



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

Agenda
Legislative Session
Tuesday, September 6, 2016
Banneker Room
George Howard Building, 3430 Court House Drive, Ellicott City, MD
7:00 p.m

Legislative Session

Day # 14

Approve Journal -

July 29, 2016

August 3, 2016 – Emergency Legislative Session

August 5, 2016 – Emergency Legislative Session

August 15, 2016 – Emergency Legislative Session

August 17, 2016 – Emergency Legislative Session

Approve Minutes –

Special Public Hearing on Emergency Legislation - August 5, 2016

Meeting with MACo – August 15, 2016

Special Public Hearing on Emergency Legislation - August 17, 2016

Flood Recovery Briefing – August 22, 2016

Introduction of Legislation

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

Council Resolution 108-2016 – Introduced by: Jon Weinstein, Calvin Ball, Jennifer Terrasa, Mary Kay Sigaty, and Greg Fox at the request of the County Executive; A RESOLUTION extending the State of Emergency declared by Executive Order issued on July 30, 2016, which related to a severe flooding event, and requesting a certain report.

Council Resolution 109-2016 – Introduced by: The Chairperson; A RESOLUTION calling the County Council of Howard County, Maryland into legislative session on September 19, 2016.

Council Resolution 110-2016 – Introduced by: Calvin Ball; A RESOLUTION requesting

that the Environmental Sustainability Board expand the scope of its review of studies regarding mold in Howard County Public Schools to include review of the various reports conducted by Skelly and Loy, Inc. on behalf of the Howard County Department of Public Works; and extending the timeframe for submitting the report to the County Council and County Executive.

Council Bill 59-2016 (ZRA 164) – Introduced by: Calvin Ball; AN ACT amending the Howard County Zoning Regulations to remove certain restrictions that limit the size of Commercial Solar Facilities on County Preservation Parcels and allow Commercial Solar Facilities as a Conditional Use on RR and RC zoned properties, under certain conditions; and generally relating to Commercial Solar Facilities.

Council Bill 60-2016 (ZRA 165) – Introduced by: The Chairperson at the request of Robert Haney; AN ACT amending the Howard County Zoning Regulations Conditional Use section to create a new Athletic Facilities, Commercial Conditional Use in the RC and RR zoning districts; and generally relating to Athletic Facilities, Commercial.

Council Resolution 111-2016 – Introduced by: Mary Kay Sigaty and Jon Weinstein; A RESOLUTION amending the Howard County Council Rules of Procedure to clarify that there is no legislative session in August and to indicate that the session in December is only to take specified actions.

Council Resolution 112-2016 – Introduced by: The Chairperson; A RESOLUTION acknowledging receipt of the annual report of the Howard County Retirement Plan and the Police and Fire Employees' Retirement Plan submitted by the Pension Oversight Commission.

Council Bill 61-2016 – AN ORDINANCE authorizing the issuance, sale and delivery of up to \$100,000,000 consolidated public improvement bonds and up to \$25,000,000 metropolitan district bonds, pursuant to various bond enabling laws; providing that such bonds shall be general obligations of the County; 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, and other matters, details, forms, documents or procedures and to determine the method of sale of such bonds; providing for the disbursement of the proceeds of such bonds and for the levying of taxes to pay debt service on such bonds; and providing for and determining various matters in connection therewith.

Council Bill 62-2016 – 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.

SAO1-FY17 – AN ACT transferring \$69,624.00 from the Grant Fund, Contingency Reserve to the Department of Police for a grant to fund a Heroin Coordinator position.

TAO1-FY17 – AN ACT transferring \$550,000 in grant funding from Capital Project D1165, Flood Mitigation and Stormwater/Waterway Enhancement, to Capital Project D1158, Watershed Management Construction, so that the County may receive additional grant funds from the Maryland Department of Natural Resources, Chesapeake Bay Trust Fund, for stream restoration work.

Council Bill 63-2016 – AN ACT amending the Classification Plan for Howard County; amending the Fair Labor Standards Act designation for certain positions in order to comply with Federal law; and generally relating to amendments to the Howard County Classification Plan.

Council Resolution 113-2016 – A RESOLUTION endorsing the provision of financing by the State Department of Commerce for an economic development project in Howard County and certifying that the project is consistent with the County’s plan for economic development.

Council Resolution 114-2016 – A RESOLUTION declaring that a total of approximately 0.215 acres of real property owned by Howard County, Maryland located off of MD Route 216 and commonly shown as Parcel 288 on Tax Map 46 is no longer needed for a public purpose and authorizing the County Executive to waive the advertising and bidding requirements of Section 4.201 of the Howard County Code in order to sell the property to the owner of the adjacent property; and providing that the County Executive is not bound to sell the property if he finds that the land may have a further public use.

Public Hearing

Council Resolution 108-2016 – Introduced by: Jon Weinstein, Calvin Ball, Jennifer Terrasa, Mary Kay Sigaty, and Greg Fox at the request of the County Executive; A RESOLUTION extending the State of Emergency declared by Executive Order issued on July 30, 2016, which related to a severe flooding event, and requesting a certain report.

Final Consideration

Council Resolution 108-2016 – Introduced by: Jon Weinstein, Calvin Ball, Jennifer Terrasa, Mary Kay Sigaty, and Greg Fox at the request of the County Executive; A RESOLUTION extending the State of Emergency declared by Executive Order issued on July 30, 2016, which related to a severe flooding event, and requesting a certain report.

Council Resolution 109-2016 – Introduced by: The Chairperson; A RESOLUTION calling the County Council of Howard County, Maryland into legislative session on September 19, 2016.

Tabled

Council Resolution 94-2016 – A RESOLUTION confirming the appointment of Charmayne Anderson to the Howard County Local Children’s Board. (tabled 7/29/16)

Council Resolution 95-2016 – A RESOLUTION confirming the appointment of Misbah Farooqi to the Human Rights Commission. (tabled 7/29/16)

Council Resolution 96-2016 – A RESOLUTION confirming the appointment of Cynthia Gula to the Board of Directors of the Economic Development Authority. (tabled 7/29/16)

Council Resolution 97-2016 – A RESOLUTION confirming the appointment of Matthew K. Lee to the Equal Business Opportunity Commission. (tabled 7/29/16)

Council Resolution 98-2016 – A RESOLUTION confirming the appointment Paul Lin to the Environmental Sustainability Board. (tabled 7/29/16)

Council Resolution 99-2016 – A RESOLUTION confirming the appointment of Megha Sharma to the Commission for Women. (tabled 7/29/16)

Council Resolution 100-2016 – A RESOLUTION confirming the appointment of Young Ran Smith to the Advisory Board on Consumer Protection. (tabled 7/29/16)

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. (tabled 7/29/16)

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. (tabled 7/29/16)

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. (tabled 7/29/16)

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. (tabled 7/29/16)

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. (tabled 7/29/16)

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. (tabled 7/29/16)

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. (tabled 7/29/16)

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. (tabled 7/29/16)

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. (tabled 7/29/16)

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. (tabled 7/29/16)

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.
(tabled 7/29/16)

Visit the Council’s website (<http://cc.howardcountymd.gov>) to view legislation, send written testimony, and sign-up electronically to testify at public hearings.

Persons needing accommodations to fully participate in the meeting, please contact the Council Office, 410-313-2001.