Council Resolution No. 98 -2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 98 -2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 98-2015 passed.

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

Council Member Sigaty moved to table Council Resolution No. 49 -2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to table Council Resolution No. 49 -2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein. Nay: Council Member Fox.

The motion to table Council Resolution No. 49-2015 passed.

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

The Chairperson moved to approve Council Resolution No. 89 -2015. The motion was seconded by Mr. Fox.

Council Member Terrasa moved to table Council Resolution No. 89 -2015. The motion was seconded by Dr. Ball.

The roll call vote called by the Administrator on the motion to table Council Resolution No. 89 -2015 was: Yea: Council Members Ball, Terrasa and Weinstein. Nay: Council Members Fox and Sigaty.

The motion to table Council Resolution No. 89-2015 passed.

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

The Chairperson moved to table Council Resolution No. 92 -2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to table Council Resolution No. 92 -2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Resolution No. 92-2015 passed.

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.

The Chairperson moved to approve Council Bill 27-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Bill No. 27-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Bill No. 27-2015 passed.

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 Member Fox moved to table Council Bill 28-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Bill No. 28-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Bill No. 28-2015 passed.

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.

The Chairperson moved to approve Council Resolution 44-2015. The motion was seconded by Mr. Weinstein.

The Chairperson moved to approve Amendment 1. The motion was seconded by Mr. Weinstein.

Amendment No. 1

(This amendment clarifies the location of certain improvements.)

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

The motion to approve Amendment 1 passed.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 44-2015 as amended was: Yea: Council Members Ball, Sigaty, Terrasa and Weinstein. Council Member Fox abstained.

The motion to approve Council Resolution No. 44-2015 as amended passed.

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.

The Chairperson moved to approve Council Resolution 67-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 67 -2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 67-2015 passed.

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.

The Chairperson moved to table Council Resolution 68-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to table Council Resolution No. 68 -2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Resolution No. 68-2015 passed.

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.

The Chairperson moved to table Council Resolution 69-2015. The motion was seconded by Ms. Terrasa.

The roll call vote called by the Administrator on the motion to table Council Resolution No. 69 -2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to table Council Resolution No. 69-2015 passed.

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.

The Chairperson moved to approve Council Resolution 104-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 104 -2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 104-2015 passed.

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.

The Chairperson moved to approve Council Resolution 105-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 105-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 105-2015 passed.

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.

The Chairperson moved to approve Council Resolution 106-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 106-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 106-2015 passed.

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.

The Chairperson moved to approve Council Resolution 107-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 107-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 107-2015 passed.

Council Resolution 116-2015 – Introduced by: Jon Weinstein at the request of Linwood Center, Inc. - A RESOLUTION endorsing an application by Linwood Center, Inc. to the Maryland Department of Housing and Community Development’s Community Investment Tax Credit program providing tax credits for individuals who donate to certain 501(c)(3) organizations.

The Chairperson moved to approve Council Resolution 116-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 116-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 116-2015 passed.

Council Resolution 117-2015 – Introduced by: Chairperson at the request of Community Action Council of Howard County - A RESOLUTION endorsing an application by the Community Action Council of Howard County to the Maryland Department of Housing and Community Development’s Community Investment Tax Credit program providing tax credits for individuals who donate to certain 501(c)(3) organizations.

The Chairperson moved to approve Council Resolution 117-2015. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 117-2015 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 117-2015 passed.

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.

The Chairperson moved to remove Council Resolution 125-2014 from table. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to remove Council Resolution No. 125-2014 from table was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to remove Council Resolution No. 125-2014 from table passed.

The Chairperson moved to approve Council Resolution 125-2014. The motion was seconded by Mr. Weinstein.

The Chairperson moved to approve Amendment 1. The motion was seconded by Mr. Weinstein.

Amendment No. 1

(This amendment establishes a minimum sale price.)

The Chairperson moved to approve Amendment 1 to Amendment 1. The motion was seconded by Mr. Weinstein.

Amendment 1 to Amendment No. 1

(This amendment sets a specific minimum sale price.)

The Chairperson withdrew Amendment 1 to Amendment 1.

The Chairperson moved to approve Amendment 2 to Amendment 1. The motion was seconded by Mr. Weinstein.

Amendment 2 to Amendment No. 1

(This amendment sets a specific minimum sale price.)

The roll call vote called by the Administrator on the motion to approve Amendment 2 to Amendment No. 1 to Council Resolution No. 125-2014 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 2 to Amendment No. 1 to Council Resolution No. 125-2014 passed.

The roll call vote called by the Administrator on the motion to approve Amendment No. 1 to Council Resolution No. 125-2014 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment No. 1 to Council Resolution No. 125-2014 as amended passed.

The roll call vote called by the Administrator on the motion to approve Council Resolution No. 125-2014 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Council Resolution No. 125-2014 as amended passed.

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.

The Chairperson moved to remove Council Bill 17-2015 from table. The motion was seconded by Mr. Weinstein.

The roll call vote called by the Administrator on the motion to remove Council Bill No. 17-2015 from table was: Yea: Council Members Ball, Sigaty, Terrasa and Weinstein. Nay: Council Member Fox.

The motion to remove Council Bill-2015 from table passed.

Council Member Ball moved to approve Council Bill 17-2015. The motion was seconded by Chairperson Sigaty.

Council Member Ball moved to approve Amendment No. 1 to Council Bill 17-2015. The motion was seconded by Mr. Weinstein.

Amendment No. 1

This amendment would

1. *Delete the definition of “Food or beverage concession” and “Youth Oriented Government Facility”;*
2. *Create a definition for “Packaged”;*
3. *Alter the definition of “Healthy food or beverage” and “Youth-Oriented County Government Program”;*
4. *Change the requirements for Food and Beverages on County Property;*
5. *Change the requirements in the Howard County Healthy Food and Beverage Standards;*
6. *Alter the Exemptions section;*
7. *Delete the Pricing provision;*
8. *Alter the Placement section;*
9. *Change the Contracts section;*
10. *Change the Monitoring and Recommendations section; and*
11. *Change the Enforcement and Compliance section*

Council Member Ball moved to approve Amendment 1 to Amendment No. 1 to Council Bill 17-2015. The motion was seconded Mr. Weinstein.

Amendment 1 to Amendment No. 1

(This amendment corrects a drafting error and reinstates the exception for nuts and seeds to less than 35 percent fat requirement for healthy foods.

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment No. 1 to Council Bill 17-2015 as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Weinstein.

The motion to approve Amendment 1 to Amendment No. 1 to Council Bill No. 17-2015 as amended passed.

The roll call vote called by the Administrator on the motion to approve Amendment 1 Council Bill 17-2015 as amended was: Yea: Council Members Ball, Sigaty, and Weinstein. Nay: Council Members Fox and Terrasa.

The motion to approve Amendment No. 1 to Council Bill No. 17-2015 as amended passed.

Council Member Fox moved to table Council Bill 17-2015 as amended. There was no second.

The roll call vote called by the Administrator on the motion to approve Council Bill 17-2015 as amended was: Yea: Council Members Ball, Sigaty, Terrasa and Weinstein. Nay: Council Member Fox.

The motion to approve Council Bill No. 17-2015 as amended passed.

At 9:15p.m. the legislative session adjourned and the Council went into closed session. The Chairperson moved, in accordance with Section 3—305(b) (7), General Provisions Article, Annotated Code of Maryland, that the meeting be closed for the purpose of consulting with counsel to obtain legal advice on a legal matter. The motion was seconded by Mr. Weinstein.

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

The motion to close the meeting passed.

Tabled

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)

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

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

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

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.