

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2023 Legislative Session**

**Legislative Day No. 15**

December 4, 2023

**HOWARD COUNTY TO WIT:**

The Administrator called the legislative session to order at **7:05** p.m.

Council Member Opel Jones, Council Member Deb Jung, Council Member Christiana Rigby, Council Member Liz Walsh, and Council Member David Yungmann were present.

**ELECTION OF COUNCIL OFFICERS**

Ms. Rigby nominated Ms. Jung for Council Chair. The motion was seconded by Ms. Walsh. The roll call vote called by the Administrator on the motion was: Yea: Council Members Jung, Rigby, Walsh and Yungmann. Abstain: Council Member Jones. Ms. Jung was elected Chair.

Ms. Jung nominated Ms. Walsh for Council Vice Chair. The motion was seconded by Ms. Rigby. The roll call vote called by the Administrator on the motion was: Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann. Ms. Walsh was elected Vice Chair.

Dr. Jones nominated Ms. Walsh for Chair of the Zoning Board. The motion was seconded by Ms. Rigby. The roll call vote called by the Administrator on the motion was: Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann. Ms. Walsh was elected Chair of the Zoning Board.

Ms. Walsh nominated Dr. Jones for Vice Chair of the Zoning Board. The motion was seconded by Ms. Rigby. The roll call vote called by the Administrator on the motion was: Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann. Dr. Jones was elected Vice Chair of the Zoning Board.

Dr. Jones nominated Mr. Yungmann for Chair of the Board of License Commissioners. The motion was seconded by Ms. Rigby. The roll call vote called by the Administrator on the motion was: Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann. Mr. Yungmann was elected Chair of the Board of License Commissioners.

Mr. Yungmann nominated Dr. Jones for Vice Chair of the Board of License Commissioners. The motion was seconded by Ms. Rigby. The roll call vote called by the

Administrator on the motion was: Yea: Council Members Jung, Rigby, Jones, Walsh and Yungmann. Dr. Jones was elected Vice Chair of the Board of License Commissioners.

### **COUNCIL APPOINTMENTS**

The Chair announced the following County Council appointments, effective December 2023 to December 2024:

Maryland Association of Counties Legislative Committee – Christiana Rigby  
Alternate – David Yungmann

National Association of Counties liaison – Christiana Rigby  
Alternate – David Yungmann

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### **APPROVE JOURNAL AND MINUTES**

The Chair moved to approve the **Journals** of:

Legislative Session – November 6, 2023  
Legislative Session – November 27, 2023

The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to approve the Journal was: Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to approve the Journals passed.

The Chair moved to approve the **Minutes** of:

Monthly Meeting – November 13, 2023  
Council Meeting on Policy and Procedures – November 15, 2023  
Legislative Public Hearing – November 20, 2023  
Legislative Work Session – November 27, 2023

The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to approve the minutes was: Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to approve the minutes passed.  
The Chair moved to approve the **Minutes** of:

## Maryland Restaurant Association Roundtable – November 14, 2023

The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to approve the minutes was:  
Yea: Council Members Jung, Rigby, Walsh, and Yungmann. Abstain: Council Members Jones.

The motion to approve the minutes passed.

The Chair moved to approve the **Minutes** of:

## General Plan Discussion with LWV – November 29, 2023

The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to approve the minutes was:  
Yea: Council Members Jung, Rigby and Walsh. Abstain: Council Members Jones and Yungmann.

The motion to approve the minutes passed.

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## **FINAL CONSIDERATION**

*All appointment resolutions were read and voted on together.*

### **Appointments**

**CR172-2023** - Introduced by The Chair at the request of the County Executive

A RESOLUTION confirming the appointment of Cedric Brown to the Housing and Community Development Board.

**CR173-2023** - Introduced by The Chair at the request of the County Executive

A RESOLUTION confirming the appointment of Ashwin Hazarika to the Howard County Local Children's Board.

**CR174-2023** - Introduced by The Chair at the request of the County Executive

A RESOLUTION confirming the appointment of Andrea LeWinter to the Equal Business Opportunity Commission.

### **Reappointments**

**CR176-2023** - Introduced by The Chair at the request of the County Executive  
A RESOLUTION confirming the reappointment of Elvira Dominguez McCullough to the La Alianza Latina Commission.

**CR177-2023** - Introduced by The Chair at the request of the County Executive  
A RESOLUTION confirming the reappointment of Sharon Pinder to the Equal Business Opportunity Commission.

MISSING CR178-2023

The Chair moved to approve CR 172, CR173, CR174, CR176, CR177, and 178-2023. The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to approve CR172, CR173, CR174, CR176, CR177, and 178-2023 was Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to approve CR172, CR173, CR174, CR176, CR177, and 178-2023 passed.

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### **General**

**CB42-2023** - Introduced by The Chair at the request of the County Executive  
AN ACT to implement State Law relating to police discipline, including provisions related to an Administrative Charging Committee and Trial Boards; providing for an Administrative Charging Committee under State Law; setting forth the qualifications for members, method of selection, and exclusions from membership; defining certain terms; requiring the advertisement of certain vacancies; providing for budget and staff; requiring a minimum number of meetings; requiring certain training; providing for the terms of Committee members; allowing for certain stipends; setting forth the duties of the Committee; requiring that members submit to certain background investigations; authorizing the adoption of Rules of Procedure; providing for certain legal representation; authorizing the Committee to take certain actions in accordance with State Law; requiring members to maintain confidentiality; requiring civilian members to provide financial disclosure statements; providing for the removal of members; requiring each law enforcement agency to establish a Trial Board process in accordance with State Law; providing for certain legal representation and budget; requiring civilian members of the Trial Board to submit financial disclosure statements; and generally relating to police discipline in Howard County.

The Chair moved to approve CB42-2023. The motion was seconded by Ms. Walsh.

The Chair moved to approve Amendment 1 to CB42-2023. The motion was seconded by Ms. Walsh.

**Amendment 1 to CB42-2023**

*(This Amendment clarifies what is meant by “County” in certain instances and corrects a section reference.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to CB42-2023 was Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to approve Amendment 1 to CB42-2023 passed.

The roll call vote called by the Administrator on the motion to approve CB42-2023 as amended was Yea: Council Members, Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to approve CB42-2023 as amended passed.

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**CB43-2023** - Introduced by The Chair at the request of the County Executive  
AN ACT authorizing the County or the Housing Commission to assign the right to purchase by written agreement to certain entities who may acquire or finance the purchase of rental housing; clarifying the time that an offer shall remain open; amending the minimum number of affordable units; defining certain terms; providing that certain assignments may be recorded; requiring that certain covenants be recorded; and generally related to the notice and right to purchase rental housing

The Chair moved to table CB43-2023. The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to table CB43-2023 was Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to table CB43-2023 passed.

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**CB44-2023** - Introduced by The Chair at the request of the County Executive  
AN ACT prohibiting the increase in the amount of rent over a specified amount for certain regulated units; requiring the publication of the permitted amount of rent increase; allowing a landlord to apply for a capital improvement surcharge upon a showing of certain terms; requiring that certain fees be prominently displayed; setting forth penalties; inserting a severability clause; providing for the abrogation of certain provisions of this Act; establishing a workgroup to study the effect of this Act; and generally relating to rental increases in Howard County.

The Chair moved to table CB44-2023. The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to table CB44-2023 was Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to table CB44-2023 passed.

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**CB41-2023** - Introduced by The Chair at the request of the County Executive  
AN ACT amending the Adequate Public Facilities Act in order to remove references to specific types of housing unit allocations; removing references to “geographic” targets as a basis for the housing unit allocation chart; and generally relating to the Adequate Public Facilities Act of Howard County.

The Chair moved to approve CB41-2023. The motion was seconded by Ms. Walsh.

The Chair moved to approve Amendment 1 to CB41-2023. The motion was seconded by Ms. Walsh.

**Amendment 1 to CB41-2023**

*(This Amendment amends the definition of the housing unit allocation chart to prohibit more than 35% of allocations available to activity centers being granted to projects in a particular planning area and adds a requirement that the Adequate Public Facilities Act Review Committee reviews section 16.1110(o) of the Howard County Code in developing their recommendations.)*

The Chair moved to approve Amendment 1 to Amendment 1 to CB41-2023. The motion was seconded by Ms. Walsh.

**Amendment 1 to Amendment 1 to CB41-2023**

*(This amendment corrects a typo in the purpose paragraph)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to Amendment 1 to CB41-2023 was Yea: Council Members Jung, Rigby, Walsh, and Yungmann.  
Nay: Council Member Jones

The motion to approve Amendment 1 to Amendment 1 to CB41-2023 passed.

The roll call vote called by the Administrator on the motion to approve Amendment 1 as amended to CB41-2023 was Yea: Council Members Jung, Walsh and Yungmann. Nay: Council Members Jones and Rigby

The motion to approve Amendment 1 as amended to CB41-2023 passed.

The roll call vote called by the Administrator on the motion to approve CB41-2023 as amended was Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to approve CB41-2023 as amended passed.

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**CR179-2023** - Introduced by The Chair at the request of the County Executive  
A RESOLUTION adopting the Housing Unit Allocation Chart pursuant to the Adequate Public Facilities Act of Howard County.

The Chair moved to approve CR179-2023. The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to approve CR179-2023 was Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to approve CR179-2023 passed.

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**CR180-2023** - Introduced by The Chair at the request of the County Executive  
A RESOLUTION adopting the School Capacity Chart, pursuant to the Adequate Public Facilities Act of Howard County.

The Chair moved to approve CR180-2023. The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to approve CR180-2023 was Yea: Council Members Jung, Rigby, Jones, and Yungmann. Nay: Council Member Walsh

The motion to approve CR180-2023 passed.

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**CR181-2023** - Introduced by The Chair at the request of the County Executive  
A RESOLUTION declaring that a portion of certain real property consisting of 0.376 acres of land located on Rogers Avenue and owned by Howard County, Maryland is no longer needed by the County for a public purpose; authorizing the County Executive to convey the property to Our Lady's Center, Inc., in exchange for the acquisition of 0.548 acres of adjacent property owned by Our Lady's Center; waiving the advertising and bidding requirements of Section 4.201 of the County Code in connection with the property's conveyance; and providing that County Executive is not bound to terminate the County's interest in the property if he finds that the property may have a further public use.

The Chair moved to approve CR181-2023. The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to approve CR181-2023 was Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to approve CR181-2023 passed.

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**CR182-2023** - Introduced by The Chair at the request of the County Executive  
A RESOLUTION endorsing the 2023 RTA/Howard County Transit Development Plan as a guide for future transit development in Howard County and in the Central Maryland region.

The Chair moved to approve CR182-2023. The motion was seconded by Ms. Walsh.

The Chair moved to approve Amendment 1 to CR182-2023. The motion was seconded by Ms. Walsh.

**Amendment 1 to CR182-2023**

*(This Amendment clarifies that Anne Arundel County's transportation service serves areas previously served by the RTA.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to CR182-2023 was Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to approve Amendment 1 to CR182-2023 passed.

The roll call vote called by the Administrator on the motion to approve CR182-2023 as amended was Yea: Council Members, Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to approve CR182-2023 as amended passed.

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**CR183-2023** - Introduced by The Chair at the request of the County Executive  
A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between the Howard County, Maryland and Waverly Winds, LLC for property located at 5501-5627 Cedar Lane, which will comprise a mixed-income, rental housing development to be known as Building A of Waverly Winds Apartments.

Chair moved to approve CR183-2023. The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to approve CR183-2023 was Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.



The motion to approve CR183-2023 passed.

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**CR184-2023** - Introduced by The Chair at the request of the County Executive

A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between the Howard County, Maryland and Waverly Winds Four, LLC for property located at 5501-5627 Cedar Lane, which will comprise a mixed-income, rental housing development to be known as Building B of Waverly Winds Apartments.

Chair moved to approve CR184-2023. The motion was seconded by Ms. Yung.

The roll call vote called by the Administrator on the motion to approve CR184-2023 was Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to approve CR184-2023 passed.

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**CB45-2023** - Introduced by The Chair at the request of the County Executive

AN ACT requiring a restaurant that offers children's meals for sale to offer a certain number of healthy children's meal for sale; specifying the options required for a certain children's meal; requiring a restaurant that offers for sale a children's meal with a beverage to include a certain default beverage; preserving a consumer's choice to purchase to purchase and a restaurant's right to sell a children's meal other than a healthy children's meal; requiring the Howard County Department of Health to create and disseminate certain written informational resources; providing for the enforcement of this Act; providing for the severability of certain provisions of this Act; and generally relating to healthy meals for children.

The Chair moved to table CB45-2023. The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to table CB45-2023 was Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to table CB45-2023 passed.

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### **Tabled Legislation**

*All tabled appointment resolutions were read and removed from the table together.*

### **Appointments**

**CR134-2023** - Introduced by The Chair at the request of the County Executive  
A RESOLUTION confirming the appointment of Dana Couch to the Local Behavioral Health Advisory Board.

**CR154-2023** - Introduced by The Chair at the request of the County Executive  
A RESOLUTION confirming the appointment of Xavier V. Bruce to the Equal Business Opportunity Commission.

**CR160-2023** - Introduced by The Chair at the request of the County Executive  
A RESOLUTION confirming the appointment of Andrew Sherman to the Equal Business Opportunity Commission.

The Chair moved to remove CR 134, CR154, and CR160-2023 from the table. The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to remove CR134, CR154, and CR160-2023 from the table was Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to remove CR134, CR154, and CR160-2023 from table passed.

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**CR134-2023** - Introduced by The Chair at the request of the County Executive  
A RESOLUTION confirming the appointment of Dana Couch to the Local Behavioral Health Advisory Board.

The Chair moved to approve CR134-2023. The motion was seconded by Ms. Walsh.

The Chair moved to approve Amendment 1 to CR134-2023. The motion was seconded by Ms. Walsh.

#### **Amendment 1 to CR134-2023**

*(This amendment corrects the appointee's term. The appointee is filling a vacancy and is serving the remainder of that term.)*

The roll call vote called by the Administrator on the motion to approve Amendment 1 to CR134-2023 was Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to approve Amendment 1 to CR134-2023 passed.

The roll call vote called by the Administrator on the motion to approve CR134-2023 as amended was Yea: Council Members, Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to approve CR134-2023 as amended passed.

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*CR154-2023 and CR160-2023 were read and voted on together.*

The Chair moved to approve CR154- and CR160-2023. The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to approve CR154- and CR160-2023 was Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to approve CR154- and CR160-2023 passed.

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### **General**

**CB40-2023** - Introduced by Liz Walsh

AN ACT removing certain exemptions for stream restoration projects in the Forest Conservation Act, removing the definition of a stream restoration project, and generally relating to the Forest Conservation Act.

***expires – 12/11/2023; extended – 01/15/2024; extended twice – 02/24/2024***

Council Member Walsh moved to remove CB40-2023 from the table. The motion was seconded by Ms. Rigby.

The roll call vote called by the Administrator on the motion to remove CB40-2023 from the table was Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to remove CB40-2023 from the table passed.

The Chair moved to extend the life of CB40-2023. The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to extend the life of CB40-2023 was Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to extend the life of CB40-2023 passed.

The Chair moved to table CB40-2023. The motion was seconded by Ms. Walsh.

The roll call vote called by the Administrator on the motion to table CB40-2023 was Yea: Council Members Jung, Rigby, Jones, Walsh, and Yungmann.

The motion to table CB40-2023 passed.

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Adjourned.