



COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

APPROVED

Tuesday, March 28, 2023

The County Council for Montgomery County, Maryland convened in the Council Hearing Room, Stella B. Werner Council Office Building, Rockville, Maryland at 9:02 a.m. on Tuesday, March 28, 2023.

PRESENT

Councilmember Evan Glass, President	Councilmember Andrew Friedson, Vice President
Councilmember Gabe Alborno	Councilmember Natali Fani-González (<i>virtually</i>)
Councilmember Marilyn Balcombe	Councilmember Sidney Katz
Councilmember Laurie-Anne Sayles	Councilmember Kristin Mink
Councilmember Dawn Luedtke	Councilmember Kate Stewart
Councilmember Will Jawando	

The President in the Chair.

PRESENTATIONS

- A. Proclamation was presented by Councilmembers Sayles and Balcombe and Chief Administrative Officer Madaleno recognizing Mom and Pop Business Day.
- B. Proclamation was presented by Councilmember Katz recognizing Montgomery County's Meals on Wheels program.

GENERAL BUSINESS

- A. **Announcements** - Agenda and Calendar Changes

Ms. Rupp, Clerk of the Council, announced that the Council is seeking applicants to serve on the seven-member Committee to Recommend Funding for the Public Election Fund. These positions are open to all residents of Montgomery County. Letters of interest must be received no

later than 5 p.m. on Monday, April 10, 2023. Also, the public hearing on **Bill 12-23**, Police - Traffic Stops - Limitations (The S.T.E.P. Act) has been rescheduled from June 13, 2023, to April 25, 2023, at 7:00 p.m. Speakers already signed up for the public hearing will be contacted with the new date. Two items were added to today's agenda: introduction of FY24 Fees, Charges, and Fares; and action on a Resolution to Reaffirm an Appointment under Section 15-103 of the Land Use Article of the Maryland Code.

B. Action - Approval of Closed Session Minutes: March 14, 2023

Approved the minutes of March 14, 2023, without objection. Councilmembers Fani-González, Jawando, and Mink were temporarily absent.

(1) **INTERVIEW - [Chief, Services to End and Prevent Homelessness in the Department of Health and Human Services: Christine Hong](#)**

Interviewed Christine Hong, the County Executive's appointee as Chief, Services to End and Prevent Homelessness in the Department of Health and Human Services.

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND
IN LEGISLATIVE SESSION - Day #10**

(2) **Introduction of Bills:**

A. **[Bill 18-23, Structure of County Government - Community Zoning and Land Use Resource Office](#)**

Introduced draft #1 of the subject Bill, sponsored by Councilmember Friedson. A public hearing is scheduled for April 18, 2023, at 1:30 p.m. Ms. Luedtke requested to be added as a co-sponsor of the Bill.

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

A. **[Bill 1-23, Property Tax Credit - Elderly Individuals and Retired Military Services Members - Amendments](#)**

Ms. Stewart, Chair of the Government Operations and Fiscal Policy (GO) Committee, reviewed the purpose of the Bill and the Committee's recommendation, as contained in the staff report.

Supported without objection Mr. Katz's motion to change the word "Elderly" to the words "65 and above" in the title of the Bill.
Ms. Fani-González was temporarily absent.

Mr. Jawando, noting that the GO Committee declined to support his amendment to reduce the eligibility for this property tax credit from 40 to 20 years of County residency, said a comprehensive review is needed of how to develop an equitable way to provide property tax credits or relief for senior County residents.

Ms. Mink commented that people who rent homes in the County are also looking to age in place as renters, and work is needed to expand equity as a disproportionate number of renters are African American.

Enacted draft #3 of **Bill 1-23**, as amended and shown at the end of these minutes. The GO Committee made the motion and the Bill was enacted by a roll call vote:

YEAS: Luedtke, Mink, Sayles, Albornoz, Jawando, Katz, Stewart,
Balcombe, Friedson, Glass
ABSENT: Fani-González (temporarily).

B. [Bill 7-23, Consumer Protection - Gasoline Station Signage](#)

Mr. Albornoz, sponsor of **Bill 7-23**, reviewed the purpose of the Bill, and Senior Legislative Attorney Wellons reviewed the recommendations of the joint Public Safety (PS) and Economic Development (ECON) Committee, as contained in the staff report.

Supported without objection Mr. Friedson's motion to amend lines 25 to 33 of the Bill to allow for a separate sign, visible to motorists, displaying the credit price in the same size and font as the standard sign, with this amendment to sunset in seven years. Ms. Fani-González was temporarily absent.

Mr. Friedson encouraged Executive Branch staff to work with the State regulators to make sure small business owners are aware of the sign requirement.

Enacted draft #4 of **Bill 7-23**, as amended and shown at the end of these minutes. Mr. Albornoz made the motion and the Bill was enacted by a roll call vote:

YEAS: Luedtke, Mink, Sayles, Albornoz, Jawando, Katz, Stewart,
Balcombe, Friedson, Glass
ABSENT: Fani-González (temporarily).

C. [Bill 9-23, Alcohol and Other Drug Abuse Advisory Council - Rename](#)

Mr. Albornoz, Chair of the Health and Human Services (HHS) Committee, reviewed the purpose of the Bill and the Committee's recommendation, as contained in the staff report.

Enacted draft #1 of **Bill 9-23**, as introduced. The HHS Committee made the motion and the Bill was enacted by a roll call vote:

YEAS: Luedtke, Mink, Sayles, Albornoz, Jawando, Katz, Stewart,
Balcombe, Friedson, Glass

ABSENT: Fani-González (temporarily).

D. [Bill 10-23, Health - Intellectual and Developmental Disabilities Commission - Established](#)

Mr. Albornoz reviewed the purpose of the subject Bill and the recommendation of the HHS Committee, as contained in the staff report.

Enacted draft #4 of **Bill 10-23**, as shown at the end of these minutes. The HHS Committee made the motion and the Bill was enacted by a roll call vote:

YEAS: Luedtke, Mink, Sayles, Albornoz, Jawando, Katz, Stewart,
Balcombe, Friedson, Glass

ABSENT: Fani-González (temporarily).

(4) **DISTRICT COUNCIL SESSION**

A. Introduction - [Subdivision Regulation Amendment \(SRA\) 23-01, Administrative Subdivision - Mixed-Use Housing Community](#)

Introduced draft #1 of **SRA 23-01**, sponsored by Councilmembers Sayles and Friedson. A public hearing is scheduled for May 2, 2023, at 1:30 p.m. Mr. Glass requested to be added as a co-sponsor.

B. Introduction - [Zoning Text Amendment \(ZTA\) 23-02, Regulatory Approvals - Mixed-Use Housing Community](#)

Introduced draft #1 of **ZTA 23-02**, sponsored by Councilmembers Sayles and Friedson and co-sponsored by Councilmembers Luedtke and Stewart. A public hearing is scheduled for May 2, 2023, at 1:30 p.m. Mr. Glass requested to be added as a co-sponsor.

WORKSESSION - Amendments to FY23-28 Capital Improvements Program (CIP)

Mr. Katz, Chair of the Public Safety (PS) Committee, reviewed the Committee's recommendations for items 5 through 12, as contained in the staff reports.

Mr. Dise, Director, and Mr. Ossont, Deputy Director, Department of General Services (DGS); Ms. Silberman, Office of Management and Budget (OMB); and Division Chief Cooper, Montgomery County Fire and Rescue Services (MCFRS), participated in the discussion.

(5) [Montgomery County Detention Center Partial Demolition and Renovation](#)

Approved the subject CIP, as submitted by the County Executive.
Ms. Fani-González was temporarily absent.

(6) [Pre-Release Center Dietary Facilities Improvements](#)

Approved the subject CIP, as submitted by the County Executive.
Ms. Fani-González was temporarily absent.

(7) [Apparatus Replacement Program](#)

Approved the subject CIP, as submitted by the County Executive.
Ms. Fani-González was temporarily absent.

(8) [Fire Stations: Life Safety Systems](#)

Approved the subject CIP, as submitted by the County Executive.
Ms. Fani-González was temporarily absent.

(9) [Rockville Fire Station 3 Renovation](#)

Approved the subject CIP, as submitted by the County Executive.
Ms. Fani-González was temporarily absent.

(10) [White Flint Fire Station 23](#)

Noted that the PS Committee rejected the County Executive's recommended delay for the White Flint Fire Station.

Approved the subject CIP, as recommended by the PS Committee.
Ms. Fani-González was temporarily absent.

(11) [PSTA Academic Building Complex](#)

Approved the subject CIP, as submitted by the County Executive.
Ms. Fani-González was temporarily absent.

(12) [Outdoor Firearms Training Center](#)

Approved the subject CIP, as submitted by the County Executive.
Ms. Fani-González was temporarily absent.

(13) [Digital Equity - Montgomery Connects](#)

Mr. Glass reviewed the recommendation of the ECON Committee, as contained in the staff report. Council IT Adviser Toregas participated in the discussion.

Approved the subject CIP, as submitted by the County Executive.
Ms. Fani-González was temporarily absent.

(14) [Technology Services](#)

Ms. Stewart reviewed the recommendations of the GO Committee, as contained in the staff report.

Approved the subject CIP, as submitted by the County Executive.
Ms. Fani-González was temporarily absent.

(15) **INTERVIEW** - [Special Projects Manager: Craig Rice](#)

Interviewed Mr. Craig Rice, the County Executive's appointee for Special Projects Manager.

(16) **CONSENT CALENDAR**

The Consent Calendar was moved to later in the meeting.

The Council recessed at 12:40 p.m. and reconvened in the 4th floor Capital Crescent Trail Conference Room at 12:45 p.m.

Discussion - Meeting with Montgomery County Retired Employees Association (MCREA)

Discussed issues of interest to County retirees and seniors in general.

The Council recessed at 1:33 p.m. and reconvened at 1:38 p.m.

(16.5) **Action - [Resolution to Reaffirm an Appointment under Section 15-103 of the Land Use Article of the Maryland Code](#)**

Discussed concerns raised by the County Executive regarding the appointment of James Hedrick to the Montgomery County Planning Board.

Adopted **Resolution 20-102**, reaffirming the appointment of James Hedrick under Section 15-103 of the Land Use Article of the Maryland Code.

Mr. Katz made the motion which carried without objection.

(17) **PUBLIC HEARING/ACTION - [Supplemental Appropriation to the County Government's FY23 Operating Budget, Department of Health and Human Services, Statewide Integrated Health Improvement Strategy \(SIHIS\) Eliminating Disparities in Maternal Health Initiative - Home Visiting Expansion - \\$214,004 \(Source of Funds: State Funds\)](#)**

The public hearing was conducted and the record closed.

Adopted **Resolution 20-103**, approving the subject Supplemental Appropriation.

Mr. Friedson made the motion which carried without objection.

(18) **PUBLIC HEARING - [Declaration of No Further Need - Disposition of Pepper Ridge Property in the Emory Grove area of Gaithersburg](#)**

The public hearing was conducted. A Government Operations and Fiscal Policy (GO) Committee worksession will be scheduled at a later date.

(19) **PUBLIC HEARING - [Bill 15-23, Landlord-Tenant Relations - Anti Rent Gouging Protections](#)**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on June 8, 2023. A Planning, Housing, and Parks (PHP) Committee worksession is tentatively scheduled for June 15, 2023.

(20) **PUBLIC HEARING - [Bill 16-23, Landlord-Tenant Relations - Rent Stabilization \(The Home Act\)](#)**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on June 8, 2023. A PHP Committee worksession is tentatively scheduled for June 15, 2023.

WORKSESSION - Amendments to FY23-28 Capital Improvements Program (CIP)

Mr. Glass, Chair of the Transportation and Environment (TE) Committee, provided a summary review of the Committee's discussions on the CIP budgets below.

(21) • [WSSCWater FY24-29 CIP](#)

Mr. Levchenko, Senior Legislative Analyst, and Ms. Powell, General Manager and CEO, WSSCWater, participated in the discussion.

Mr. Friedson requested information regarding the maintenance of the Bradley Hills 1 and 2 Standpipes. He also requested that WSSCWater communicate project timeline changes to residents.

Approved the subject CIP, as submitted by the County Executive.
Ms. Fani-González was temporarily absent.

(22) • [Conservation of National Resources - Storm Drains](#)

Mr. Levchenko provided an overview of the subject CIP.

Approved the initial subject CIP, as submitted by the County Executive.
Ms. Fani-González was temporarily absent.

(23) • [Conservation of National Resources - Stormwater Management](#)

Mr. Levchenko provided an overview of the CIP, including an amendment submitted by the County Executive in February 2023. He stated that the TE Committee will review two additional amendments submitted by the County Executive on March 15, 2023.

Approved the subject CIP, as submitted by the County Executive.
Ms. Fani-González was temporarily absent.

(24) • [Recycling and Resource Management](#)

Approved the subject CIP, as submitted by the County Executive.
Ms. Fani-González was temporarily absent.

(25) • [Transportation](#)

Dr. Orlin, Senior Analyst, and Mr. Conklin, Director of the Department of Transportation (DOT), and Ms. Beck, Capital Budget Manager, Office of Management and Budget (OMB), participated in the discussion.

Mr. Glass noted the TE Committee's recommendation to reestablish funding for several transportation projects that were defunded in the FY23-28 CIP budget, as submitted by the County Executive.

Dr. Orlin provided a summary of the TE Committee's recommendations and Mr. Conklin noted that DOT expects that Phase 1 of the *Observation Drive Extended* project can begin in 2028, not 2029 as stated in the staff report.

Mr. Jawando requested an updated CIP gap analysis.

Approved the subject CIP, as recommended by the TE Committee.
Ms. Fani-González was temporarily absent.

(16) **CONSENT CALENDAR**

Approved the following consent calendar items listed below.
Mr. Jawando made the motion, which carried without objection.
Ms. Fani-González was temporarily absent.

- A. **Introduced** a Resolution to renew Council contract for audit services.
- B. Adopted **Resolution 20-93**, an extension of time until May 10, 2023, to approve Planning Board Regulation 25-22, Administrative Procedures for Development Review.
- C. **Introduced** a Special Appropriation to the County Government's FY23 Operating Budget, Children's Opportunity Fund Non-Departmental Account - \$200,000 (Source of Funds: General Fund Reserves); and Amendment to the FY23 Operating Budget, Resolution 19-1285, Section G, FY23 Designation of Entities for Non-Competitive Contract Award Status: Montgomery County Children's Opportunity Alliance.
A public hearing is scheduled for April 18, 2023, at 1:30 p.m.

- D. **Introduced** a Resolution in support of Montgomery County's Transgender Community.
- E. **Introduced** a Supplemental Appropriation to the County Government's FY23 Operating Budget, Leases Non-Departmental Account (NDA) - \$2,459,509 (Source of Funds: General Fund Undesignated Reserve). A public hearing is scheduled for April 18, 2023, at 1:30 p.m.
- F. **Introduced** a Supplemental Appropriation to the County Government's FY23 Operating Budget, Department of Health and Human Services, DHHS COVID-19 Emergency Response - \$15,909,513 (Source of Funds: General Fund Undesignated Reserves). A public hearing is scheduled for April 18, 2023, at 1:30 p.m.
- G. **Introduced** a Supplemental Appropriation to the County Government's FY23 Operating Budget, Department of Transportation, Transit Services - \$14,409,927 (Source of Funds: Mass Transit Fund Undesignated Reserves). A public hearing is scheduled for April 18, 2023, at 1:30 p.m.
- H. **Introduced** a Supplemental Appropriation to the County Government's FY23 Operating Budget, Utilities Non-Departmental Account (NDA) - \$8,286,672 (Source of Funds: General Fund Undesignated Reserves). A public hearing is scheduled for April 18, 2023, at 1:30 p.m.
- I. **Introduced** a Supplemental Appropriation to the County Government's FY23 Operating Budget, Non-Departmental Account Working Families Income Supplement - \$4,473,902 (Source of Funds: Federal Grant ARPA). A public hearing is scheduled for April 18, 2023, at 1:30 p.m.
- J. **Introduced** a Supplemental Appropriation to the County Government's FY23 Operating Budget, Office of Emergency Management and Homeland Security, COVID-19 FEMA Public Assistance Contract Support - \$465,000 (Source of Funds: General Funds Undesignated Reserves). A public hearing is scheduled for April 18, 2023, at 1:30 p.m.
- K. **Introduced** a Supplemental Appropriation to the County Government's FY23 Operating Budget, Montgomery County Fire and Rescue Service, General Personnel and Operating Costs - \$10,449,635 (Source of Funds: Undesignated Fire Fund Reserve). A public hearing is scheduled for April 18, 2023, at 1:30 p.m.
- L. **Introduced** a Supplemental Appropriation to the County Government's FY23 Operating Budget, Board of Elections General Fund - \$4,244,911 (Source of Funds: General Fund Undesignated Reserves). A public hearing is scheduled for April 18, 2023, at 1:30 p.m.

- M. **Introduced** a Resolution to establish Water Quality Protection Charge for FY24. A public hearing is scheduled for April 18, 2023, at 1:30 p.m.
- N. **Introduced** a Resolution to establish FY24 Solid Waste Service Charges. A public hearing is scheduled for April 18, 2023, at 1:30 p.m.
- O. **Introduced** an Amendment to the FY23-28 Capital Improvements Program and Supplemental Appropriation to the County Government's FY23 Capital Budget, Department of Health and Human Services, School-Based Health and Linkages to Learning Centers (No. 640400) for Greencastle ES LTL \$850,000 (Source of Funds: GO Funds). A public hearing is scheduled for April 18, 2023, at 1:30 p.m.
- P. **Introduced** a Special Appropriation to the County Government's FY23 Operating Budget, Department of Housing and Community Affairs, Homeowner Assistance Program - \$3,000,000 (Source of Funds: Federal Funds) and Amendment to the FY23 Operating Budget, Resolution 19-1285, Section G, FY23 Designation of Entities for Non-Competitive Contract Award Status: Montgomery Homeownership Program and Montgomery County Homeownership Assistance Fund. A public hearing is scheduled for April 18, 2023, at 1:30 p.m.
- Q. **Introduced** a Resolution to set FY24 Property Tax Credit for Income Tax Offset. A public hearing is scheduled for April 18, 2023, at 1:30 p.m.
- R. **Introduced** an amendment to the FY23-28 Capital Improvements Program and Supplemental Appropriation to the County Government's FY23 Capital Budget Department of Police, Public Safety Communications Center, Phase II, Electrical Distribution and HVAC Upgrade (No. 472102) - \$1,000,000 (Source of Funds: GO Bonds). A public hearing is scheduled for April 18, 2023, at 1:30 p.m.
- S. Adopted **Resolution 20-94** to approve a Memorandum of Agreement regarding Nurse Retention, between the Montgomery County Government and the United Food and Commercial Workers, Local 1994, Municipal and County Government Employees Organization (MCGEO), dated February 27, 2023.
- T. Adopted **Resolution 20-95**, confirming the County Executive's appointments to the Human Trafficking Prevention Committee: Cara Grant, Michael McAuliffe, Cynthia DeFriece, John Witherspoon, Rafiah Prince, Donna Rojas, Wendy Stickle, Marsha Liss, Lindsey Palardy.
- U. Adopted **Resolution 20-96**, confirming the County Executive's appointment to the Western Montgomery County Citizens Advisory Board: Brian Robinson.

- V. Adopted **Resolution 20-97**, confirming the County Executive's appointment to the Workforce Development Board: Conrad Samuels.
- W. Adopted **Resolution 20-98**, an amendment to the FY23-28 Capital Improvements Program and Supplemental Appropriation to the County Government's FY23 Capital Budget, Department of Transportation Streetlighting Project (No. P507055) \$250,000 (Source of Funds: State Aid).
- X. Adopted **Resolution 20-99** to extend the expiration date until May 2, 2024, for Council action on **Bill 40-21**, Individual Water Supply and Sewage Disposal Systems Amendments.
- Y. Approved of the County's FY24 Federal Priorities Letter to the Congressional Delegation.
- Z. Adopted **Resolution 20-100**, extending the Deadline for the Declaration of No Further Need - Disposition via Transfer of certain properties in the White Flint area, located in North Bethesda, Maryland to June 27, 2023.
- AA. Adopted **Resolution 20-101**, extending the Deadline for the Declaration of No Further Need - Disposition of Pepper Ridge Property in the Emory Grove area of Gaithersburg, Maryland to June 27, 2023.
- BB. **Introduced** a Special Appropriation to the County Government's FY23 Operating Budget, Department of Housing and Community Affairs, Design for Life - \$1,500,000 (Source of Funds: Federal Funds) and Amendment to the FY23 Operating Budget, Resolution 19-1285, Section G, FY23 Designation of Entities for Non-Competitive Contract Award Status: Habitat for Humanity Metro Maryland and Rebuilding Together Montgomery County. A public hearing is scheduled for April 18, 2023, at 1:30 p.m.
- CC. **Introduced** a Supplemental Appropriation to the County Government's FY23 Operating Budget, Department of Health and Human Services, Maryland School-Based Health Center Program Grant - \$1,525,975 (Source of Funds: State Funds). A public hearing is scheduled for April 18, 2023, at 1:30 p.m.
- DD. **Introduced** a Supplemental Appropriation to the County Government's FY23 Operating Budget, Department of Health and Human Services, Maryland Department of Health, Local Health Department Health Disparities - \$489,572 (Source of Funds: State Grant). A public hearing is scheduled for April 18, 2023, at 1:30 p.m.

- EE. **Introduced FY24 Transportation Fees, Charges, and Fares.**
A public hearing is scheduled for April 18, 2023, at 1:30 p.m.

The Council recessed at 4:30 p.m. and reconvened at 7:01 p.m.

Ms. Fani-González briefly joined the meeting virtually from Taipei, Taiwan, explaining that she is on an economic development mission. As such, Ms. Fani-González was not able to attend the two public hearings. Councilmembers Glass, Friedson, Albornoz, Balcombe, Jawando, Katz, Luedtke, Mink, Sayles, and Stewart were in attendance.

- (26) **PUBLIC HEARING - [Bill 15-23, Landlord-Tenant Relations - Anti Rent Gouging Protections](#)**


The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on June 8, 2023. A Planning, Housing, and Parks (PHP) Committee worksession is tentatively scheduled for June 15, 2023.

- (27) **PUBLIC HEARING - [Bill 16-23, Landlord-Tenant Relations - Rent Stabilization \(The Home Act\)](#)**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on June 8, 2023. A PHP Committee worksession is tentatively scheduled for June 15, 2023.

The meeting adjourned at 10:02 p.m.

This is a correct copy of Council action.



Sara R. Tenenbaum, Clerk of the Council

[[Expedited]] Bill No. 1-23
 Concerning: Property Tax Credit –
[[Elderly]] Individuals 65 and Above
and Retired Military Services
Members - Amendments
 Revised: 3/28/2023 Draft No. 4
 Introduced: January 17, 2023
 Enacted: March 28, 2023
 Executive: _____
 Effective: _____
 Sunset Date: None
 Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Katz

Co-Sponsors: Councilmembers Luedtke and Balcombe, Council Vice-President Friedson, Councilmembers Fani-González, Albornoz, and Jawando, Council President Glass, and Councilmembers Sayles, Mink, and Stewart

AN ACT to:

- (1) amend the property tax credit for certain **[[elderly]]** individuals 65 and above and retired military services members; and
- (2) generally amend the law regarding property tax credits.

By amending

Montgomery County Code
 Chapter 52, Taxation
 Section 52-110, Property Tax Credit – Elderly Individuals and Retired Military Services Members.

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><u>Double underlining</u></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 52-110 is amended as follows:

52-110. Property tax credit -- ~~[[elderly]]~~ individuals 65 and above and retired military services members.

* * *

(c) *Eligibility.* An individual is eligible to receive a property tax credit if:

- (1) (A) the individual is at least 65 years old;
- (B) the individual has lived in the same dwelling for at least the preceding 40 years; and
- (C) the dwelling for which a property tax credit is sought has a maximum assessed value of [~~\$650,000~~]\$700,000 at the time the individual first applied for the credit;
- (2) (A) the individual is at least 65 years old;
- (B) the individual is a retired member of the uniformed services of the United States as defined in 10 U.S.C. § 101, the military reserves, or the national guard; and
- (C) the dwelling for which a property tax credit is sought has a maximum assessed value of [~~\$500,000~~]\$550,000 at the time the individual first applied for the credit; or
- (3) (A) the individual is a surviving spouse of a retired member of the uniformed services of the United States as defined in 10 U.S.C. § 101, the military reserves, or the national guard;

(B) the surviving spouse is at least 65 years old; and

(C) the surviving spouse has not remarried.

(d) *Amount and duration of credit.*

(1) The credit allowed under this Section is 20% of the County property tax imposed on the dwelling.

(2) The credit must be granted each year for 7 years if the individual remains eligible for the credit.

* * *

(f) *Regulations.* The County Executive may issue regulations under Method 2 to administer this tax credit.

Sec. 2. Applicability. Section 52-110, as amended by Section 1 of this Act, takes effect on July 1, 2023.

Sec. 3. Application date. Notwithstanding Section 52-110(e), an individual must submit an application to the Director on or before September 1, 2023 if the individual seeks to receive the tax credit for Fiscal Year 2024.

Approved:

/s/ 3/29/2023
Evan Glass, President, County Council Date

Approved:

Marc Elrich, County Executive Date

This is a correct copy of Council action.

Judy Rupp, Clerk of the Council Date

Bill No. 7-23
 Concerning: Consumer Protection – Gasoline Station Signage
 Revised: 03/28/2023 Draft No. 5
 Introduced: February 7, 2023
 Enacted: March 28, 2023
 Executive: _____
 Effective: _____
 Sunset Date: _____
 Ch. _____, Laws of Mont. Co. _____

**COUNTY COUNCIL
 FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: Councilmember Albornoz
 Co-Sponsors: Councilmembers Katz, Stewart, Luedtke, Balcombe, Sayles, and Mink, Council Vice-President
 Friedson, Council President Glass, and Councilmember Jawando

AN ACT to:

- (1) define and prohibit certain deceptive trade practices by gasoline stations;
- (2) require the inclusion of certain supplemental information on state-required signage at gasoline stations; and
- (3) generally amend the law regarding deceptive, unfair, or unconscionable trade practices.

By amending

Montgomery County Code
 Chapter 11, Consumer Protection
 Section 11-4

By adding

Section 11-4C

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 11-4 is amended, and Section 11-4C is added, as follows:

11-4. Deceptive trade practices.

A merchant must not engage in a deceptive, unfair, or unconscionable trade practice, whether or not any specific consumer has, in fact, been misled, deceived, or damaged thereby. Deceptive, unfair, or unconscionable trade practices include:

* * *

- (y) taking payment for goods or services without delivering the goods or performing the services; [or] or
- (z) practicing, or in any way engaging in, any trade, occupation, or profession without a license, registration, certificate, or other evidence of training or experience required by law[; or
- (aa) a violation of Section 11-4C]].

11-4C. Gasoline Stations – Accurate Signage Required.

- (a) For purposes of this section, the following terms have the meanings indicated.
 - (1) Business Regulation Article means the Business Regulation Article of the Maryland Code, as amended.
 - (2) Credit price means the highest total amount, including any fees, payable to a gas station by a customer using a credit card or other non-cash form of payment, for one whole measurement unit of regular gasoline sold on the premises.
 - (3) Gasoline station means a merchant who sells motor fuel at retail under Section 10-315 of the Business Regulation Article.
- (b) A gasoline station must:
 - (1) comply with Section 10-315 of the Business Regulation Article;
and

- (2) if the gas station posts a sign under Section 10-315(e) of the Business Regulation Article, include within the sign additional pricing information required under subsection (c) of this Section.
- (c) A sign posted by a gas station under Section 10-315(e)(2) of the Business Regulation Article must include[[, clearly and visibly,]] the [[highest]] credit price.
- (d) If the lowest price under the Business Regulation Article and the credit price are the same, subsection (c) does not apply.
- (e) *Alternative method of compliance - subject to sunset.*

 - (1) This subsection must sunset and must have no further effect 7 years after this Section takes effect.
 - (2) Notwithstanding any other provision of this Section, a gas station may satisfy the requirements of subsections (b) and (c) of this Section if it posts, on a sign visible to motorists and separate from the sign required under Section 10-315(e) of the Business Regulation Article, the credit price.
 - (3) If a gas station posts the credit price under paragraph (2) of this subsection, the letters and numerals on the separate sign must appear in the same size and font as those used on the sign posted under Section 10-315(e) of the Business Regulation Article.

Sec. 2. Effective Date. This Act must take effect 6 months after it becomes law.

Sec. 3. Limited Sunset. Subsection (e) of Section 11-4C, added under Section 1 of this Act, must sunset and must have no further effect 7 years after this Act takes effect.

Approved:

/s/ 3/29/2023
Evan Glass, President, County Council Date

Approved:

Marc Elrich, County Executive Date
This is a correct copy of Council action.

Judy Rupp, Clerk of the Council Date

Bill No. 10-23
 Concerning: Health – Intellectual and
Developmental Disabilities
Commission - Established
 Revised: 03/21/23 Draft No. 4
 Introduced: February 14, 2023
 Enacted: March 28, 2023
 Executive: _____
 Effective: _____
 Sunset Date: None
 Ch. _____, Laws of Mont. Co. _____

**COUNTY COUNCIL
 FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsors: Councilmember Albornoz
 Co-Sponsors: Councilmembers Luedtke, Mink, Council Vice-President Friedson, Councilmembers
 Katz, Jawando, Sayles, Fani-González, Stewart, Council President Glass, and Councilmember
 Balcombe

AN ACT to:

- (1) establish an Intellectual and Developmental Disabilities Commission;
- (2) prescribe the membership and duties of the Commission;
- (3) provide for the staffing of the Commission; and
- (4) generally amend the law regarding the provision and coordination of services for individuals with intellectual and developmental disabilities in the County.

By adding

Montgomery County Code
 Chapter 24. Health and Sanitation
 Article X, Intellectual and Developmental Disabilities Commission
 Sections 24-71, 24-72, 24-73, 24-74, 24-75, and 24-76

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

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>

28 (H) economic self-sufficiency.

29 (b) Policy statement.

30 (1) Montgomery County is committed to creating an inclusive
31 community for people with IDD so that they are afforded every
32 opportunity to live a life of their choosing with the supports needed
33 to participate fully in the life of the County.

34 (2) It is the public policy of the County to:

35 (A) promote and initiate ongoing community input to support
36 the needs of individuals with intellectual and developmental
37 disabilities;

38 (B) improve communication about programs and services
39 among those with IDD and their families, advocates,
40 support staff, public and private agencies, and the general
41 public;

42 (C) identify service needs and inform decisions on services for
43 individuals with intellectual and developmental disabilities;
44 and

45 (D) work towards improving accessibility to services for
46 individuals with intellectual and developmental disabilities.

47 **24-72. Commission Established.**

48 There is an Intellectual and Developmental Disabilities Commission.

49 **24-73. Membership; appointment; terms.**

50 (a) The Commission consists of 19 voting members and 6 non-voting
51 members.

52 (b) The voting members are appointed by the County Executive, subject to
53 Council confirmation, and must include:

54 (1) 2 individuals with IDD;

- 55 (2) 9 family members, guardians, or support staff of individuals with
- 56 IDD;
- 57 (3) 7 individuals representing service providers or advocacy
- 58 organizations that [[supports]] support individuals with IDD; and
- 59 (4) 1 member of the Commission on People with Disabilities.
- 60 (c) The non-voting members are designees of the following agencies:
- 61 (1) Department of Health and Human Services;
- 62 (2) Department of Recreation;
- 63 (3) Montgomery County Public Schools;
- 64 (4) Montgomery College;
- 65 (5) WorkSource Montgomery; and
- 66 (6) Maryland Developmental Disabilities Administration.

67 **24-74. Duties.**

68 The Commission must:

- 69 (a) promote direct communication among families, support staff, private and
- 70 public organizations, and the general public regarding programs and
- 71 services for individuals with intellectual and developmental disabilities;
- 72 (b) institute and conduct educational and other programs, meetings, and
- 73 conferences to promote the welfare of individuals with intellectual and
- 74 developmental disabilities;
- 75 (c) cooperate with public and private agencies, departments, and
- 76 organizations that provide services and programs for individuals with
- 77 intellectual and developmental disabilities;
- 78 (d) advise the County Council and the County Executive on matters
- 79 involving the needs of individuals with intellectual and developmental
- 80 disabilities;

- 81 (e) review and report on current gaps in services, including issues of
- 82 childcare, education, discrimination, transition to adult services, resource
- 83 coordination, housing, transportation, employment, health care,
- 84 recreation, and recruitment of providers and direct support staff;
- 85 (f) prepare recommendations on best practices, innovations in service areas,
- 86 and information on costs associated with recommended programs and
- 87 services for individuals with IDD; [[and]]
- 88 (g) work with key organizations at the county and state level to best advance
- 89 the needs of [[county]] County residents with IDD; and
- 90 (h) advocate at the local, state, and federal levels to advance the needs of
- 91 individuals with IDD.

92 **24-75. Meetings; officers; compensation; reports.**

- 93 (a) Meetings. The Commission must meet at the call of the Commission
- 94 Chair and at least 6 times annually.
- 95 (b) Quorum. A majority of the voting members of the Commission
- 96 constitutes a quorum for the transaction of business.
- 97 (c) Officers. The Commission must elect from among its voting members a
- 98 Chair, Vice-Chair, Secretary, and other officers it deems appropriate.
- 99 (d) Compensation. A member must serve without compensation, but the
- 100 member may request reimbursement for mileage and dependent care
- 101 costs at rates established by the County.
- 102 (e) Annual report. The Commission must submit annually a report to the
- 103 County Executive and County Council summarizing its activities, needs,
- 104 recommendations and the degree to which the goals of the Commission
- 105 are being met.

106 **24-76. Staff support.**

107 The Department of Health and Human Services must provide the staff support,
108 including administrative and programmatic support, necessary for the
109 Commission to perform its duties.

Approved:

/s/ 3/29/2023

Evan Glass, President, County Council

Date

Approved:

Marc Elrich, County Executive

Date

This is a correct copy of Council action.

Judy Rupp, Clerk of the Council

Date