



Committee: Directly to Council
Committee Review: N/A
Staff: Christine Wellons, Senior Legislative Attorney
Purpose: To introduce agenda item – no vote expected

AGENDA ITEM #9A
November 1, 2022
Introduction

SUBJECT

Expedited Bill 29-22, Local Laws – Updates to Required Numbers of Councilmember Votes

Lead Sponsor: Council President

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- N/A; Introduction

DESCRIPTION/ISSUE

Bill 29-22 would update provisions of County law to reflect the required numbers of votes due to the expansion of the County Council from 9 to 11 members

SUMMARY OF KEY DISCUSSION POINTS

- On December 5, 2022, the Council composition will change. Instead of 9 Councilmembers, there will be 11 Councilmembers. The Council will consist of 7 district Councilmembers and 4 at-large Councilmembers.
- Certain vote thresholds in the County Code must be updated to reflect the greater number of Councilmembers, consistent with the Charter.
- Public hearing and action are tentatively scheduled for November 29, 2022.

This report contains:

Expedited Bill 29-22

©1

Alternative format requests for people with disabilities. If you need assistance accessing this report you may [submit alternative format requests](#) to the ADA Compliance Manager. The ADA Compliance Manager can also be reached at 240-777-6197 (TTY 240-777-6196) or at adacompliance@montgomerycountymd.gov

Expedited Bill No. 29-22
Concerning: Local Laws – Updates to
Required Numbers of Councilmember
Votes
Revised: 10/22/2022 Draft No. 1
Introduced: _____
Expires: _____
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President

AN EXPEDITED ACT to:

- (1) update provisions of County law to reflect the required numbers of votes due to the expansion of the County Council from 9 to 11 members.

By amending

Montgomery County Code
Chapter 14, Development Districts
Sections 14-6, 14-9, and 14-16

Chapter 20, Finance
Sections 20-25, 20-58, 20-62, and 20-72

| | |
|-------------------------------------|--|
| Boldface | <i>Heading or defined term.</i> |
| <u>Underlining</u> | <i>Added to existing law by original bill.</i> |
| [Single boldface brackets] | <i>Deleted from existing law by original bill.</i> |
| <u>Double underlining</u> | <i>Added by amendment.</i> |
| [[Double boldface brackets]] | <i>Deleted from existing law or the bill by amendment.</i> |
| * * * | <i>Existing law unaffected by bill.</i> |

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec 1. Sections 14-6, 14-9, 14-16, 20-25, 20-58, 20-62, and 20-72 are**
2 **amended as follows:**

3 **14-6. First Council Resolution.**

4 * * *

5 (d) If the Executive disapproves a resolution adopted under this Section
6 within 10 days after it is adopted and the Council readopts it by a vote of
7 [six] 7 Councilmembers, or if the Executive does not act within 10 days
8 after the Council adopts it, the resolution takes effect.

9 * * *

10 **14-9. Second Council Resolution.**

11 * * *

12 (e) After the public hearing, the Council by resolution approved by the
13 Executive may create a development district. If the Executive
14 disapproves a resolution within 10 days after it is adopted and the Council
15 readopts it by a vote of [six] 7 Councilmembers, or if the Executive does
16 not act within 10 days after the Council adopts it, the resolution takes
17 effect.

18 * * *

19 **14-16. Administration of district; Termination.**

20 * * *

21 (f) If the County has not issued any bonds for a district created under this
22 Chapter, or if all bonds issued to finance a district have been repaid, the
23 County has been reimbursed for the cost of any infrastructure
24 improvement funded or reimbursed by the County, and the cost of any
25 infrastructure improvement to be paid by the County directly from special
26 assessments or special taxes has been paid, the Council may terminate the

27 district by resolution approved by the Executive. If the Executive
28 disapproves a resolution within 10 days after it is adopted and the Council
29 readopts it by a vote of [6] 7 Councilmembers, or if the Executive does
30 not act within 10 days after the Council adopts it, the resolution takes
31 effect.

32 * * *

33 **20-35. County Executive concurrence, veto, Council override.**

34 * * *

35 (b) If the County Executive does not communicate disapproval of the
36 resolution and the reasons for the disapproval to the Council within 10
37 days after receiving the resolution, the Council’s approval stands. If the
38 County Executive disapproves the resolution, the Council may override
39 the disapproval by an affirmative vote of at least [6] 7 Councilmembers.

40 * * *

41 **20-58. Approval of Capital Budgets.**

42 Any aggregate capital budget that exceeds the spending affordability
43 guidelines in effect after the first Tuesday in February requires the
44 affirmative vote of [7] 8 councilmembers for approval.

45 **20-62. Approval of Aggregate Operating Budget.**

46 Any aggregate operating budget that exceeds the ceiling on the aggregate
47 operating budget adopted under Section 20-60(c) requires the affirmative
48 vote of [7] 8 Councilmembers for approval.

49 **Sec. 20-72. Use of Fund.**

50 By an affirmative vote of [6] 7 Councilmembers, the Council, after
51 holding a public hearing, reviewing relevant economic indicators, and
52 seeking the recommendation of the Executive, may transfer any amount

53 from the Fund to the General Fund to support appropriations which have
54 become unfunded.

55 **Sec. 2. Expedited Effective Date.** The Council declares that this legislation
56 is necessary for the immediate protection of the public interest. This Act takes effect
57 on December 5, 2022.