



Committee: Directly to Council
Committee Review: N/A
Staff: Christine Wellons, Senior Legislative Attorney
Purpose: Final action – vote expected

AGENDA ITEM #16.5
March 28, 2023
Action

SUBJECT

Resolution to Reaffirm an Appointment under Section 15-103 of the Land Use Article of the Maryland Code

Lead Sponsor: County Council

EXPECTED ATTENDEES

N/A

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

Vote on whether to approve a Council resolution to reaffirm an appointment to the Maryland-National Capital Park and Planning Commission over the County Executive's disapproval of the appointment.

DESCRIPTION/ISSUE

Pursuant to Section 15-103 of the Land Use Article of the Maryland Code, the Resolution would reaffirm the appointment, under Resolution No. 20-60, of Mr. James Hedrick (Democrat) to the Maryland-National Capital Park and Planning Commission.

SUMMARY OF KEY DISCUSSION POINTS

On February 28, the Council appointed Mr. James Hedrick to the Maryland-National Capital Park and Planning Commission (MNCPPC). (Council Resolution No. 20-60). On March 24, 2023, the County Executive notified the Council in writing that the Executive disapproves of the appointment.

Under state law (Section 15-103 of the Land Use Article of the Maryland Code), the Council may reaffirm the appointment over the Executive's disapproval. Nine affirmative votes of the Council are required to reaffirm the appointment over the disapproval.

This report contains:

Resolution

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Resolution No.: _____
Introduced: March 28, 2023
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: Reaffirmation of an Appointment under Section 15-103 of the Land Use Article of the Maryland Code

Background

1. Section 15-103 of the Land Use Article of the Maryland Code grants to the Montgomery County Council the authority to appoint the Montgomery County members of the Maryland-National Capital Park and Planning Commission.
2. On February 28, 2023, through Resolution No. 20-60, the County Council appointed Mr. James Hedrick (Democrat) to fill an unexpired term on the Maryland-National Capital Park and Planning Commission.
3. Under Section 15-103 of the Land Use Article, the County Executive provided written notice to the County Council, dated March 24, 2023, that the Executive disapproves of the appointment made under Resolution No. 20-60.
4. Under Section 15-103 of the Land Use Article, the County Council may override the County Executive's disapproval of an appointment to the Maryland-National Capital Park and Planning Commission. To reaffirm the appointment over the Executive's disapproval, the affirmative vote of at least nine Councilmembers is required.
5. The County Council has determined to reaffirm the appointment of Mr. Hedrick over the County Executive's disapproval.

Action

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

Pursuant to Section 15-103 of the Land Use Article of the Maryland Code, the County Council reaffirms its appointment, under Resolution No. 20-60, of Mr. James Hedrick (Democrat) to the Maryland-National Capital Park and Planning Commission. The term of the appointment is March 6, 2023 through June 14, 2026, or until a successor is appointed and qualifies.

This is a correct copy of Council action.

Judy Rupp
Clerk of the Council