Resolution No.: 20-1234
Introduced: September 29, 2026
Adopted: October 13, 2026

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President at the request of the County Executive

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SUBJECT: Declaration of No Further Need - Disposition of Portion of Gude Landfill, located at 600 East Gude Drive in Rockville, via Long-Term Lease to Community Power Group LLC

Background

1. Montgomery County Code Section 11B-45 requires the Council to approve a Declaration of No Further Need before the Executive can dispose of real property that has more than nominal value. Prior to seeking Council approval of a Declaration of No Further Need, the Executive must:

   a. submit all material terms of the proposed disposition and any appraisal the Executive relied on in setting the property's market value to the Council; and

   b. publish a declaration in the County Register and post a notice on the County website that the County has no further need for the property.

   If the Council, by resolution, approves the Executive's Declaration of No Further Need, the Executive may dispose of the property for fair market value.

2. On July 1, 2026, the Executive transmitted the material terms of the proposed disposition. The Executive recommended disposal of the subject property to Community Power Group LLC via a long-term lease not more than 30 years in term.

3. The subject property totals approximately 20 acres and lies within the 92-acre capped portion of the 162-acre Gude Landfill, located at 600 East Gude Drive in Rockville, Maryland. Community Power Group LLC intends to finance, design, construct, own and operate a 5-megawatt solar power facility with generated power to be made available to its customers.

4. In June 2026, Executive Order 110-26 was published in the County Register to give notice of the County's intent to proceed with disposition Community Power Group LLC and that there was no further need for public use.

5. On September 8, 2026, the Executive transmitted to the Council Executive Order 110-26 containing the Declaration of No Further Need.

6. The Council held a public hearing on this recommended disposition on October 13, 2026.

7. An appraisal establishing full or fair market value was not completed as the value of the land does not correlate with its intended use as a solar power generating facility. Pricing for the lease was established by the County based on competitive proposals received during the solicitation process; the County projects it will receive lease payments totaling $3,612,907 over the 30 year lease term, averaging $120,430 per year.

Action

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

The Declaration of No Further Need for the long-term lease of a portion of the subject property, located at 600 Gude Drive in Rockville, Maryland, to Community Power Group LLC is approved and the property may be disposed of as described in the material terms provided to the Council on July 1, 2026, the Executive's transmittal memorandum dated September 8, 2026 and in Executive Order 110-26 as published in the County Register in June 2026.

The Council expressly waives the requirement that the property be disposed of at full market value.

This is a correct copy of Council action.

Sara R. Tenenbaum
Clerk of the Council

MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Disposition of County Property: Portion of Gude Landfill	Executive Order No. 110-26	Subject Suffix
Montgomery County Department of Environmental Protection	Department No.	Effective Date 6/23/2026

WHEREAS, the closed Gude Landfill site at 600 East Gude Drive is owned by Montgomery County; and

WHEREAS, operations of the landfill started in 1964 and the landfill closed in 1982; and

WHEREAS, the former landfill contains a total of approximately 162 acres which includes a capped footprint of 92 acres; and

WHEREAS, Maryland Department of the Environment issued a Consent Order and directed the County to remediate Gude Landfill in 2013; and

WHEREAS, the landfill remediation project included a passive land reuse component requiring the County to install passive land reuse amenities and a renewable energy source on top of the landfill after the remediation work was completed; and

WHEREAS, The 2019 Gude Landfill Passive Recreational Land Use Master Plan includes passive park amenities and dedicates at least 20 acres for a renewal energy source; and

WHEREAS, the Northeast Maryland Waste Disposal Authority issued a Request for Expressions of Interest for Energy Proposals for a solar photovoltaic project on the former landfill to include a land lease agreement; and

WHEREAS, the chosen proposal is a 5-megawatt (MW) solar photovoltaic project and submitted by Community Solar Group LLC who will finance, design, construct, own and operate the facilities.

WHEREAS, 100% of the electricity generated by the solar project, consisting of approximately 20 acres, will be available to Community Solar Group LLC customers, through the local electric utility, including Montgomery County, if the County chooses to become a customer; and

WHEREAS, an appraisal for the property was not completed as the value of the land does not correlate with the intended use and pricing for the lease was established competitively based on the pricing received from during the Request for Expressions of Interest solicitation process; and

WHEREAS, the County Executive has determined that the property is no longer needed for County use and should be leased to Community Solar Group LLC for an operating life of 30 years, with County option to extend; and

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WHEREAS, lease payments for the solar project will be made to Montgomery County on an annual basis, and the price to be paid per acre per year is $5,000, which will increase at a rate of 1.25% per year; and

WHEREAS, the material terms of the lease agreement are as stated; and

WHEREAS, in accordance with the provisions of Montgomery County Code Section 11B-45, Disposition of Real Property, the County Executive must issue an Executive Order declaring that County owned or controlled land is no longer needed for County use.

ACTION

In consideration of the above recitals, the County Executive hereby declares that an approximately 20-acre portion of the closed Gude Landfill located at 600 East Gude Drive, Rockville, Maryland, is no longer needed for County use and is available for disposition through long term lease to Community Solar Group for a 30 year operating life for a solar project with annual land lease payments of $5,000 per acre, which will increase at a rate of 1.25% per year.

Approved as to Form and Legality
Office of the County Attorney

By: Neal Anker
Date: 6/18/2026

APPROVED

By: Ken Hartman

Ken Hartman
Assistant Chief Administrative Officer
Date: 6/23/2026