



Howard County Council

George Howard Building
3430 Court House Drive
Ellicott City, Maryland 21043-4392

COUNCILMEMBERS

Calvin Ball, Chairperson
District 2
Jon Weinstein, Vice Chairperson
District 1
Jennifer Terrasa
District 3
Mary Kay Sigaty
District 4
Greg Fox
District 5

Minutes (approved)
Legislative Public Hearing
July 18, 2016 6:00 p.m.
Banneker Room

Members Present: Calvin Ball, Council Chairperson; Jon Weinstein, Council Vice Chairperson; Greg Fox, Council Member; Mary Kay Sigaty, Council Member, and Jennifer Terrasa, Council Member.

Staff Present: Jessica Feldmark, Administrator; Jennifer Sager, Administration; Ed Shulder, Deputy County Auditor; Gary Kuc, County Solicitor; Jeff Meyers, Legislative Assistant; and Jennifer Egan, Administrative Support.

- I. Call to Order 6:07 p.m.
- II. Pledge of Allegiance led by Council Member Greg Fox
- III. Allow the reading of bills by short title

Calvin Ball, Chairperson moved to approve to allow the reading of bills by short title, seconded by Jon Weinstein, Vice Chairperson.

The motion carried as follows

AYES: Calvin Ball, Council Chairperson, Jon Weinstein, Council Vice Chairperson; Greg Fox, Council Member; Mary Kay Sigaty, Council Member; and Jennifer Terrasa, Council Member

- IV. The following legislation was introduced by the Chairperson at the request of the County Executive unless otherwise noted:
 - A. Appointments

1. Council Resolution 53-2016 – A RESOLUTION approving a list of Howard County residents to be sent to the Governor, in accordance with State law, so that the Governor may choose one of the residents from the list to fill a vacancy on the Property Tax Assessment Appeal Board.
 - a. Diane Butler - 4056 Saint Johns Lane, Ellicott City, Maryland

2. Council Resolution 94-2016 – A RESOLUTION confirming the appointment of Charmayne Anderson to the Howard County Local Children’s Board.
 - a. Charmayne Anderson 8520 Scholars Lane, Laurel, Maryland
 - b. Niyati Jjaveri

3. Council Resolution 95-2016 – A RESOLUTION confirming the appointment of Misbah Farooqi to the Human Rights Commission.
 - a. Misbah Farooqi – 6031 Holland Court, Columbia, Maryland
 - b. Niyati Jjaveri

4. Council Resolution 96-2016 – A RESOLUTION confirming the appointment of Cynthia Gula to the Board of Directors of the Economic Development Authority.
 - a. Cyndi Gula - 3112 Old Oak Drive, Ellicott City, Maryland
 - b. Lawrence Twele, Chief Executive Officer, Economic Development Authority, 6751 Columbia Gateway Drive, Columbia, Maryland

5. Council Resolution 97-2016 – A RESOLUTION confirming the appointment of Matthew K. Lee to the Equal Business Opportunity Commission.
 - a. Matthew Lee - 15400 Maple Ridge Drive, Woodbine, Maryland

6. Council Resolution 98-2016 – A RESOLUTION confirming the appointment Paul Lin to the Environmental Sustainability Board.

7. Council Resolution 99-2016 – A RESOLUTION confirming the appointment of Megha Sharma to the Commission for Women.

- a. Megha Sharma - 7031 Oak Grove Way, Elkridge, Maryland
8. Council Resolution 100-2016 – A RESOLUTION confirming the appointment of Young Ran Smith to the Advisory Board on Consumer Protection.
 - a. Young Ran Smith - 6401 Richardson Farm Lane, Clarksville, Maryland

B. General

1. Council Bill 46-2016 (ZRA 159) – Introduced by The Chairperson at the request of The Howard County Fueling Station Taskforce; AN ACT amending the Howard County Zoning Regulations Gasoline Service Station provisions by creating a new definition for Motor Vehicle Fueling Facility, repealing the Gasoline Service Station Conditional Use, and creating a new Motor Vehicle Fueling Facilities Conditional Use; and generally relating to Gasoline Service Stations and Motor Vehicle Fueling Facilities.
 - a. Stu Kohn, HCAA, 8709 Yellowbird Court, Laurel, Maryland
 - b. Rick Levitan - 7248 Cradlerock Way, Columbia, Maryland
 - c. Richard King - 5141 Harpers Farm Road, Columbia, Maryland
 - d. Erich Brann, Director of Development, Costco, 6675 Marie Curie Drive, Elkridge, Maryland
 - e. Judy Fisher George - 9216 Howland Road, Laurel, Maryland
 - f. Meagan Braganca - 3720 Valerie Carol Court, Ellicott City, Maryland
 - g. Joseph Rutter - 3435 Jennings Chapel Road, Woodbine, Maryland
 - h. Bernard Noppinger - 8638 N. Valley Court, Ellicott City, Maryland
2. Council Resolution 101-2016 – Introduced by Mary Kay Sigaty and Jon Weinstein; A RESOLUTION proposing to amend the Howard County Charter by amending Section 603 “Submission and contents of the County budget” and Section 606 “Action on the annual budget and appropriation ordinance by the County Council” to require the budget ordinance to include certain specified funds and a contingency reserve Capital Project; to allow the County Council to increase the appropriation to those funds under certain circumstances; to amend Section 611 "Lapsed Appropriations" to provide that a certain fund is a non-reverting fund; and submitting this amendment to the voters of Howard County for their adoption or rejection in

accordance with Article X of the Howard County Charter and Article XI-A of the Maryland Constitution.

a. Grace Kubicfik - 4801 Carman Drive, Ellicott City, Maryland

3. The Administrator read Council Bills CB47-, CB48-, and CB49-2016 together

- Council Bill 47-2016 - AN ACT pursuant to Section 1.111(e) of the Howard County Code, approving provisions in a collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees, Howard County Local 1810, Council 67, AFL-CIO that are in conflict with the provisions of Title 1 "Human Resources" of the Howard County Code or the Employee Manual; approving a multi-year collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees, Howard County Local 1810, Council 67, AFL-CIO that will be effective through the end of Fiscal Year 2018 and that includes payment of certain compensation in future fiscal years; providing for the application of this Act; and generally relating to the collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees, Howard County Local 1810, Council 67, AFL-CIO.
- Council Bill 48-2016 - AN ACT pursuant to Section 1.111(e) of the Howard County Code, approving provisions in a collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees, Howard County Local 3085, Council 67, AFL-CIO that are in conflict with the provisions of Title 1 "Human Resources" of the Howard County Code or the Employee Manual; approving a multi-year collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees, Howard County Local 3085, Council 67, AFL-CIO that will be effective through the end of Fiscal Year 2018 and that includes payment of certain compensation in future fiscal years; providing for the application of this Act; and generally relating to the collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees, Howard County Local 3085, Council 67, AFL-CIO.
- Council Bill 49-2016 - AN ACT amending certain pay scales included in the Pay Plan for Howard County in accordance with certain recently negotiated collective bargaining agreements; adding certain pay scales to be effective on January 1, 2017; providing for the application of this Act; and generally relating to the Pay Plan for Howard County.

- a. Sean Malone, County Administration
 - b. Wanda Hutchinson, Assistant Administrator, Human Resources
4. Council Bill 50-2016 - AN ACT pursuant to Section 612 of the Howard County Charter, approving a Multi-Year Grant Agreement between the County and the Howard County Housing Commission for the grant of funds related to a Non-Profit Center, which will provide greater access to services for low-income and foreign-born families, enhance coordination and collaboration among service providers, improve efficiency through shared spaces and services, and provide certain other efficiencies; authorizing the Executive to make changes to the Agreement, under certain conditions; authorizing the County Executive to execute the Agreement; and generally relating to the Agreement.
 - a. Lonnie Robbins, Chief Administrative Officer, County Administration
 - b. Joan Driessen, Association of Community Services, 11607 Wave Lap Way, Columbia, Maryland
 - c. Hector Garcia, Chief Executive Officer and Executive Director, Fern, 5999 Harpers Farm Road, Columbia, Maryland
 - d. Tom Carbo, Executive Director of Housing and Community Development, 6751 Columbia Gateway Drive, Columbia, Maryland
 - e. Jennifer Pollitt Hill, Executive Director, Hopeworks, 5457 Twin Knolls Road, Columbia, Maryland
5. Council Bill 51-2016 - AN ACT clarifying the method of computing time for deadlines set forth in the Howard County Code; defining certain terms; and generally relating to computing time.
 - a. Jen Sager, Executive Assistant II, County Administration
 - b. Lawrence Twele, Chief Executive Officer, Economic Development Authority, 6751 Columbia Gateway Drive, Columbia, Maryland
 - c. Joel Hurewitz - 5681 Harpers Ferry Road, Unit C, Columbia, Maryland
6. Council Resolution 102-2016 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code, declaring that certain real property containing approximately 7.71 acres and located at 8775 Cloudleap Court, Columbia, 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.

- a. Raj Kudchadkar, Deputy Director, Planning and Zoning
 - b. Lawrence Twele, Chief Executive Officer, Economic Development Authority, 6751 Columbia Gateway Drive, Columbia, Maryland
 - c. Joel Hurewitz, 5681 Harpers Ferry Road, Unit C, Columbia, Maryland
7. Council Bills CB43-, CB44-, CB45-, CB52-, CB53-, CB54-, CB55-, CB56-2016 and Council Resolutions CR103-, CR104-, and CR105-2016 read together.
- Council Bill 43-2016 - Introduced by Jennifer Terrasa; AN ACT amending the Downtown Columbia Plan to establish an Affordable Housing Inclusionary Zoning provision for Downtown Columbia, under certain conditions; amending certain Community Enhancements, Programs, and Public Amenities (CEPPAs) requirements regarding affordable housing; and generally relating to planning, zoning and land use in Howard County.
 - Council Bill 44-2016 (ZRA 162) - Introduced by Jennifer Terrasa; AN ACT amending the Howard County Zoning Regulations' New Town (NT) District Downtown Revitalization regulations to include a 15 percent Affordable Housing Inclusionary Zoning provision for Downtown Columbia, under certain conditions; and generally relating to the NT District.
 - Council Bill 45-2016 - Introduced by Jennifer Terrasa; AN ACT amending the Howard County Code's Downtown Columbia provisions regarding affordable housing payments required by Community Enhancements, Programs, and Public Amenities (CEPPAs) to reflect an inclusionary zoning provision for Downtown Columbia; and generally relating to affordable housing in Downtown Columbia.
 - Council Bill 52-2016 - AN ACT amending the Downtown Columbia Plan, a General Plan Amendment, to revise the Downtown Columbia affordable housing program; setting forth methods for the development of affordable housing; revising the Downtown Revitalization Phasing Progression to reflect the timing of affordable housing development; amending certain Community Enhancements, Programs and Public Amenities to reflect the methods for the development of affordable housing; and generally relating to planning, zoning and land use in Howard County.

- Council Bill 53-2016 - AN ACT amending PlanHoward 2030, the general plan for Howard County, in order to amend the number of housing unit allocations available to developers of new residential units in Downtown Columbia for the period 2015 - 2030; and generally relating to planning, zoning and land use in Howard County.
- Council Bill 54-2016 (ZRA 170) - AN ACT requiring a new configuration of affordable housing in Downtown Columbia under certain conditions with certain alternatives; amending and providing for certain parking requirements related to residential units in Downtown Columbia; providing certain requirements for certain plans; requiring that certain types of construction provide for art in the community; and generally relating to the Howard County Zoning Regulations.
- Council Bill 55-2016 - AN ACT amending the County Code by clarifying that certain moderate income housing units are provided in certain Zoning Districts as required by the Howard County Zoning Regulations or when required by certain plans; exempting Downtown Columbia from a certain provision of the Adequate Public Facilities Ordinance; amending certain payments for affordable housing required by each developer of residential property within Downtown Columbia under certain conditions; and generally relating to development in Downtown Columbia.
- Council Resolution 103-2016 - A RESOLUTION approving and authorizing the execution of a Development Rights and Responsibilities Agreement by Howard Research And Development Corporation and Howard County in accordance with Title 16, Subtitle 17 of the Howard County Code; authorizing the Executive to make changes to the Agreement, under certain conditions; authorizing the County Executive to execute the Agreement; providing for the effective date of this Resolution, and generally relating to the Agreement.
- Council Resolution 104-2016 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive's sale of 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; 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 105-2016 - A RESOLUTION adopted pursuant to Sections 12-201 et seq. of the Economic Development Article of the Annotated Code of Maryland (the "Tax Increment Financing Act") and Sections 21-501 et seq. of the Local Government Article of the Annotated Code of Maryland (the "Special Taxing District Act", and collectively with the Tax Increment Financing Act, the "Acts") providing for the designation of contiguous property in the downtown Columbia area of Howard County as a development district for purposes of the Tax Increment Financing Act (the "Development District") and for the designation of a separate area within the development district as a special taxing district for the purposes of the Special Taxing District Act (the "Special Taxing District", and collectively with the Development District, the "Districts"); creating certain special funds pursuant to the Acts; providing for the deposit and use of moneys in such special funds; pledging that the County will allocate and divide property taxes on real property within the Development District so that the portion of the real property taxes levied on the amount by which the assessable base of the real property in the Development District exceeds the original taxable value (the "Tax Increment") will be allocated and paid into one of the special funds, and providing for the levy and collection of special taxes or ad valorem taxes to be deposited to the other special fund in the event the real property taxes levied on the Tax Increment are or will be insufficient to pay debt service on certain bonds issued under the Acts; and providing for, finding, and determining matters in connection therewith.
- Council Bill 56-2016 - AN ORDINANCE levying and providing for the collection of a special tax on property within the special taxing district in the downtown Columbia area of Howard County, Maryland known as the "Crescent Special Taxing District" (the "Special Taxing District") pursuant to the Rate and Method identified herein and for various matters relating thereto; authorizing and empowering the County to issue up to \$90,000,000 of its special obligation bonds at a maximum interest rate not to exceed 12% per annum in order to finance or reimburse the cost of certain public improvements relating to the Special Taxing District and the Development District (as defined herein) and other costs permitted under the Acts (as identified herein); providing that such bonds and the interest thereon shall never constitute a general obligation of the County or a pledge of its full faith and credit; providing for the further specification, prescription, determination, provision for or approval of various other matters, details, documents and procedures in connection with the authorization, issuance, security, sale and payment for any such bonds; making certain legislative findings; and generally providing for the levy, imposition, collection and application of such special tax and the issuance of an initial series of bonds in accordance with the Acts identified herein.

- a. Grace Kubofcik - 4801 Carman Drive, Ellicott City, Maryland
- b. Roy Appletree - 7230 Single Wheel Path, Columbia, Maryland
- c. Stu Kohn, HCAA, 8709 Yellowbird Court, Laurel, Maryland
- d. David Yungmann - 14750 Addison Way, Woodbine, Maryland
- e. Ashley Hull, Assistant Property Manager, The Metropolitan Downtown Columbia, 10000 Town Center Avenue, Columbia, Maryland
- f. Dick Story, Senior Vice President, Director of Relations and Consumer Affairs, Howard Bank, 6011 University Boulevard, Ellicott City, Maryland
- g. Richard Wilson - 10275 Windstream Drive, Columbia, Maryland
- h. Toby Orenstein - 5900 Symphony Road, Columbia, Maryland
- i. Patricia Sylvester, Columbia Development Housing Commission, 9229 Winterfield Lane, Columbia, Maryland
- j. Jervis Dorton - 5963 Gales Lane, Columbia, Maryland
- k. Judy Fisher George - 9216 Howland Road, Laurel, Maryland
- l. Colleen Morris - 6432 Quiet Night Ride, Columbia, Maryland
- m. Barbara Lawson - 10071 Windstream Drive Unit 3, Columbia, Maryland
- n. Lawrence Twele, Chief Operating Officer, Economic Development, 6751 Columbia Gateway Drive, Columbia, Maryland
- o. Ryan Frederick, Applied Defense Solutions, 3606 Willow Branch Drive, Glenwood, Maryland
- p. Nancy Schweiss - 6201 Woodleigh Drive, Columbia, Maryland
- q. Ryan Gardner - 10338 Sixpence Court, Columbia, Maryland
- r. Joel Hurewitz - 5681 Harpers Farm Road, Unit C, Columbia, Maryland

- s. David Barrett - 8491 Grove Angle Road, Ellicott City, Maryland
- t. Bernard Noppinger - 8638 N. Valley Road, Ellicott City, Maryland
- u. Cynthia Fikes - 5363 Brook Way, Columbia, Maryland
- v. Mark Howard - Cricket Pass, Columbia, Maryland

IV. Tabled

- A. Council Bill 34-2016 (ZRA 163/166) - Introduced by: Jon Weinstein and The Chairperson at the request of Binder Rock, LLC; AN ACT amending the Howard County Zoning Regulations' Transit Oriented Development (TOD) District to remove certain residential area restrictions on single-family attached dwellings and amenity areas, under certain conditions; and generally relating to the TOD District. (tabled 7/8/16).

V. Adjourned: 10: 28 p.m.