



COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

APPROVED

Tuesday, December 14, 2021

The County Council for Montgomery County, Maryland convened via video conference at 9:01 A.M. on Tuesday, December 14, 2021.

PRESENT

Councilmember Gabe Alborno, President	Councilmember Evan Glass, Vice President
Councilmember Andrew Friedson	Councilmember Tom Hucker
Councilmember Will Jawando	Councilmember Sidney Katz
Councilmember Nancy Navarro	Councilmember Craig Rice
Councilmember Hans Riemer	

The President in the Chair.

- (1) **INTERVIEW** - [County Executive's appointment for Development Ombudsman: Thomas Lewis](#)

Interviewed Mr. Thomas Lewis, the County Executive's appointee for Development Ombudsman.

- (1.5) **INTERVIEW** - [County Executive's appointment for Chief, Children, Youth, and Families: Dira Treadvance](#)

Interviewed Ms. Dira Treadvance, the County Executive's appointee for Chief, Children, Youth, and Families.

GENERAL BUSINESS

- A. Announcements – Agenda and Calendar Changes

There were no agenda or calendar changes.

- (2) B. **Acknowledgement** – [Receipt of Petitions](#)

There were no petitions received.

C. **Action** – Approval of Minutes

There were no minutes for approval.

- (3) **PUBLIC HEARING/ACTION** - [Supplemental Appropriation to the County Government's FY22 Operating Budget, Department of Health and Human Services \(DHHS\) - \\$4,222,924 for Epidemiology and Laboratory Capacity Enhancing Detection Expansion \(ELC ED\) Grant \(Source of Funds: Grant Funds\)](#)

The public hearing was conducted and the record closed.

Adopted **Resolution 19-1087**, approving the subject supplemental appropriation.

Mr. Jawando made the motion, which carried unanimously.

- (4) **PUBLIC HEARING/ACTION** - [Special Appropriation to the County Government's FY22 Operating Budget, Department of General Services \(DGS\) - \\$150,000 for CASA Workforce Development and Citizenship Center \(Source of Funds: General Fund Reserves\); and Amendment to the FY22 Operating Budget for the Montgomery County Government, Resolution 19-872, Section G, Designation of Entities for Non-Competitive Award Status: CASA de Maryland, Inc.](#)

The public hearing was conducted and the record closed.

Adopted **Resolution 19-1088**, approving the subject special appropriation and Designation of Entities for Non-Competitive Contract Award Status: CASA de Maryland

Mr. Katz made the motion, which carried unanimously.

- (5) **PUBLIC HEARING/ACTION** - [Special Appropriation to the County Government's FY22 Operating Budget, DHHS - SAMHSA Block Grants for Community Mental Health Services Restore to Strength: Strengthening People and Community Mental Health Centers - \\$4,999,994 \(Source of Funds: Federal Grant Funds\)](#)

The public hearing was conducted and the record closed.

Adopted **Resolution 19-1089**, approving the subject special appropriation.

Mr. Riemer made the motion, which carried unanimously.

- (6) **PUBLIC HEARING/ACTION** - [Special Appropriation to the County Government's FY22 Operating Budget, DHHS - SAMHSA Crisis 2 Connection: Expanding the Care Continuum into the Community Grant Award - \\$1,915,270 \(Source of Funds: Federal Grant Funds\)](#)

The public hearing was conducted and the record closed.

Adopted **Resolution 19-1090**, approving the subject special appropriation.

Mr. Riemer made the motion, which carried unanimously.

- (7) **PUBLIC HEARING/ACTION** - [Special Appropriation to the County Government's FY22 Operating Budget, Office of the County Executive - \\$231,000 for Purple Line Light Rail Project Business Grant Program and Amendment to the FY22 Operating Budget Resolution 19-872, Section G, Fiscal Year 2022 Designation for Entities for Non-Competitive Contract Award Status: Latino Economic Development Corporation for Purple Line Light Rail Project Business Grant Program \(Source of Funds: State Aid\)](#)

The public hearing was conducted and the record closed.

Approved without objection the motion by Mr. Glass to amend Section G, Fiscal FY22 Designation of Entities for Non-Competitive Contract Award Status, that the designated entity, Latino Economic Development Corporation, provide these funds to small businesses along the Purple Line corridor.

Adopted **Resolution 19-1091**, as amended, approving the subject special appropriation and Designation of Entities for Non-Competitive Contract Award Status for the Latino Economic Development Corporation for Purple Line Light Rail Project Business Grant Program.

Mr. Glass made the motion, which carried unanimously.

- (8) **PUBLIC HEARING/ACTION** - [Supplemental Appropriation to Montgomery County Public Schools' \(MCPS\) FY22 Operating Budget-\\$2,721,577 for the Summer School Grant \(Source of Funds: Federal Funds\)](#)

The public hearing was conducted and the record closed.

Adopted **Resolution 19-1092**, approving the subject supplemental appropriation.

Mr. Rice made the motion, which carried unanimously.

- (9) **PUBLIC HEARING/ACTION** - [Supplemental Appropriation to MCPS's FY22 Operating Budget - \\$1,205,690 for the School Reopening Grant \(Source of Funds: Federal Funds\)](#)

The public hearing was conducted and the record closed.

Adopted **Resolution 19-1093**, approving the subject supplemental appropriation.

Mr. Rice made the motion, which carried unanimously.

- (10) **PUBLIC HEARING/ACTION** - [Supplemental Appropriation to MCPS's FY22 Operating Budget - \\$251,233 for the Early Childhood High-Quality Inclusion Policies and Practices Grant \(Source of Funds: Federal Funds\)](#)

The public hearing was conducted and the record closed.

Adopted **Resolution 19-1094**, approving the subject supplemental appropriation.

Mr. Rice made the motion, which carried unanimously.

- (11) **PUBLIC HEARING/ACTION** - [Supplemental Appropriation to the County Government's FY22 Operating Budget, DHHS - \\$1,016,026 to Increase Somatic and Mental Health Services at Montgomery County Public Schools \(Source of Funds: Maryland State Department of Education\)](#)

The public hearing was conducted and the record closed.

Adopted **Resolution 19-1095**, approving the subject supplemental appropriation.

Mr. Friedson made the motion, which carried unanimously.

- (12) **PUBLIC HEARING/ACTION** - [Special Appropriation to Montgomery College's FY22 Operating Budget - \\$22,320,815 for the Federal, State, and Private Grants and Contract Fund \(Source of Funds: Federal Funds\)](#)

The public hearing was conducted and the record closed.

Adopted **Resolution 19-1096**, approving the subject special appropriation.

Mr. Rice made the motion, which carried unanimously.

- (13) **PUBLIC HEARING/ACTION** - [Special Appropriation to the County Government's FY22 Operating Budget, DHHS, Behavioral Health and Crisis Prevention - \\$350,000 for Crisis Prevention and Intervention Services - Montgomery County Hotline; and Amendment to the FY22 Operating Budget Resolution 19-872, Section G, FY22 Designation of Entities for Non-Competitive Contract Award Status: EveryMind \(Source of Funds: General Fund Reserves\)](#)

The public hearing was conducted and the record closed.

Adopted **Resolution 19-1097**, approving the subject special appropriation and Designation of Entities for Non-Competitive Award Contract Award Status: EveryMind.

Mr. Friedson made the motion, which carried unanimously.

- (13.5) **PUBLIC HEARING** - [Expedited Bill 47-21, Taxicabs - Age of Vehicles](#)

The public hearing was conducted. Action is scheduled later in the meeting.

- (14) **UPDATE:** [Fiscal Plan and Federal Funding](#)

Participating in the discussion were Mr. Smith, Legislative Analyst; Mr. Howard, Council Deputy Director; Ms. Bryant, Director, and Mr. Watters, Office of Management and Budget (OMB); and Mr. Coveyou, Director, Department of Finance.

Received an update from Council staff on the County's current fiscal position, including revenues, expenditures, reserve funds, fiscal pressures including the ongoing response to the pandemic, inflation, and the level of future revenues; and an update on federal funding, including Coronavirus Relief Funds (CRF), American Rescue Plan Act (ARPA) funds, and Federal Emergency Management Agency (FEMA) reimbursements.

Mr. Albornoz acknowledged the leadership of Ms. Navarro, as Chair of the Government Operations and Fiscal Policy (GO) Committee, for ensuring fiscal responsibility and maintaining the County's Triple-A bond rating.

Mr. Friedson received information that future FEMA reimbursements would not be assumed in the fiscal plan, and noted Mr. Watter's comments that reimbursement revenue would accrue to where the expenditure took place and that Council approval is required for future expenditures from FEMA reimbursement funds. He requested Executive Branch and Council staff to provide information on how much of the \$8.4 million expenditure overage was for one-time expenses and what was for ongoing expenses. He expressed concern

regarding the cut in PAYGO, and asked how the increase in inflation would be addressed in the capital budget, cautioning that additional federal funds are not a given.

Mr. Hucker encouraged the County Executive, as he finalizes the FY23 budget, to work collaboratively with the Council in reducing climate emissions and supporting Ride On bus drivers, and to include appropriate resources in the upcoming budget.

Councilmembers commented on the need to take the County's experiences during the pandemic, as well as inflation pressures, into consideration for the FY23 budget, and noted the comment from Ms. Bryant that racial equity and climate change issues are taken into consideration in budget analyses.

(15) **DISTRICT COUNCIL SESSION**

- A. **Introduction** - [A public hearing on the Sectional Map Amendment to implement the Approved and Adopted Ashton Village Center Sector Plan Sectional Map Amendment \(SMA\) \(H-144\) will be held on January 18, 2022, at 1:30 pm.](#)

Mr. Albornoz announced a public hearing on the SMA to implement the Ashton Village Center Sector Plan SMA H-144 would be held on January 18, 2022, at 1:30 P.M.

- B. **Introduction** - [Zoning Text Amendment \(ZTA\) 21-11 - Sandy Spring-Ashton Rural Village Overlay Zone](#)

Introduced draft #1 of ZTA 21-11, sponsored by the Council President at the request of the Planning Board. A public hearing is scheduled for January 18, 2022, at 1:30 P.M.

- C. **Introduction** - [Resolution to approve Executive Regulation 15-20, Public Space Usage in Work Zones](#)

Introduced a resolution to approve Executive Regulation 15-20. Action is tentatively scheduled for January 18, 2022.

- D. **Action** - Hearing Examiner's report and recommendation on Local Map Amendment (LMA) Application No. H-141 for amending to the zoning ordinance map. Soo Lee-Cho, Attorney for Application, White Oak Apartments LLC, requests rezoning from the CR0.75, C-0.75, R-0.25, H-75 Zone to the CRF 1.25, C-0.25, R-1.25, H-85 Zone of the property located at

2220 Broadbirch Drive, White Oak, Maryland, in the 5th Election District
(Tax Account No. 05-03268832)

Consideration of this item was postponed.

- E. **Action** - Resolution to approve extension until February 2, 2022 - Hearing Examiner's report and recommendation on Local Map Amendment (LMA) Application No. H-141 for amending to the zoning ordinance map. Soo Lee-Cho, Attorney for Application, White Oak Apartments LLC, requests rezoning from the CR0.75, C-0.75, R-0.25, H-75 Zone to the CRF 1.25, C-0.25, R-1.25, H-85 Zone of the property located at 2220 Broadbirch Drive, White Oak, Maryland, in the 5th Election District (Tax Account No. 05-03268832)

Adopted **Resolution 19-1098**, approving the subject time extension request.

Mr. Riemer made the motion, which carried unanimously.

LEGISLATIVE SESSION - DAY #35

(18) **Introduction of Bills:**

- A. [Bill 48-21, General Provision - County Symbols - County Tree Established](#)

Introduced draft #1 of **Bill 48-21**, sponsored by the Council President at the request of the County Executive. A public hearing is scheduled for January 18, 2022, at 1:30 P.M.

- B. [Expedited Bill 49-21, Police Accountability Board - Administrative Charging Committee - Established](#)

Introduced draft #4 of **Bill 49-21**, sponsored by the Council President at the request of the County Executive. A public hearing is scheduled for January 11, 2022, at 1:30 P.M.

(19) **Call of Bills for Final Reading:**

- A. [Expedited Bill 33-21, Personnel - Employee's Retirement System - Group E - Amendments](#)

Ms. Navarro, Chair of the GO Committee, summarized the purpose of the bill and reviewed the Committee's recommendations, as contained in the staff report.

Enacted draft #1 of **Bill 33-21**, as introduced.

The GO Committee made the motion and the bill was enacted by a roll call vote:

YEAS: Friedson, Jawando, Riemer, Navarro, Rice, Katz, Hucker, Glass, Albornoz.

B. [Bill 26-21, Taxation - Payments in Lieu of Taxes - Affordable Housing Amendments](#)

Mr. Friedson introduced the item for final vote and moved an amendment to the bill to protect Section 8 housing. The amendment passed unanimously.

Enacted draft #5 of **Bill 26-21**, as amended and shown at the end of these minutes.

The GO/PHED Committee made the motion and the bill was enacted by a roll call vote:

YEAS: Friedson, Jawando, Riemer, Navarro, Rice, Katz, Hucker, Glass, Albornoz.

C. [Expedited Bill 47-21, Taxicabs - Age of Vehicles](#)

Participating in the discussion were Mr. Conklin, Director, and Mr. Harris, Analyst, Department of Transportation (MCDOT).

Mr. Hucker, Chair of the T&E Committee, reviewed the bill and shared background on the T&E Committee's history with this issue. Mr. Hucker noted that because of the timeline, the Committee was unable to review the expedited bill.

Mr. Riemer moved an amendment to the bill to create a three-year limit to the bill to allow the Council time to thoroughly address this issue. The amendment passed unanimously.

Enacted draft #2 of **Expedited Bill 47-21**, as amended and shown at the end of these minutes.

Mr. Riemer made the motion and the expedited bill was enacted by a roll call vote:

YEAS: Friedson, Jawando, Riemer, Navarro, Rice, Katz, Hucker, Glass, Albornoz.

- (19.5) **ACTION** - [Revised Supplemental Appropriation to the Montgomery County FY22 Operating Budget Merit System Protection Board Grievances, Montgomery County Fire and Rescue Service, \\$602,159 \(Source of Funds: Undesignated Fire Fund Reserves\), Montgomery County Sheriff's Office, \\$223,757, \(Source of Funds: General Fund Undesignated Reserves\); Montgomery County Police Department, \\$626,039 \(Source of Funds: Source of Funds: General Fund Undesignated Reserves\)](#)

In his introduction, Mr. Albornoz noted that the opinion of the County Attorney and staff has influenced his decision to approve this supplemental appropriation and settlement but indicated that the Council continues to have oversight of the broader policy and procedural issues associated with settlement agreement obligating County funds. Mr. Albornoz shared his expectation that the questions regarding this settlement will be answered by the County Executive's Office.

Adopted **Resolution 19-1101**, approving the subject supplemental appropriations. Mr. Glass made the motion, which carried unanimously.

(20) **CONSENT CALENDAR**

Approved the following consent calendar items listed below. Mr. Rice made the motion, which carried without objection.

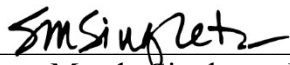
- A. **Introduced** a resolution to approve franchise to Cellco d/b/d Verizon Wireless, to use the public right-of-way.
- B. **Introduced/Adopted Resolution 19-1102**, amending the FY22 Operating Budget for the Montgomery County Government, Resolution 19-872, Section G, Designation of Entities for Non-Competitive Contract Award Status: Newcomers Enhancements and Assistance: Asylum Works, Inc, Ayuda, Inc., HIAS, Inc., and University of Maryland, Baltimore.
- C. **Introduced/Adopted Resolution 19-1103**, amending resolution 19-1103, Early Care and Education Non-Departmental Account - COVID 19 - School-Age Child Care During Distance Learning.
- D. **Introduced/Adopted Resolution 19-1104**, amending resolution 19-1104 to Extend the Deadline for the Disposition of a Portion of Warner Circle Special Park, 10231 Carroll Place, Kensington, Maryland 20895.

- E. **Received and released** OLO Report 2021-12, State School Construction Aid Eligibility and Funding of MCPS Capital Projects.
This item was deleted.
- F. **Introduced** a supplemental appropriation to the County Government's FY22 Operating Budget, Department of Transportation (DOT) - \$193,483 for Streets and Roads - Roadside Trees - Protection (Source of Funds: Street Tree Planting Fund). A public hearing/action is scheduled for January 11, 2022, at 1:30 P.M.
- G. **Introduced** special appropriations to Montgomery County Public Schools (MCPS) FY22 Capital Budget and Amendments to the FY21-26 Capital Improvements Program (CIP) - Clarksburg Cluster ES #9 (New) (No. 651901), \$5,125,000 Major Capital Projects - Elementary (No. 652101), \$16,725,000 (for Burnt Mills ES, South Lake ES, Stonegate ES, and Woodlin ES) (Source of Funds: State Aid). A public hearing is scheduled for January 11, 2022, at 1:30 P.M.
- I. Adopted **Resolution 19-1105**, approving the use of Advance Land Acquisition Revolving Fund (ALARF) for acquisition of real property to create a conservation park in Poolesville.
- J. Adopted **Resolution 19-1106**, approving the end-of-year transfer for FY21 County Government Operating Budget.
- K. Adopted **Resolution 19-1107**, approving special appropriation to the County Government's FY22 Operating Budget, Guaranteed Income Non-Departmental Account (NDA) - [\$1,992,832] \$1,993,832 for Guaranteed Income Pilot Program.
- L. Adopted **Resolution 19-1108**, approving special appropriation to the County Government's FY22 Capital Budget and Amendment to the FY21-26 CIP, Department of General Services (DGS) - \$3,600,000 for Council Office Building Renovations (Source of Funds: General Obligation Bonds).
- M. Adopted **Resolution 19-1109**, approving special appropriation to the County Government's FY22 Capital Budget and Amendment to the FY21-26 CIP, DGS - \$3,600,000 for Acquisition of 260 East Jefferson Street.
- N. Adopted **Resolution 19-1110**, approving the lease (term) extension between the Maryland-National Capital Park and Planning Commission (M-NCPPC) and Meadowbrook Foundation, Inc. (Meadowbrook Stables).
- O. Adopted **Resolution 19-1111**, confirming the County Executive's appointment to the Adult Public Guardianship Review Board: Marilou Tablang-Jimenez.

- P. Adopted **Resolution 19-1112**, confirming the County Executive's appointments to the Advisory Committee on Consumer Protection: Norman Leventhal, James Michaels, Christian Walther.
- Q. Adopted **Resolution 19-1113**, confirming the County Executive's appointment to the Early Childhood Coordinating Council: Beka Urgessa.
- R. Adopted **Resolution 19-1114**, confirming the County Executive's appointments to the Committee Against Hate/Violence: Richard Allen, Kelly Cooper, Sheik Hassan, Tong Jia, Leah Michaels, Vanessa Morris, Femi Richards, Craig Simon, Susan Stolov, Stephanie Troyer, Gabrielle Zwi.
- S. Adopted **Resolution 19-1115**, confirming the County Executive's appointments to the Interagency Commission on Homelessness: Christopher Dickersin-Prokopp, Robin Lewis, Terence Hill, Courtney Hall, Manuel Hidalgo, Kathryn Kelly, Karishma Sheth, Jeffrey Goldman, Ebony Johnson.
- T. Adopted **Resolution 19-1116**, confirming the County Executive's appointment to the Local Management Board for Children, Youth, and Families (Collaboration Council): Mark Hodge.
- U. Adopted **Resolution 19-1117**, confirming the County Executive's appointments to the Silver Spring Citizens Advisory Board: Melanie Fonder Kaye, Michelle Foster, Kenneth Lemberg, Katherine McKay, Don Slater.
- V. Adopted **Resolution 19-1118**, confirming the County Executive's appointment to the Wheaton Urban District Advisory Committee: Robert Fox.
- W. **Introduced/Adopted Resolution 19-1119**, amendment to Resolution 19-498, special appropriation to the FY 2020 Operating Budget, Montgomery County Government, Federal Coronavirus Relief Fund (NDA).
- X. **Received and Released** the Office of Legislative Oversight (OLO) Report 2021-12, State School Construction Aid Eligibility and Funding of MCPS Capital Projects.

The meeting adjourned at 12:38 P.M.

This is a correct copy of Council action.



Selena Mendy Singleton, Esq.
Clerk of the Council

Bill No. 26-21
 Concerning: Taxation – Payments in
Lieu of Taxes – Affordable Housing
- Amendments
 Revised: 12-14- 2021 Draft No. 5
 Introduced: June 29, 2021
 Enacted: December 14, 2021
 Executive: _____
 Effective: _____
 Sunset Date: _____
 Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmembers Riemer and Friedson

AN ACT to:

- (1) establish a minimum payment in lieu of taxes for certain qualifying housing developments;
- (2) eliminate the annual maximum aggregate amount of all payments in lieu of taxes approved under this Section; and
- (3) generally amend the law governing a payment in lieu of real property taxes for certain housing developments.

By amending

Montgomery County Code
 Chapter 52, Taxation
 Section 52-24

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:

Sec. 1. Section 52-24 is amended as follows:

52-24. Payments in lieu of taxes for certain housing developments.

(a) Definitions. In this Section, the following words have the following meanings.

Area median income means the median household income for the Washington, DC metropolitan area as estimated by the U.S. Department of Housing and Urban Development, adjusted by household size based on the occupancy standard for the unit.

Director means the Director of Finance or the Director’s designee.

Payment in lieu of taxes means an authorized payment made by the owner of a qualifying housing development instead of paying the County real property tax, including a County real property tax levied under a special area taxing law, that would otherwise be due.

Section 8 Project-Based Rental Assistance means a program operated by the U.S. Department of Housing and Urban Development that provides housing assistance payments under a contract with the owner of a multi-family rental housing property to make up the difference between rent affordable to a low income household earning between 50 and 80 percent of the area median income and the approved rent for an adequate housing unit pursuant to 42 U.S.C. §1437f, as amended.

(b) When authorized by state law, the Director [of Finance] may agree to accept a negotiated payment in lieu of the real property tax that would otherwise be levied on a qualifying housing development. A qualifying housing development is any housing development of which the owner is expressly eligible under state law to make payments in lieu of taxes.

(c) ~~[[The]]~~ When authorized by state law, the Director must offer a payment in lieu of taxes for a qualifying housing development:

(1) owned or ~~[[operated]]~~ controlled by the Housing Opportunities Commission that exempts 100% of the real property tax that would otherwise be levied; ~~[[and]]~~ ~~[[or]]~~

(2) owned or controlled by a non-profit housing developer if at least 50% of the dwelling units located on the property receiving the payment in lieu of taxes are built under a government regulation or binding agreement with the County limiting the rent charged for the unit for at least 15 years to make the unit affordable to households earning 60% or less ~~[[than 65%]]~~ of the area median income. The offer must exempt 100% of the real property tax that would otherwise be levied for a period of at least 15 years, but no more than the number of years that rents charged for 50% of the dwelling units must remain restricted to households earning 60% or less of the area median income; or

42 (3) owned or controlled by a non-profit housing developer if all of
 43 the dwelling units are subject to a Section 8 Project-Based Rental
 44 Assistance Payment contract. The offer must exempt 100% of
 45 the real property tax that would otherwise be levied as long as
 46 the Section 8 Project-Based Rental Assistance Payment contract
 47 is in effect.

48 (d) The Director must not offer a [[partial]] payment in lieu of taxes for a
 49 qualifying housing development under this Section for any property that
 50 has already received a payment in lieu of taxes under any Section [[with
 51 at least 25% but less than 50% of the dwelling units built under a
 52 government regulation or binding agreement limiting the rent charged
 53 for the unit for at least 15 years but no more than the number of years
 54 that the rents charged for affordable units must remain restricted:

55 (1) for each dwelling unit affordable for residents at 51% to 65% of
 56 area median income, the project must receive a payment in lieu
 57 of taxes for one unit;

58 (2) for each dwelling unit affordable for residents at 31% to 50% of
 59 area median income, the project must receive a payment in lieu
 60 of taxes for 2 units; and

61 (3) for each dwelling unit affordable for residents at 30% or less of
 62 area median income, the project must receive a payment in lieu
 63 of taxes for 3 units]].

64 [(b)] (e) Any payment accepted by the Director [of Finance] must
 65 conform to guidelines included in a regulation adopted by the [County]
 66 Executive under method (1). Before the Director [of Finance] accepts a
 67 payment in lieu of taxes, the Director must consult the Director of the
 68 Department of Housing and Community Affairs on whether:

69 (1) the subject of the payment is a qualifying housing development;
 70 and

71 (2) the amount of the payment complies with applicable guidelines.

72 [(c)] (f) [The aggregate amount of all payments in lieu of taxes under this
 73 Section (other than payments for a housing development owned or
 74 operated by the Housing Opportunities Commission) must not exceed
 75 an amount set annually by Council resolution for the following 10-year
 76 period. The Council by separate resolution may approve a payment
 77 which exceeds the aggregate amount previously set.] The Executive, in
 78 each annual operating budget submitted to the Council, must calculate
 79 the amount of pending payments in lieu of taxes already approved
 80 under this Section, including payments for housing developments
 81 owned or operated by the Housing Opportunities Commission.

82 **Sec. 2. Transition.** Except for Subsection (c)(3), ~~[[The]]~~ the amendments in
83 Section 1 establishing a mandatory payment in lieu of taxes must only apply to a
84 property that is eligible for a payment in lieu of taxes due to affordable dwelling
85 units that come under a government regulation or binding agreement limiting the rent
86 charged on or after this Act takes effect.

Expedited Bill No. 47-21
 Concerning: Taxicabs – Age of Vehicles
 Revised: 12/14/2021 Draft No. 2
 Introduced: December 7, 2021
 Enacted: December 14, 2021
 Executive: _____
 Effective: _____
 Sunset Date: December 31, 2024
 Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: The Council President at the Request of the County Executive

AN EXPEDITED ACT to:

- (1) extend the age of vehicles allowed to provide taxicab service in Montgomery County; and
- (2) generally amend the laws governing the licensing and regulation of taxicabs.

By amending

Montgomery County Code
 Chapter 53, Taxicabs
 Section 53-228

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. Section 53-228 is amended as follows:**

2 **53-228. Age of vehicles.**

3 (a) A licensee must not use any vehicle that is more than [eight] ten
4 model years old to provide taxicab service in the County. As used in
5 this Chapter, the “model year” of a vehicle is the year designated by
6 the vehicle manufacturer, as indicated on the vehicle or in the
7 manufacturer’s records. A licensee may maintain a vehicle in service
8 until the next December 31 after its [eighth] tenth model year ends if
9 the vehicle passes a comprehensive safety inspection performed
10 during the preceding August by a state-certified inspector in good
11 standing.

12 * * *

13 **Sec. 2. Expedited Effective Date.** The Council declares that this legislation
14 is necessary for the immediate protection of the public interest. This Act takes effect
15 on the date it becomes law.

16 **Sec 3. Sunset.** This Act must sunset, and must have no further force or
17 effect, on December 31, 2024.