

T&E COMMITTEE #1
May 2, 2012

MEMORANDUM

April 30, 2012

TO: Transportation, Infrastructure, Energy & Environment Committee
FROM: ^{GO} Glenn Orlin, Deputy Council Staff Director
SUBJECT: FY13 Operating Budget: Parking District Funds;
FY13 transportation fees, charges, and fares—parking fees;
FY13-18 Capital Improvements Program—budget revisions and deferred items

Those anticipated to attend this worksession include:

Arthur Holmes, Jr., Director, Department of Transportation (DOT)
Edgar Gonzalez, Deputy Director for Transportation Policy, DOT
Al Roshdiah, Deputy Director, DOT
Rick Siebert, Acting Chief, Parking Management Division, DOT
Bill Selby, Chief, Management Services, DOT
Bruce Johnston, Chief, Division of Transportation Engineering, DOT
Holger Serrano, Engineering Services Specialist, Division of Transportation Engineering, DOT
Sogand Seirafi, Chief, Design Section, Division of Transportation Engineering, DOT
Brady Goldsmith, Budget Analyst, OMB

I. FY13 Operating Budget: Parking Lot District Funds

Overview. The Executive's recommendations for the Parking Lot District (PLD) Funds are attached on ©1-13. For FY13, the Executive recommends total expenditures of \$25,780,682 for the Parking Lot District Funds, a \$124,898 (0.5%) decrease from the FY12 approved budget. Operating budget FTEs would increase by a net of 0.79 (1.6%), to 48.79 FTEs; the only significant change is to add a fourth parking meter mechanic.

Security. The Executive's recommends exactly the same spending for parking garage and lot security as in FY12. All the security again will be provided by contract security guards, with the exception of 6,000 hours in the Silver Spring PLD, which will be provided by the Clean & Safe Team. Since the cost/hour for contract security has increased by about 3%, the number of annual patrol hours would be reduced by about 3%. This change is roughly the same across all the PLDs. A chart detailing the security in each district is on ©14.

Potential operational and customer service improvements. The Recommended Budget highlights three initiatives in FY13: (1) replacing the lighting in the public garages in Bethesda, Silver Spring, and Wheaton (funded in the Facility Renovation projects in the CIP); (2) continuing the development of an on-line system for renewing residential and monthly parking permits in addition to the current options of renewing by mail or in person at the parking sales stores in Bethesda and Silver Spring; and (3) piloting for 90 days 80 “smart meters” in Bethesda’s Woodmont Triangle, which will accept credit cards and provide real-time and historic occupancy data.

Councilmember Ervin requested information about several PLD matters, including ways the Division of Parking Management can become more user-friendly, such as renewing permits on-line (noted above), extending operating hours in the parking stores, issuing permits annually instead of monthly, etc. (©15-16, see especially the sixth bullet on ©16). DOT staff has been asked to brief the Committee on her points.

Council staff recommendation: Except for the expenditure and revenue changes noted in the next sections, concur with the Executive’s proposed Operating Budget for the PLDs.

II. Parking Fees and Hours in the PLDs

Fiscal health of the PLDs. Without infusion of revenue and/or major reductions in spending, all four PLDs project to worsening fiscal conditions over the next few years. A reasonable objective is to have each PLD’s end-of-year reserve be at or exceed 25% of resources in each year; in most cases the PLDs fall short of that objective (see the bottom row of the fiscal plans, which are on ©10-13). Several factors will contribute to this; they are noted below.

The operating and maintenance budget of each PLD is growing slowly, but inexorably. Salaries, benefits, and the costs of contract labor and materials are projected to rise, and as more facilities are opened they will need to be operated and maintained as well. The indirect cost payments to the General Fund, which pays for the assistance provided by OHR, Procurement, and the County Attorney, will also increase steadily.

Inter-fund transfers from the PLDs to their respective Urban Districts are displayed as holding steady in Silver Spring’s and Wheaton’s respective fiscal plans, but this likely will not be sustained: under the current structure of the Charter’s property tax cap, there will always be pressure to fund at least the same share of Urban District expenses from PLD transfers, if not a larger share. (Council staff continues to advocate a Charter amendment exempting PLDs and Urban Districts from the cap’s calculation, or converting the PLD and Urban District property taxes to per-square-foot excise taxes.) The rising Urban District transfer in Bethesda is more indicative of what the future will hold for Silver Spring and Wheaton. The fiscal situation in Montgomery Hills is so poor that the Executive is recommending ceasing its transfer to the General Fund for urban district-type streetscape maintenance starting in FY13 and continuing indefinitely.

Revenue from fines have dropped somewhat in reaction to the higher fines instituted in the last two years, resulting in more compliance, and the wider use of pay-by-cellphone, allowing a parker to

pay for extra time while at a remote location—at a restaurant, for example. Fine revenue is now expected to stabilize at this lower level for the foreseeable future.

For the past two years the Executive's policy has been to transfer 100% of the fine revenue collected in the PLDs to the Mass Transit Fund. However, the policy is flexible: if a PLD needs some of the fine revenue, the Executive may choose to retain part or all of it for that PLD. In some respects, this is the "canary in a coal mine": a measure of a PLD's fiscal health. In the Silver Spring PLD, for example, the Executive proposes continuing the 100% transfer throughout the six years of the fiscal plan. In Bethesda, the proposal is to keep it at 100% through FY14, but then drop it to 75% starting in FY15. In Wheaton, the proposal is to transfer 40% in FY13, but then drop it to 30% starting in FY15. Finally, in Montgomery Hills, the proposal is to zero out the transfer altogether starting in FY13.

These factors, therefore, provide the context for the Executive's recommendations to increase long-term parking fees in Silver Spring and Bethesda, and to increase enforcement hours in Silver Spring, Bethesda, and Wheaton. These, and other proposals, are described and analyzed in the next section.

Proposals for the PLDs. On March 19, 2012 the Executive submitted his FY13 Operating Budget predicated on the following actions:

- In the Bethesda Parking Lot District (PLD): raising the fee for long-term parking from \$0.75/hour to \$0.85/hour, the monthly pass from \$140 to \$160, and the associated daily and carpool passes, effective July 1, 2012; and expanding enforcement hours to Saturday, effective October 1, 2012.
- In the Silver Spring PLD: raising the fee for long-term parking from \$0.60/hour to \$0.70/hour, the monthly pass from \$113 to \$132, and the associated daily and carpool passes, effective January 1, 2013; and expanding enforcement hours to Saturdays and to 7 pm Monday-Saturday, effective October 1, 2012.
- In the Wheaton PLD: expanding parking enforcement hours until 10 pm in lots and at on-street metered spaces, effective July 1, 2012.

In addition, some Councilmembers wished to solicit for public comment the following potential changes:

- In the Silver Spring PLD: expanding enforcement hours to 10 pm, effective October 1, 2012.
- In the Wheaton PLD: raising the fee for short-term and long-term parking from \$0.50/hour to \$0.60/hour, and the monthly pass from \$95 to \$113, effective July 1, 2012.
- Establishing a Resident Permit for each of the PLDs at a discounted rate from the respective Parking Convenience Sticker.

On April 24 the Council heard testimony on the resolution, and it has received some correspondence as well. Both the Silver Spring and Bethesda Chambers of Commerce oppose the increases in their respective PLDs, as does Peterson Management (©17-21). The Silver Spring Chamber and Peterson particularly object to the expansion of enforcement hours to Saturdays and into the evenings. The Chambers recommend several alternatives, including: raising the short-term (4 hours or less) rates by up to 50%, soliciting advertising in the garages, allowing vending machines, and licensing

private ventures to offer services such as car detailing, windshield repair, etc. Each proposal is addressed below.

Silver Spring PLD. The Executive's proposed increase in the long-term (more than 4 hours) meter rate, monthly rate, and associated daily and carpool passes is the second step of his three-step plan to bring parity with short-term by FY14. The first step was implemented this past January, which raised the hourly rate by 10¢/hour to 60¢/hour, and \$18/month to \$113/month. The second step, which is virtually the same increase again, would raise the rates to 70¢/hour and to \$132/month. This increase would generate \$354,350 more revenue in FY13, offset by a one-time cost of \$2,400 to change-out the meters' rate plates, for a net revenue of \$351,950 in FY13. In FY14, and every year thereafter, the rate increase would generate \$708,700 more annually.

A rate of 70¢/hour still would be less than in nearby urban jurisdictions. In the District of Columbia, the rate is \$2.00/hour in the busiest commercial districts; elsewhere it is 75¢/hour. In Arlington the long-term (over 4 hours) rate is \$1.00/hour. In Alexandria the rate varies from \$1.25-1.75/hour. In Rockville the rate is \$1.00/hour. And, of course, in Bethesda the rate is currently 75¢/hour and proposed to be raised to 85¢/hour. The long-term rate primarily affects commuters, not shoppers and others frequenting businesses in Silver Spring. The County's long-standing objective has been to increase the peak-period non-auto-driver mode share of commuters to its business districts. Raising the long-term parking rates is among the most effective means to achieve it.

Raising the short-term rates, however, does not contribute to this objective. Furthermore, it would hurt small businesses in attracting customers, especially since there are many alternative locations where short-term parking is provided free of charge. The Chambers' other ideas—advertising and licensing private ventures in the garages—are definitely worth pursuing, and are entirely appropriate considering that the PLDs, by their very classification, are “enterprise” funds. However, it will take some time to arrange for such enterprises, and so the Council should not presume a specific amount of revenue as part of the FY13 budget.

At this time Council staff does not advise expanding enforcement hours in Silver Spring to weekday evenings and Saturdays. The key is that, by a lease agreement with the Maryland Economic Development Corporation (MEDCO), the Town Center garages on Wayne and Ellsworth Avenues has a built-in 10-year restriction on expanding its charging hours to nights (after 6 pm) and weekends. As long as this restriction is in effect, expanding hours there is not possible, and expanding them elsewhere would raise equity concerns elsewhere in the Silver Spring CBD. We know this from real experience: in May 2007 the Council unanimously extended charging hours to evenings and Saturdays everywhere in Silver Spring except the two Town Center garages; the blowback was strong enough that the Council unanimously reversed its decision in July 2007, just before the charges went into effect.

The MEDCO agreement was executed in the fall of 2002, which led the Executive Branch to believe that the term of the restriction would expire in the fall of 2012. However, a further review of the agreement suggests that the *start* of the term is unclear. While legal interpretations might differ, the common sense interpretation is that the term would start only once the garages actually opened for customers, which was on May 7, 2004. This suggests that, if the County wished to expand the enforcement hours in the Town Center garages—and, by extension, to elsewhere in Silver Spring—that the expansion should be postponed until at least May 7, 2014, that is, near the end of FY14.

The Executive's budget assumes \$675,000 in revenue in FY13 associated with expanding enforcement hours, offset by \$115,160 in the cost of enforcement and collection of this revenue, yielding a net revenue of \$559,840 in FY13. Starting in FY14 and every year thereafter, the net revenue would be \$746,436 annually. Without assuming expanding hours in Silver Spring, therefore, the fiscal picture in FY13 and subsequently would decline somewhat. Fortunately, however, the Silver Spring PLD is in relatively good fiscal shape for the next couple of years. Reducing this revenue would reduce Silver Spring PLD Fiscal Plan's End-of-Year Reserves/Resources ratio of 40.7% by about 2% in FY13. In subsequent years the ratio would drop by about another 6% more in every succeeding year: to about 32% in FY14, to about 28% in FY15, to about 23% in FY16; to about 17% in FY17; and to about 11% in FY18. Remember that these figures still assume the third step of the long-term rate increase: another nickel/hour (to 75¢/hour) and \$8/month (\$140/month) in January 2014. Therefore, expanding hours to Saturdays and weeknights is just a matter of time, perhaps in a few years. But now is not the time.

Council staff recommendation: For the Silver Spring PLD, concur with the Executive's proposed long-term rate increase from \$0.60/hour to \$0.70/hour, the monthly pass from \$113 to \$132, and the associated daily and carpool passes, effective January 1, 2013. Do not expand enforcement hours to Saturdays and to 7 pm Monday-Saturday, effective October 1, 2012; reduce expenditure (operating expense) by \$115,160 and revenue by \$675,000.

Discovery lease. Earlier this year the County negotiated a draft lease with Discovery Communications, Inc. (DCI) to allow it to reserve 300 specific parking spaces in the Kennett Street Garage (Garage 9) in South Silver Spring, which is connected by a pedestrian bridge over Kennett Street to DCI's building. The draft lease allows DCI to gate off these spaces at all times. The spaces would be on three middle levels; the top level, which is not covered, would be accessible to the public with smart cards that would open the gates at each end. DCI would pay the PLD rent of \$180,000 annually through March 2015 and \$240,000 annually for the next 10 years, through March 2025. DCI would also be responsible for security and routine maintenance for the spaces it would be renting, with the exception of any elevator maintenance. The draft lease was negotiated with the intent of securing DCI's presence in Silver Spring and Montgomery County for the long term. The draft lease is on ©22-40.

Nearby residents in South Silver Spring have expressed objection to the terms of the lease, especially the unavailability of the 300 spaces to residents on weekends (as well as to those attending places of worship nearby in both Maryland and the District of Columbia who regularly use this garage on weekends), the relative inaccessibility of the top level of the garage, and the effective subsidy provided to DCI commuters but not to residents.

Recently DOT has had communications with DCI about the terms of this lease, which, at this writing, has not yet been executed. DOT will give a status report at the meeting.

Resident permit. A related issue is the desire of many residents in South Silver Spring for a less expensive monthly permit to park in public spaces. The testimony from Jebby Rasputnis and Melissa Kaufman Stein are representative of their concerns (©41-42). Their assertion, which is widely shared among the condominium owners in this portion of Silver Spring, is that they are "double-taxed": in addition to paying the Parking District Tax, the monthly permit of \$113 (a 19% increase) that went into effect this past January is too high—and the \$132 cost proposed for January 2013 is much too high. Both Councilmembers Leventhal and Ervin have encouraged exploring a discounted Resident Permit.

DOT currently does not have a means for tracking and analyzing permit sales (as noted earlier, it is developing the means), but it has calculated that among those permit purchasers that stated that their home zip code is 20910: the greater Silver Spring area. (This could be a rough proxy to estimate the number of Silver Spring CBD residents using the permit, since few would be commuting by car from a short distance away.) The number of Silver Spring monthly permits from zip code 20910 declined from 1,047 in December 2011 (before the rate increase) to 940 in March 2012 (after the 19% price increase). This represents a 10% decline in permits sold subsequent to a 19% increase in their cost. Overnight AM/PM permits increased from 33 to 45, suggesting that a few of those relinquishing their permit may be opting for the overnight permit instead.

The way the Parking Lot Districts have worked for more than 65 years is that a building within a PLD must own or maintain sufficient parking as defined by the Zoning Ordinance or, alternatively, it can pay the Parking Lot District tax and have the County provide and maintain it in public lots and garages. The theory, which has been borne out over the years, is that it is much more efficient (i.e., less costly, as well as less land-consuming) for the County to provide shared parking in lots and garages than for every building to provide its own separate parking facility. Many of the condominiums in South Silver Spring chose not to provide and maintain their own parking, each casting its lot with the parking district tax/monthly permit approach: the “double tax.”

If a rental building is providing its own parking facility, the funds needed to amortize the loan needed to build the parking facility (as well as the building itself) is implicitly built into the monthly rental price. For a condominium where parking is not provided, however, each owner is explicitly paying the Parking Lot District tax (which, unlike rent, is tax deductible). The monthly parking fee paid by a renter for a parking space in the building’s garage can be compared to what an owner of a condominium without parking would pay for a monthly parking permit, since both are paying largely for the regular operation and maintenance of their respective garages.

But the question remains, is the current \$113 rate and proposed \$132 rate too high? A sample of other apartments suggests that the PLD currently charges in the middle of the range:

<u>Residence</u>	<u>Monthly Charge</u>
Gramax	\$135
1200 East West	\$125
Solaire	\$125
The Veridian	\$125
The Bennington	\$115
Silver Spring PLD	\$113
Lenox Park	\$110
Galaxy	\$100
Cole Spring Plaza	\$100
Colesville Towers	\$100
Silver Spring Towers	\$85
Twin Towers	\$85
Georgian	\$85-125
The Blairs	\$75-105

Should the Council establish a Resident Pass, it should be piloted in a single parking facility: one that is currently underutilized, such as the Kennett Street Garage (Garage 9). If the Council were to set the Resident Permit at, say \$95/month (the rate prior to the January 2012 increase), and if the Executive's long-term and monthly rate increase is approved, then each current permit holder would pay \$330 less to the Silver Spring PLD in FY13. If 100 persons were to avail themselves of this option, this would cost the PLD as much as \$33,000 in FY13. This would be a minor impact, and would be even less of a drain if some residents buy permits who aren't buying them now. But it would be easy to see that if such a program were expanded throughout Silver Spring—and especially to all the PLDs—that it could siphon off considerable resources.

Council staff recommendation: Establish a \$95/month Resident Permit good only for the underutilized Garage 9, limiting its sale to residents in the area bounded by Blair Mill Road, Georgia Avenue, and Eastern Avenue. Run the pilot for 21 months, starting in October 1, 2012 and ending in June 30, 2014. Assume \$33,000 less revenue in FY13. By the fall of 2013 DOT should begin to have enough data to make a recommendation either to expand or eliminate the Resident Pass for the Executive's FY15 Recommended Operating Budget, and the new policy (whatever it is) would go into effect July 1, 2014.

Bethesda PLD. As for Silver Spring, the Executive's proposed increase in the long-term meter rate, monthly rate, and associated daily and carpool passes in the Bethesda PLD is the second step of his three-step plan to bring parity with short-term rates by FY14. The first step was implemented last July, which raised the hourly rate by 10¢/hour to 75¢/hour, and \$20/month to \$140/month. The second step, which is virtually the same increase again, would raise the hourly rate to 85¢/hour and to \$160/month. This increase would generate \$569,500 more revenue in FY13, offset by a one-time cost of \$1,100 to change-out the meters' rate plates, for a net revenue of \$568,400 in FY13. In FY14 and every year thereafter, the rate increase would generate \$569,500 more annually.

The Executive also is again recommending expanding the charging hours to Saturdays from 7 am to 10 pm in lots and garages in the Bethesda PLD (effective October 1, 2012), the same charging hours currently in effect on weekdays. The Executive's budget assumes \$736,000 in revenue in FY13 associated with expanding enforcement hours to Saturdays, offset by \$175,300 in the cost of enforcement and collection of this revenue, for a net revenue of \$560,700 in FY13. Starting in FY14 and every year thereafter, the net revenue would be \$747,413 annually. Over the FY13-18 period, this translates to \$4,297,765 in additional revenue that is built into the Executive's Fiscal Plan for the Bethesda PLD.

The legal and equity questions evident for the Silver Spring PLD are not posed in Bethesda. Nevertheless, Council staff does not believe there is the need to expand enforcement hours in the Bethesda PLD in FY13. There is an alternative for generating the nearly \$4.3 million in additional revenue.

First of all, while the Executive's Recommended Budget accounts for the debt service savings associated with the lower-cost Garage 31 tentatively approved by the Council (a 4-level, 940 space garage rather than the earlier plans for a 5-level, 1,100-space facility), it does not account for the further debt service savings associated with re-funding an earlier bond issue. The Executive Branch calculates that these savings will amount to \$1,887,920 over the FY13-18 period.

The balance of about \$2.4 million can be generated by raising Bethesda PLD tax. For decades the tax rate for real improved property was set at 28.0¢/\$100 valuation.¹ For FY10, however, the rate was reduced to 18.0¢ in order to raise the Mass Transit Fund slightly to restore most of the Executive's recommended Ride On service cuts that year. For FY11 the Council adopted the same strategy for the same reason, reducing the Bethesda PLD's rate down to 10.4¢. For FY13 the Executive does not recommend raising the aggregate County property tax to the Charter limit; in fact his proposal would fall about \$26 million short of the cap. The Bethesda PLD tax rate could be raised by 2.0¢—to 12.4¢, still well below the historic level of 28.0¢—to generate the \$2.4 million balance over the next six years.

Council staff recommendation: For the Bethesda PLD, concur with the Executive's proposed long-term rate increase from \$0.75/hour to \$0.85/hour, the monthly pass from \$140 to \$160, and the associated daily and carpool passes, effective July 1, 2012. Do not expand enforcement hours to Saturdays, effective October 1, 2012; reduce expenditure (operating expense) by \$175,300 and revenue by \$736,000. Increase the real improved property tax rate by 2.0¢/\$100 (to 12.4¢/\$100) and the other associated tax rates proportionately. This would use only about \$425,000 of the \$26 million space under the Charter's property tax cap.

Wheaton PLD. In the Wheaton CBD, fees are currently charged both on-street and in public lots from 9 am until 6 pm, Mondays through Saturdays (Wheaton is the only PLD where fees are charged in public lots on Saturdays), and 9 am until 6 pm Mondays through Fridays in the Amherst Avenue Garage (Garage 45). The rates are currently 50.0¢/hour for both long- and short-term spaces, and \$95 for a monthly permit. The rates were last raised four years ago.

Because of the poor fiscal condition of this PLD, the Executive is recommending extending the charging hours on-street and in lots from 6 pm until 10 pm, Mondays through Saturdays, to go into effect in July. (The charging hours in Garage 45 would *not* be extended.) His recommendation would increase revenue by \$271,500 annually, offset by a one-time cost of \$300 to change the rate plates and a \$60,560 annual cost for maintenance and enforcement. Thus the net increase in revenue to the PLD would be \$210,640 in FY13 and \$210,940 in subsequent years. However, even with this increase, the End-of-Year Reserves/Resources would still fall below 25% in FY13, dropping all the way down to 2.6% by FY18.

The Council also advertised the potential for raising the fees by 10.0¢/hour to 60.0¢/hour, and raising the monthly pass by \$18, from \$95 to \$113. DOT estimates this would raise an additional \$132,800 annually with no additional cost. Together with the Executive's proposed expansion of hours this would make the Wheaton PLD truly healthy again, allowing it in later years to make a more than minimal contribution to its Urban District, and more of its fine revenue to flow to the Mass Transit Fund.

Council staff recommendation: Concur with the Executive's recommendation to extend charging hours to 10 pm on-street and in lots, and increase the hourly rate from \$0.50 to \$0.60, the monthly pass from \$95 to \$113, and the associated daily and carpool passes, effective July 1, 2012, adding \$132,800 in revenue above the Executive's assumption.

¹ The tax rate for unimproved real property has always been set at half the rate of improved real property. The personal property rate has been set at 2½ times the associated real property rate. This is the same across all PLDs.

Montgomery Hills PLD. This is by far the smallest PLD, consisting of only two parking lots with 103 spaces, plus 26 on-street spaces. Its rate is also by far the lowest among the PLDs, charging 25.0¢/hour at both short- and long-term meters, and \$45 for a monthly permit. The last time the rates were increased was in 2007.

The fiscal condition of the Montgomery Hills PLD is the most dire. The Fiscal Plan on ©11 shows the End-of-Year Reserves/Resources share dropping below 25% by FY15 and plummeting to almost 0 by FY18—and this is already assuming retaining all fine revenue within the PLD (i.e., none of it transferred to the Mass Transit Fund) and suspending all streetscape maintenance funding starting in FY13, as noted above. The tax rate of 24.0¢/\$100 is the same as Silver Spring's, neither of which has changed in decades. This is already high, especially since as assessments have generally increased over the decades, the tax rates have not been adjusted down, as has the General Fund property tax rate.

The best prospect to make this PLD healthy again is to raise the parking fee—doubling it to 50.0¢/hour and \$95/month (the same as Wheaton now) would not be inappropriate. This would allow the streetscape maintenance funds to be restored, but probably not the transfer of fine revenue to the Mass Transit Fund. The Council should double it, but since this was not included in the public hearing advertisement, Council staff recommends not enacting it now. Instead the Council should signal its intent to raise it in July 2013 by including revenue from such an increase (\$27,000 more annually) in the Fiscal Plan, starting in FY14. (As noted above, the Bethesda and Silver Spring PLD Fiscal Plans already include assumptions of rate increases in FY14.) By doing so, the PLD could continue to transfer funds to the Regional Service Center budget to pay for streetscape maintenance, including in FY13. An \$18,000 transfer would be a 2% increase over the \$17,640 transferred in FY12.

Council staff recommendation: Transfer \$18,000 in FY13 from the Montgomery Hills PLD to the Regional Service Center budget for streetscape maintenance in Montgomery Hills. Revise its Fiscal Plan to show \$27,000 more in revenue in FY14 and every year thereafter due to a planned rate increase to 50.0¢/hour and \$95/month in July 2013.

III. Parking outside of the PLDs

For several years the County has charged for parking in North Bethesda, both in White Flint and Rock Spring Park. The rates there have been set equal to those in Silver Spring: higher than in Wheaton and Montgomery Hills, but lower than Bethesda and Rockville. Furthermore, in each of the last two years DOT has been urged to explore opportunities to expand paid parking elsewhere in Montgomery County. The County Government already has authority to install meters on any street, lot, or garage owned by the County. Parking charges are not only an untapped source of revenue—they also present an incentive for transit and ridesharing. The cost of acquiring and installing meters is modest and can be recouped relatively quickly once implemented.

Bethesda CBD Sector Plan Area. This July DOT plans to install 171 parking meters on certain streets that lie outside the Bethesda PLD, but within the Bethesda CBD Sector Plan boundary: 100 meters on Bradley Boulevard, 28 on Chevy Chase Drive, 17 on Offutt Lane (©43) and 26 on Battery Lane (©44). DOT has noted that visitors to Bethesda are using these free on-street spaces just outside the PLD's boundary and thus evading its fees. Because these spaces are outside of the PLD, the

Executive has assumed the “Outside the PLD” rates in his revenue estimate of \$67,331 annually. The revenue had been inadvertently left out of the Recommended Operating Budget in March, but it is now recognized in his April 26 recommended Budget Adjustments.

The annual operating cost of maintaining these meters and collecting revenue is \$32,172. In addition, the meters would be “bought” from the Silver Spring PLD, which has excess meters in storage from discontinued lots: the cost would be \$64,758. The Executive’s plan is for the payback to the Silver Spring PLD to occur over two years: \$32,379 each in FY13 and FY14. Thus, his proposal would generate a net income to the General Fund of \$2,780 in FY13 and in FY14, but \$32,586 annually thereafter. Furthermore, the Silver Spring PLD would include two cash infusions of \$32,379 (in FY13 and FY14). These assumptions are all included in the Executive’s recommended budgets for the General Fund and the Silver Spring PLD.

Since these spaces are adjacent to the Bethesda PLD, the Bethesda PLD rates should apply to them. The same is true for the spaces in the Bethesda Library, which are set at the “Outside PLD” rate. The library’s lot sits literally across the street from the PLD boundary, but within the Sector Plan area. DOT estimates that, using the Executive’s proposed rates for the Bethesda PLD, that the revenue estimate from the 171 new meters and the Bethesda Library lot would increase by another \$30,000 (to \$97,331), generating a net revenue of \$32,780 to the General Fund.

The B-CC Chamber suggested that if the meters are placed on these streets that the County should look into expanding the boundary of the PLD so that the revenue would flow to the Bethesda PLD, not the General Fund. Council staff would not object to exploring this idea over the next year, but expanding the boundary has wider implications. For example, it becomes an area where the Bethesda PLD parking tax would go into effect for businesses and residences not providing their County Code required parking. It also stretches the area for which the PLD would be required to provide parking. So such an expansion should be approached cautiously.

Council staff recommendation: Concur with the Executive’s recommended expenditure. Amend the fee resolution so that the “Bethesda Parking Lot District” section is re-named “Bethesda Parking Lot District and Bethesda CBD Sector Plan Area,” thus increasing assumed revenue to the General Fund by \$32,780.

“Area Outside PLDs” rates. Since the rates in North Bethesda have been pegged to the Silver Spring PLD, and since the Executive has recommended an increase to Silver Spring’s long-term and monthly rates, then the rates should increase commensurately. For the April 24 public hearing the Council advertised the higher rates, to go into effect in July. DOT estimates that this would generate \$33,690 more annually in revenue, offset by a one-time cost of \$1,750 to change the rate plates, for a net revenue of \$31,940.

At the hearing the B-CC Chamber noted that if the rate is increased, it should not go into effect until January 2013, since the last increase was implemented just this past January. Council staff agrees. Therefore, the added revenue in FY13 from this increase would be \$16,845.

Council staff recommendation: Raise the long-term rate in “Areas Outside Parking Lot Districts” to 70¢/hour and to \$132/month in January 2013; add expenditure of \$1,750 (operating

expense) and additional revenue of \$16,845, both to the Mass Transit Fund. Add a note to the resolution that “Areas Outside Parking Lot Districts” does not include the Bethesda CBD Sector Plan Area.

Cedar Lane. At Council staff’s request DOT identified two other areas where installing on-street meters would be appropriate. One is along the south side of Cedar Lane between Old Georgetown Road and Rockville Pike, abutting the National Institutes of Health. DOT estimates that 90 metered spaces could be located there. The meters would be purchased from the Silver Spring PLD. The one-time capital cost of the meters is \$34,080. The estimated annual operating costs are \$27,400. The estimated annual revenue is \$51,640.

If the Council elects to pursue this initiative, it should be implemented in January 2013. Therefore, the FY13 operating budget for the DOT General Fund would require an increase of \$13,700 for six months of operating costs and estimated revenue of \$25,820 for six months of operation. A transfer of \$12,120 will need to be made from the General Fund to the Silver Spring PLD to partially pay the capital costs, resulting in no net impact to the General Fund in FY13. In FY14 the estimated revenue would be \$51,640 with operating costs of \$27,400 (not assuming inflation or increased rates). A transfer to the Silver Spring PLD should be made for \$21,960 to complete the purchase of the meters, resulting in a small net revenue of \$2,280 to the General Fund in FY14. By FY15 these meters would generate a net revenue of \$24,240 annually.

Council staff recommendation: Assume that 90 metered spaces will be installed along the south side of Cedar Lane between Old Georgetown Road and Rockville Pike by January 2013; for the General Fund, add \$13,700 expenditure (operating expense), transfer \$12,120 to the Silver Spring PLD, and assume \$25,820 in added revenue.

Greater Shady Grove Transportation Management District. DOT has identified a total of 292 potential new meter locations in the Life Science Center area of this TMD. Used meters could be purchased from the Bethesda PLD at a reduced rate. The one-time capital cost of the meters (installed) is \$110,580. The estimated annual operating cost to collect, enforce and maintain the meters would be \$61,400. The annual estimated revenue, based on the “Areas Outside PLDs” rate, is \$137,970.

Once again, if the Council elects to pursue this initiative, it should be implemented in January 2013. Therefore, the FY13 operating budget would require an appropriation increase in the Mass Transit Fund of \$30,700 for six months of operating costs and estimated revenue of \$68,980 for six months of operation in the Mass Transit Fund (since these meters will be within the Shady Grove TMD). A transfer of \$38,280 would need to be made from the Mass Transit Fund to the Bethesda PLD to partially pay the capital costs, resulting in no net impact to the Mass Transit Fund in FY13. In FY14 estimated revenue should be \$137,970 with operating costs of \$61,400 (not assuming inflation or increased rates). A transfer to the Bethesda PLD should be made for \$72,300 to complete the purchase of the meters, resulting in a small net revenue of \$4,270 to the Mass Transit Fund in FY14. By FY15 these meters would generate a net revenue of \$76,570 annually for use by the TMD.

Council staff recommendation: Assume that 292 metered spaces will be installed along the streets in the Life Science Center by January 2013; for the Mass Transit Fund, add \$30,700

expenditure (operating expense), transfer \$38,280 to the Bethesda PLD, and assume \$68,980 in added revenue.

Residential parking permit fee. The current fee for a residential parking permit is \$35 biennially (i.e., the permit is good for two years). The last time the fee was raised was three years ago, when the Council increased it from \$30 to \$35.

The Council advertised the potential of raising the biennial fee to as high as \$45. An increase to \$45 would generate \$63,160 annually to the General Fund. The Council received no testimony on this potential increase at the April 24 public hearing.

Council staff recommendation: Raise the cost of the biennial fee to \$40, adding \$31,580 to the General Fund. An increase to \$45 would be a 28.6% increase, or nearly 9%/year since the last increase three years ago. An increase to \$40 would be a 14.3% increase, or about 4.5%/year, closer to the rate of inflation over that period.

IV. FY13-18 CIP: budget adjustments and deferred projects

Silver Spring Transit Center (©45-46). On Friday, April 27 the Council received the Executive's request to revise his Recommended CIP to increase the cost of this project by \$10,611,000. Council staff posed the following questions; the responses from DGS and OMB are in *italics*:

- Why is the cost increase related to different soil and utility conditions being addressed just now? Wouldn't we have known about this no later than when excavation was underway, in 2009? *The previous supplemental appropriation request included additional funding for soil and utility conditions which were discovered earlier, such as additional caisson work. However, site and utility work continued through FY12. Significant changes were required for site and utility conditions found in the last year for work done in and alongside Colesville Road. Also, the contractor has not always been timely in submitting and revising change orders; the final costs of some previous changes were higher than originally estimated. What part of the \$7.4 million Direct Change Cost is associated with this? Approximately \$1 million.*
- What were the scope changes, especially the unanticipated changes needed to meet WMATA requirements? What were the costs associated with this? *WMATA has its own design criteria which are incorporated into the written agreement between the County and WMATA (and which the Architect/Engineer was directed to follow in its design). Although WMATA reviewed the design documents prior to bidding, many WMATA requirements have been discovered to have been missed in the documents. These, and other Architect/Engineer errors and omissions, account for the vast majority (~\$5 million) of the Direct Change cost Changes which have occurred on the project in the last year or so.*
- If the Delay Cost is for 9 months, then when is it now expected that the Center will be finished? Is it March/April 2013? *The existing approved PDF indicates completion in December 2011. The nine-month extension moves completion to September 2012 (as noted on PDF). Note that this time extension does not account for any extensive required re-work due to the concrete slab issue.*

- What are the costs associated with each category of Delay Cost? (1) architecture/engineer construction administration; (2) inspections; (3) office rental; (4) Van-Go; (5) the Interim Operations Site; (6) other (if any).
 - *A/E:* \$400,000
 - *County Staff Costs (including costs of Police, Ride-on, etc. to maintain Interim Operating Site):* \$675,000
 - *Inspections:* \$450,000
 - *Office Rental:* \$105,000
 - *Van-Go:* \$198,000
 - *Charge to PLD for use of Parking Spaces:* \$63,000
 - *IOS (included in costs above)*
 - *Contractor Delay Costs:* \$1,300,000 (costs for continued site presence)
- It is understandable that the contractor is not responsible for the Direct Change Costs. But aren't the Delay Costs due to the concrete problem? If so, why isn't the contractor responsible for all of the Delay Costs, or at least some of them? *As noted on the last sentence of the "Cost Change" section of the PDF, this supplemental funding request does **not** include any funds for the repair of the concrete slab issue. The Contractor has submitted Notices that it is their opinion that all of the nine-month delay is the result of the numerous Changes on the project and that they are entitled to compensation for such.*
- How could the Federal aid go up by \$4,060,000 and the State aid by \$300,000? Did we get additional grants lately? *Changes to Federal and State Aid are adjustments to match the figures in the original grant agreement.*
- What is the \$868,000 in Contributions for, and what is the source? *The \$868,000 represents contributions from WSSC for utility relocation.*
- Please give us your latest projections for transportation impact tax revenue in FY12 showing that we have the funds to add the \$3,265,000. *Current projection for all FY12 Impact Taxes is \$14.5 million.*
- From which project(s) is the \$2,118,000 transfer coming from, and why are these funds now available to be transferred from it/them?

<i>Project Name</i>	<i>Transfer Amount</i>
<i>Brookville Service Park - Part II</i>	<i>\$1,000,000</i>
<i>State Highway Noise Abatement</i>	<i>\$624,900</i>
<i>Conference Center Intersection Improvements</i>	<i>\$139,000</i>
<i>Jones Bridge Rd @ Rockville Pike</i>	<i>\$88,500</i>
<i>Wisteria Drive Streetlighting</i>	<i>\$80,000</i>
<i>Brink Road Bridge (M-63)</i>	<i>\$77,780</i>
<i>Friendship Heights Pedestrian</i>	<i>\$39,600</i>
<i>Randolph Rd from Rock Creek to Charles Rd</i>	<i>\$27,300</i>
<i>Nebel Street Extended</i>	<i>\$24,130</i>
<i>Burning Tree Road Bridge</i>	<i>\$16,790</i>
<i>Total</i>	<i>\$2,118,000</i>

Council staff recommendation: Concur with the Executive.

Ride On Bus Fleet (©47). The cost for the planned FY13 acquisition of replacements for 11 full-size compressed natural gas (CNG) buses and 28 small diesel-powered buses (the Champions) is now higher than anticipated. The cost for the full-size buses is \$490,070/bus (\$93,070 higher per bus) and for the small buses is \$426,180/bus (\$45,180 higher per bus). The total cost of the project would increase by \$2,293,000, all in FY13. The Executive recommends covering this increase with \$2,232,000 more in short-term financing and \$61,000 more from Current Revenue from the Mass Transit Fund.

Despite these higher costs, the Executive is not recommending commensurately higher costs for replacements in FYs14-18. DOT notes that it is riding other transit agency contracts to purchase the buses in FY13. It is hoping to award its own contract in the future and are not sure what those prices will be. DOT will revisit this PDF next year when it hopes to have more certainty in the prices.

Council staff recommendation: Concur with the Executive.

County Service Park Infrastructure Improvements (©48). The Executive is recommending this new project to fund, ultimately, the design and construction of several projects to support the redevelopment of the County Service Park along Crabbs Branch Way into the urban development called for in the Shady Grove Sector Plan. The projects are listed on the PDF, and include:

- Widening of Crabbs Branch Way to an urban boulevard with a median between Redland and Shady Grove Roads.
- Adding lanes to the intersection of Shady Grove Road and Crabbs Branch Way.
- Sidewalk improvement along Shady Grove Road along the northern property boundary.
- Improvement to vehicular and pedestrian connections on the WMATA property.
- A nature trail around the regional storm water pond.
- System upgrades to WSSC infrastructure.

The Executive soon will transmit a resolution for introduction that would initiate the process to establish a development district to pay for these projects. The \$1,689,000 requested by the Executive

now is for the preliminary design and engineering cost of these projects. Once the development district is created and generates revenue, it will reimburse the General Fund for this \$1,689,000 advance.

Council staff recommendation: Concur with the Executive.

Dedicated but Unmaintained Roads (©49) and **Bethesda CBD Streetscape** (©50). For these two projects, the Executive has merely revised his Recommended CIP to match the Council's tentative actions. No further action on these projects is necessary.

White Flint District West: Transportation (©51-53). The Committee requested that Council staff work with Executive staff and the State Highway Administration to determine if Old Georgetown Road between Rockville Pike and Executive Boulevard could be narrowed to accommodate a request from Federal Realty Investment Trust (FRIT), which is developing along the north side of this road.

As noted in the last worksession, the County is conducting a traffic study to predict the traffic conditions at the end of each stage of the White Flint Sector Plan's development. Narrowing Old Georgetown Road was not one of the projects required in Stage 1. SHA has stated unequivocally that the full narrowing from 6 to 4 lanes cannot occur until Hoya Street (west of FRIT) is open to traffic between Old Georgetown Road and Montrose Parkway; Hoya Street is not planned until Stage 2. Council staff has inquired whether simply the narrowing of the north side—i.e., the westbound lanes upon which the FRIT development fronts—could occur earlier. Once the traffic study is done and reviewed (in the next month or so) the State should be able to determine whether it could allow an earlier narrowing on just the north side. It is too soon to make this determination now, however.

Both this project and its companion, White Flint District East: Transportation, will be resubmitted as CIP amendments this fall, once the preliminary engineering on all the subprojects are completed. At that time it is anticipated that the projects' costs and schedules will change significantly. The current costs carried in the PDFs are pre-engineering estimates from more than two years ago, and so they are likely to increase by a substantial amount.

Another issue that has arisen is the location of the centerline of the to-be-reconstructed Rockville Pike. While the Sector Plan identifies an ultimate right-of-way width, the centerline of that width needs to be determined to understand how much right-of-way needs to be dedicated by each abutting developer or property owner. Council staff understands that the cost of this study is \$250,000. It would typically occur early in the design of the Rockville Pike project, but the design of that project is not programmed to begin until FY14.

Council staff recommendation: Revise the Executive's proposed PDF to accelerate \$250,000 of the subproject for Rockville Pike's redesign from FY14 to FY13 for this centerline study, as shown on ©54-55. As noted above, the project's entire funding cost and schedule is likely to change next fall, but the centerline study needs to get underway as soon as possible in FY13.

Parking District Services

MISSION STATEMENT

The mission of Parking District Services is to:

- Support the role of public parking in commercial areas throughout the County. Parking management is an important tool for achieving public objectives of economic development and transportation management;
- Support the comprehensive development of the Silver Spring, Bethesda, Wheaton, and Montgomery Hills central business districts and promote their economic growth and stability by supplying a sufficient number of parking spaces to accommodate that segment of the public demand which is neither provided for by developers nor served by alternative travel modes;
- Promote and complement a total transportation system through the careful balance of rates and parking supply to encourage the use of the most efficient and economical transportation modes available; and
- Develop and implement parking management strategies designed to maximize the usage of the available parking supply in order to enhance the economic development of specific central business districts.

BUDGET OVERVIEW

The total recommended FY13 Operating Budget for the Parking Districts Funds is \$25,780,682, a decrease of \$124,898 or 0.5 percent from the FY12 Approved Budget of \$25,905,580. Personnel Costs comprise 17.1 percent of the budget for 52 full-time positions for 48.79 FTEs. Operating Expenses and Debt Service account for the remaining 82.9 percent of the FY13 budget.

In addition, this department's Capital Improvements Program (CIP) requires Current Revenue funding.

LINKAGE TO COUNTY RESULT AREAS

While this program area supports all eight of the County Result Areas, the following are emphasized:

- ❖ ***A Responsive, Accountable County Government***
- ❖ ***An Effective and Efficient Transportation Network***
- ❖ ***Strong and Vibrant Economy***

DEPARTMENT PERFORMANCE MEASURES

Performance measures for this department are included below, with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY12 estimates reflect funding based on the FY12 approved budget. The FY13 and FY14 figures are performance targets based on the FY13 recommended budget and funding for comparable service levels in FY14.

ACCOMPLISHMENTS AND INITIATIVES

- ❖ ***FY12 Accomplishments***
 - ***Opened Public Parking Garage 16 in Silver Spring on the site of a former surface parking lot. The garage is part of a public/private partnership that added street front retail and a mix of affordable and market rate housing to the area. The new garage is a two level 160 space County-owned and operated public parking garage replacing a 60 space surface lot.***
 - ***Began construction of a mixed use development in south Bethesda on the site of Public Parking Lot 31. The project is a public/private partnership that will add street front retail and a mix of affordable and market rate housing to the area. The project also includes a four level County-owned and operated public parking garage to provide parking supply in this economically vibrant area. The garage construction will last 30 months.***
 - ***Installed a vehicle counting and space availability display system in Public Parking Garage 57 between Elm Street***

and Bethesda Avenue in south Bethesda. This garage serves as the principal source of short term parking for the Bethesda Row area with the closure of Public Parking Lot 31. This system has significantly enhanced the parking way finding system for this area.

- Began in depth exploration of the implementation of the recommendations of the joint MCDOT/M-NCPPC for reaching parking policy study completed last year. The results of this study are also informing the re-write of Chapter 59E of the County Code by M-NCPPC. This section of the Code defines the parking space requirements based on defined land use categories. Study recommendations will help set the direction of the supply and management of public parking for the next generation and may provide a basis to make significant changes to the County Code with regard to parking policy.

FY13 Initiatives

- Execute a 5-year program to replace aging and inefficient lighting systems in public garages with new energy efficient lighting systems. This work is part of the approved Bethesda, Silver Spring and Wheaton Facility Renovation CIPs.
- Continue the process of developing an on-line system for the renewal of residential and monthly parking permits as an addition to the current options of renewal in-person or by mail at the two parking sales stores.
- Initiate a 90 day pilot program to evaluate two competing systems for "smart" on-street individual parking meters. The pilot will be evaluating approximately 40 meters of each type to be located in the Woodmont Triangle area of Bethesda. The smart meters have a number of enhanced features including the ability to accept credit card payments and sensors to provide real time and historical occupancy data. The pilot will gather data on system functionality and reliability as well as ease of customer use. A successful pilot may result in the development of a Request For Proposal to enable an entire system rollout.

PROGRAM CONTACTS

Contact Rick Siebert of the Parking Districts Funds at 240.777.8732 or Brady Goldsmith of the Office of Management and Budget at 240.777.2793 for more information regarding this department's operating budget.

PROGRAM DESCRIPTIONS

Management Services and Property Development

This program supports the overall Parking Services program objectives through the management of Information Technology, Budget, Human Resources and Planning staff to optimize organizational effectiveness. The Program strategically plans for the re-development of Parking Lot District real property to promote the economic growth and stability of associated urban districts. It is responsible for the drafting and coordination of Requests for Proposals for property development and provides support in the negotiation and execution of General Development Agreements.

FY13 Recommended Changes	Expenditures	FTEs
FY12 Approved	730,410	9.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs. Other large variances are related to the transition from the previous mainframe budgeting system to Hyperion.	2,042,065	0.74
FY13 CE Recommended	2,772,475	9.74

Financial Management Program

The Financial Management Program also has overall responsibility for the recordation and reconciliation of all parking district revenue and the administration of the Ad Valorem tax program.

It is also responsible for the management of the encumbrance and invoice payment process for all Division appropriated funds. Within this process it is directly responsible for revenue bond debt, fixed costs and utilities programs.

Program Performance Measures	Actual FY10	Actual FY11	Estimated FY12	Target FY13	Target FY14
Parking Management Revenue Generated (\$ millions)	38.3	38.4	40.3	41.8	43.1
Parking Operating Expenditures (\$ millions)	22.8	23.9	25.9	25.7	25.7
Parking Management Cost Efficiency (ratio of expenses to revenues) ¹	\$0.57	\$0.62	\$0.64	\$0.62	\$0.60
Parking Customer Service Survey Ranking ²	NA	3.41	NA	TBD	TBD

¹ The increasing cost ratio is a result of increasing debt service to support capital projects.

² This measure reports the average customer satisfaction rating for both permit holders and visitor parkers along the following scale (1. Poor; 2.

Fair; 3. Good; 4. Excellent) for Montgomery County Public Parking Facilities. A survey will be conducted semiannually.

FY13 Recommended Changes	Expenditures	FTEs
FY12 Approved	10,390,180	6.30
Increase Cost: Utilities - Bethesda	384,320	0.00
Increase Cost: Utilities - Silver Spring	127,770	0.00
Increase Cost: Utilities - Wheaton	7,350	0.00
Increase Cost: Utilities - Montgomery Hills	200	0.00
Decrease Cost: Electricity Rate Savings - Montgomery Hills	-467	0.00
Decrease Cost: Electricity Rate Savings - Wheaton	-41,705	0.00
Decrease Cost: Debt Service in Bethesda	-196,890	0.00
Decrease Cost: Electricity Rate Savings - Bethesda	-560,698	0.00
Decrease Cost: Electricity Rate Savings - Silver Spring	-774,179	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs. Other large variances are related to the transition from the previous mainframe budgeting system to Hyperion.	-1,581,837	-0.20
FY13 CE Recommended	7,754,044	6.10

Parking Facility Maintenance and Engineering

This program provides the maintenance of all parking lots, garages, and surrounding grounds. Facilities maintenance is programmed at a level which is designed to ensure the operational integrity of the facilities and the safety of parking patrons. Maintenance of parking facilities includes: snow and ice removal; housekeeping services; equipment maintenance for elevators, electrical systems, and Heating, Ventilation, and Air- Conditioning systems (HVAC); facility repairs for maintenance of damaged glass, asphalt, concrete, plumbing, painting, space stripes, graffiti, doorframes, brick and block, meter posts, and woodwork due to vandalism, use and age; and grounds-keeping services.

Additionally, the program supports a balanced system of public parking which promotes the economic stability and growth of the County's central business districts. This is implemented through the design and construction of new parking facilities, including mixed use projects. The program also includes renovating and improving existing parking facilities to ensure the preservation and integrity of the parking system and its continued service to the public. This program also evaluates energy usage and recommends and implements improvements that reduce the amount of energy used by off-street facilities.

FY13 Recommended Changes	Expenditures	FTEs
FY12 Approved	4,645,660	19.80
Increase Cost: Emergency Backup Batteries in Silver Spring Garages	57,200	0.00
Increase Cost: Emergency Battery Backup in Bethesda Garages	38,500	0.00
Increase Cost: Emergency Backup Batteries in Wheaton Garages	22,000	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs. Other large variances are related to the transition from the previous mainframe budgeting system to Hyperion.	425,240	-3.27
FY13 CE Recommended	5,188,600	16.53

Parking Operations

This unit has overall responsibility for the collection and processing of all parking revenue, including revenue from individual meters, automated pay stations, cashiered facilities, parking permits, and parking fines. Additionally it provides support to the Mass Transit Fund in the processing of bus revenue for deposit.

The program is also responsible for the management of the parking citation database and provides management of the appeal process for all parking tickets written within the County. Parking Operations maintains regularly scheduled parking enforcement patrols in all Parking Lot Districts (PLD), residential permit areas outside the PLD's and other designated County facilities. In addition, this program provides a comprehensive meter maintenance program to ensure all meter devices function properly.

Augmenting the public safety mission of the County Police, this unit also provides contract security guard services for parking facilities to detect and report theft, vandalism, and threats to personal security. Security support is also provided by the Silver Spring Clean and Safe Team.

Parking Operations also manages and executes the Parking Outside the Parking Districts Program funded by the County's General Fund.

FY13 Recommended Changes	Expenditures	FTEs
FY12 Approved	10,139,330	12.90
Increase Cost: Raise long term parking rate and eliminate free Saturday parking in all lots and garages - Bethesda	176,400	0.00
Increase Cost: Debit/Credit Card Bank Fees for Pay-On-Foot and Pay-By-Space Machines - Silver Spring	142,180	0.00
Increase Cost: Debit/Credit Card Bank Fees for Pay-On-Foot and Pay-By-Space Machines - Bethesda	123,390	0.00
Increase Cost: Raise long term parking rate and begin Saturday enforcement - Silver Spring	117,560	0.00
Increase Cost: Extend Saturday enforcement on street and surface lots from 6pm to 10pm - Wheaton	60,860	0.00
Increase Cost: Debit/Credit Card Bank Fees for Pay-On-Foot and Pay-By-Space Machines - Wheaton	17,930	0.00
Enhance: Increase Parking Meter Mechanics from 3 to 4 - Bethesda	17,690	0.47
Enhance: Increase number of Parking Meter Mechanics from 3 to 4 -Silver Spring	16,940	0.45
Enhance: Increase Parking Meter Mechanics from 3 top 4 - Wheaton	2,640	0.07
Increase Cost: Debit/credit Card Bank Fees for Pay-On-Foot and Pay-By-Space Machines - Montgomery Hills	1,760	0.00
Enhance: Increase Parking Meter Mechanics from 3 to 4 - Montgomery Hills	380	0.01
Decrease Cost: Elimination of One-Time Items Approved in FY12 - Bethesda	-12,000	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY12 - Silver Spring	-24,000	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs. Other large variances are related to the transition from the previous mainframe budgeting system to Hyperion.	-715,497	2.52
FY13 CE Recommended	10,065,563	16.42

BUDGET SUMMARY

	Actual FY11	Budget FY12	Estimated FY12	Recommended FY13	% Chg Bud/Rec
ETHESDA PARKING DISTRICT					
EXPENDITURES					
Salaries and Wages	1,201,952	1,374,330	1,380,118	1,430,546	4.1%
Employee Benefits	467,043	462,190	447,407	519,655	12.4%
Bethesda Parking District Personnel Costs	1,668,995	1,836,520	1,827,525	1,950,201	6.2%
Operating Expenses	6,677,417	6,870,370	5,697,145	7,022,032	2.2%
Debt Service Other	3,270,235	4,455,360	4,455,360	4,235,080	-4.9%
Capital Outlay	0	0	0	0	—
Bethesda Parking District Expenditures	11,616,647	13,162,250	11,980,030	13,207,313	0.3%
PERSONNEL					
Full-Time	29	28	28	29	3.6%
Part-Time	0	0	0	0	—
FTEs	19.40	20.40	20.40	20.70	1.5%
REVENUES					
Electrical Permits and Licenses	-49	0	0	0	—
Investment Income	40,136	24,400	18,100	24,400	—
Miscellaneous Revenues	546,666	33,794,920	7,446,620	27,208,510	-19.5%
Parking Fees	10,935,176	11,193,500	11,193,500	12,499,000	11.7%
Parking Fines	4,787,946	6,500,000	5,350,000	5,085,000	-21.8%
Property Rentals	159,465	0	0	0	—
Property Tax	2,748,427	2,265,990	2,261,450	2,207,930	-2.6%
Bethesda Parking District Revenues	19,217,767	53,778,810	26,269,670	47,024,840	-12.6%
MONTGOMERY HILLS PARKING DISTRICT					
EXPENDITURES					
Salaries and Wages	35,401	28,780	32,124	29,988	4.2%
Employee Benefits	9,641	8,940	9,298	10,157	13.6%
Montgomery Hills Parking District Personnel Costs	45,042	37,720	41,422	40,145	6.4%
Operating Expenses	75,192	91,250	88,057	92,613	1.5%
Capital Outlay	0	0	0	0	—
Montgomery Hills Parking District Expenditures	120,234	128,970	129,479	132,758	2.9%
PERSONNEL					
Full-Time	0	0	0	0	—
Part-Time	0	0	0	0	—
FTEs	0.40	0.40	0.40	0.47	17.5%
REVENUES					
Electrical Permits and Licenses	-1	0	0	0	—
Investment Income	38	0	0	0	—
Miscellaneous Revenues	-3,871	0	0	0	—
Parking Fees	26,746	28,000	27,000	27,000	-3.6%
Parking Fines	26,295	35,000	27,000	26,000	-25.7%
Property Tax	75,148	95,420	78,140	76,230	-20.1%
Montgomery Hills Parking District Revenues	124,355	158,420	132,140	129,230	-18.4%
SILVER SPRING PARKING DISTRICT					
EXPENDITURES					
Salaries and Wages	1,417,214	1,498,070	1,537,711	1,548,491	3.4%
Employee Benefits	457,839	480,780	470,552	547,612	13.9%
Silver Spring Parking District Personnel Costs	1,875,053	1,978,850	2,008,263	2,096,103	5.9%
Operating Expenses	8,920,690	9,340,270	9,339,287	8,965,181	-4.0%
Debt Service Other	166,783	0	0	0	—
Capital Outlay	0	0	0	0	—
Silver Spring Parking District Expenditures	10,962,526	11,319,120	11,347,550	11,061,284	-2.3%
PERSONNEL					
Full-Time	20	20	20	20	—
Part-Time	0	0	0	0	—
FTEs	22.80	23.90	23.90	24.23	1.4%
REVENUES					
Electrical Permits and Licenses	-69	0	0	0	—
Investment Income	1,330	21,300	4,800	21,300	—
Miscellaneous Revenues	431,937	0	7,861,910	0	—
Parking Fees	8,618,534	8,850,000	8,850,000	10,291,500	16.3%
Parking Fines	2,524,512	2,500,000	2,500,000	2,375,000	-5.0%

	Actual FY11	Budget FY12	Estimated FY12	Recommended FY13	% Chg Bud/Rec
Property Tax	6,018,718	6,633,270	6,370,960	6,209,091	-6.4%
Silver Spring Parking District Revenues	17,594,962	18,004,570	25,587,670	18,896,891	5.0%
WHEATON PARKING DISTRICT					
EXPENDITURES					
Salaries and Wages	234,059	227,620	240,480	235,947	3.7%
Employee Benefits	72,201	76,480	79,931	88,425	15.6%
Wheaton Parking District Personnel Costs	306,260	304,100	320,411	324,372	6.7%
Operating Expenses	830,483	991,140	979,455	1,054,955	6.4%
Capital Outlay	0	0	0	0	—
Wheaton Parking District Expenditures	1,136,743	1,295,240	1,299,866	1,379,327	6.5%
PERSONNEL					
Full-Time	3	3	3	3	—
Part-Time	0	0	0	0	—
FTEs	3.20	3.30	3.30	3.39	2.7%
REVENUES					
Electrical Permits and Licenses	-10	0	0	0	—
Investment Income	230	0	0	0	—
Miscellaneous Revenues	-52,409	0	0	0	—
Parking Fees	719,024	800,000	725,000	1,071,500	33.9%
Parking Fines	634,760	650,000	580,000	562,600	-13.4%
Property Tax	430,905	508,370	426,190	415,690	-18.2%
Wheaton Parking District Revenues	1,732,500	1,958,370	1,731,190	2,049,790	4.7%
DEPARTMENT TOTALS					
Total Expenditures	23,836,150	25,905,580	24,756,925	25,780,682	-0.5%
Total Full-Time Positions	52	51	51	52	2.0%
Total Part-Time Positions	0	0	0	0	—
Total FTEs	45.80	48.00	48.00	48.79	1.6%
Total Revenues	38,669,584	73,900,170	53,720,670	68,100,751	-7.8%

FY13 RECOMMENDED CHANGES

	Expenditures	FTEs
BETHESDA PARKING DISTRICT		
FY12 ORIGINAL APPROPRIATION	13,162,250	20.40
Changes (with service impacts)		
Enhance: Increase Parking Meter Mechanics from 3 to 4 - Bethesda [Parking Operations]	17,690	0.47
Other Adjustments (with no service impacts)		
Increase Cost: Utilities - Bethesda [Financial Management Program]	384,320	0.00
Increase Cost: Raise long term parking rate and eliminate free Saturday parking in all lots and garages - Bethesda [Parking Operations]	176,400	0.00
Increase Cost: Debit/Credit Card Bank Fees for Pay-On-Foot and Pay-By-Space Machines - Bethesda [Parking Operations]	123,390	0.00
Increase Cost: Lump Sum Wage Adjustment - Bethesda	39,070	0.00
Increase Cost: Emergency Battery Backup in Bethesda Garages [Parking Facility Maintenance and Engineering]	38,500	0.00
Increase Cost: Group Insurance Adjustment - Bethesda	30,009	0.00
Increase Cost: Retirement Adjustment - Bethesda	29,200	0.00
Increase Cost: Longevity Adjustment - Bethesda	953	0.00
Increase Cost: Risk Management Adjustment - Bethesda	600	0.00
Increase Cost: Annualization of FY12 Personnel Costs - Bethesda	0	-0.12
Decrease Cost: Printing and Mail Adjustment - Bethesda	-220	0.00
Decrease Cost: Motor Pool Rate Adjustment - Bethesda	-3,410	0.00
Shift: Remove Occupational Medical Services Chargeback from OHR - Bethesda	-7,541	-0.05
Decrease Cost: Elimination of One-Time Items Approved in FY12 - Bethesda [Parking Operations]	-12,000	0.00
Decrease Cost: Retiree Health Insurance Pre-Funding - Bethesda	-14,310	0.00
Decrease Cost: Debt Service in Bethesda [Financial Management Program]	-196,890	0.00
Decrease Cost: Electricity Rate Savings - Bethesda [Financial Management Program]	-560,698	0.00
FY13 RECOMMENDED:	13,207,313	20.70

(6)

	Expenditures	FTEs
MONTGOMERY HILLS PARKING DISTRICT		
FY12 ORIGINAL APPROPRIATION	128,970	0.40
Changes (with service impacts)		
Enhance: Increase Parking Meter Mechanics from 3 to 4 - Montgomery Hills [Parking Operations]	380	0.01
Other Adjustments (with no service impacts)		
Increase Cost: Debit/credit Card Bank Fees for Pay-On-Foot and Pay-By-Space Machines - Montgomery Hills [Parking Operations]	1,760	0.00
Increase Cost: Lump Sum Wage Adjustment - Montgomery Hills	850	0.00
Increase Cost: Group Insurance Adjustment - Montgomery Hills	702	0.00
Increase Cost: Retirement Adjustment - Montgomery Hills	457	0.00
Increase Cost: Utilities - Montgomery Hills [Financial Management Program]	200	0.00
Increase Cost: Longevity Adjustment - Montgomery Hills	108	0.00
Increase Cost: Annualization of FY12 Personnel Costs - Montgomery Hills	0	0.06
Decrease Cost: Printing and Mail Adjustment - Montgomery Hills	-10	0.00
Decrease Cost: Motor Pool Rate Adjustment - Montgomery Hills	-60	0.00
Shift: Remove Occupational Medical Services Chargeback from OHR	-132	0.00
Decrease Cost: Electricity Rate Savings - Montgomery Hills [Financial Management Program]	-467	0.00
FY13 RECOMMENDED:	132,758	0.47
SILVER SPRING PARKING DISTRICT		
FY12 ORIGINAL APPROPRIATION	11,319,120	23.90
Changes (with service impacts)		
Enhance: Increase number of Parking Meter Mechanics from 3 to 4 -Silver Spring [Parking Operations]	16,940	0.45
Other Adjustments (with no service impacts)		
Increase Cost: Debt/Credit Card Bank Fees for Pay-On-Foot and Pay-By-Space Machines - Silver Spring [Parking Operations]	142,180	0.00
Increase Cost: Utilities - Silver Spring [Financial Management Program]	127,770	0.00
Increase Cost: Raise long term parking rate and begin Saturday enforcement - Silver Spring [Parking Operations]	117,560	0.00
Increase Cost: Emergency Backup Batteries in Silver Spring Garages [Parking Facility Maintenance and Engineering]	57,200	0.00
Increase Cost: Lump Sum Wage Adjustment - Silver Spring	40,090	0.00
Increase Cost: Group Insurance Adjustment - Silver Spring	31,801	0.00
Increase Cost: Retirement Adjustment - Silver Spring	30,913	0.00
Increase Cost: Longevity Adjustment - Silver Spring	750	0.00
Increase Cost: Annualization of FY12 Personnel Costs - Silver Spring	0	-0.07
Decrease Cost: Risk Management Adjustment - Silver Spring	-550	0.00
Decrease Cost: Printing and Mail Adjustment - Silver Spring	-2,200	0.00
Decrease Cost: Motor Pool Rate Adjustment - Silver Spring	-4,450	0.00
Shift: Remove Occupational Medical Services Chargeback from OHR - Silver Spring	-7,781	-0.05
Decrease Cost: Retiree Health Insurance Pre-Funding - Silver Spring	-9,880	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY12 - Silver Spring [Parking Operations]	-24,000	0.00
Decrease Cost: Electricity Rate Savings - Silver Spring [Financial Management Program]	-774,179	0.00
FY13 RECOMMENDED:	11,061,284	24.23
WHEATON PARKING DISTRICT		
FY12 ORIGINAL APPROPRIATION	1,295,240	3.30
Changes (with service impacts)		
Enhance: Increase Parking Meter Mechanics from 3 top 4 - Wheaton [Parking Operations]	2,640	0.07
Other Adjustments (with no service impacts)		
Increase Cost: Extend Saturday enforcement on street and surface lots from 6pm to 10pm - Wheaton [Parking Operations]	60,860	0.00
Increase Cost: Emergency Backup Batteries in Wheaton Garages [Parking Facility Maintenance and Engineering]	22,000	0.00
Increase Cost: Debit/Credit Card Bank Fees for Pay-On-Foot and Pay-By-Space Machines - Wheaton [Parking Operations]	17,930	0.00
Increase Cost: Utilities - Wheaton [Financial Management Program]	7,350	0.00
Increase Cost: Lump Sum Wage Adjustment - Wheaton	6,486	0.00

	Expenditures	FTEs
Increase Cost: Retirement Adjustment - Wheaton	6,181	0.00
Increase Cost: Group Insurance Adjustment - Wheaton	5,348	0.00
Increase Cost: Overtime Budget - Wheaton	2,490	0.00
Increase Cost: Longevity Adjustment - Wheaton	265	0.00
Increase Cost: Annualization of FY12 Personnel Costs - Wheaton	0	0.03
Decrease Cost: Printing and Mail Adjustment - Wheaton	-30	0.00
Decrease Cost: Risk Management Adjustment - Wheaton	-50	0.00
Decrease Cost: Motor Pool Rate Adjustment	-600	0.00
Shift: Remove Occupational Medical Services Chargeback from OHR - Wheaton	-1,098	-0.01
Decrease Cost: Retiree Health Insurance Pre-Funding - Wheaton	-1,490	0.00
Decrease Cost: Increase lapse - Wheaton	-2,490	0.00
Decrease Cost: Electricity Rate Savings - Wheaton [Financial Management Program]	-41,705	0.00
FY13 RECOMMENDED:	1,379,327	3.39

PROGRAM SUMMARY

Program Name	FY12 Approved		FY13 Recommended	
	Expenditures	FTEs	Expenditures	FTEs
Management Services and Property Development	730,410	9.00	2,772,475	9.74
Financial Management Program	10,390,180	6.30	7,754,044	6.10
Parking Facility Maintenance and Engineering	4,645,660	19.80	5,188,600	16.53
Parking Operations	10,139,330	12.90	10,065,563	16.42
Total	25,905,580	48.00	25,780,682	48.79

CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY12		FY13	
		Total\$	FTEs	Total\$	FTEs
BETHESDA PARKING DISTRICT					
Transit Services	Mass Transit	803,501	5.42	0	0.00
SILVER SPRING PARKING DISTRICT					
Transit Services	Mass Transit	392,131	5.42	0	0.00

FUTURE FISCAL IMPACTS

Title	CE REC. (\$000's)					
	FY13	FY14	FY15	FY16	FY17	FY18
This table is intended to present significant future fiscal impacts of the department's programs.						
BETHESDA PARKING DISTRICT						
Expenditures						
FY13 Recommended	13,207	13,207	13,207	13,207	13,207	13,207
No inflation or compensation change is included in outyear projections.						
Elimination of One-Time Items Recommended in FY13	0	-1	-1	-1	-1	-1
Items approved for one-time funding in FY13, including new meter plates, will be eliminated from the base in the outyears.						
Elimination of One-Time Lump Sum Wage Adjustment	0	-39	-39	-39	-39	-39
This represents the elimination of the one-time lump sum wage increases paid in FY13.						
Bethesda Lot 31 Parking Garage	0	0	607	677	677	677
These figures represent the impacts on the Operating Budget of projects included in the FY13-18 Recommended Capital Improvements Program.						
Debit/Credit Card Bank Fees for Pay-On-Foot and Pay-By-Space Machines	0	88	85	81	77	77
Debt Service	0	962	966	970	981	984
These figures represent costs associated with debt service including new debt, pay down of existing debt, and fluctuations due to interest rate assumptions.						
Emergency Battery Backup in Garages	0	-39	0	-39	0	-39
Replacement every two years.						
Retiree Health Insurance Pre-Funding	0	-29	-74	-77	-77	-77
These figures represent the estimated cost of the multi-year plan to pre-fund retiree health insurance costs for the County's workforce.						
Utilities	0	192	192	412	412	412
Projected Utilities costs						

Title	CE REC.					
	FY13	FY14	FY15	(\$000's)		
	FY16	FY17	FY18			
Subtotal Expenditures	13,207	14,343	14,943	15,192	15,236	15,200

ONTGOMERY HILLS PARKING DISTRICT

Expenditures

FY13 Recommended	133	133	133	133	133	133
No inflation or compensation change is included in outyear projections.						
Elimination of One-Time Lump Sum Wage Adjustment	0	-1	-1	-1	-1	-1
This represents the elimination of the one-time lump sum wage increases paid in FY13.						
Debit/Credit Card Bank Fees for Pay-On-Foot and Pay-By-Space Machines	0	1	1	1	1	1
Subtotal Expenditures	133	133	133	133	133	133

SILVER SPRING PARKING DISTRICT

Expenditures

FY13 Recommended	11,061	11,061	11,061	11,061	11,061	11,061
No inflation or compensation change is included in outyear projections.						
Elimination of One-Time Items Recommended in FY13	0	-2	-2	-2	-2	-2
Items approved for one-time funding in FY13, including new meter plates, will be eliminated from the base in the outyears.						
Elimination of One-Time Lump Sum Wage Adjustment	0	-40	-40	-40	-40	-40
This represents the elimination of the one-time lump sum wage increases paid in FY13.						
Debit/Credit Card Bank Fees for Pay-On-Foot and Pay-By-Space Machines	0	102	98	93	88	88
Emergency Backup Batteries in Garages	0	-57	0	-57	0	-57
Replacement every two years.						
Retiree Health Insurance Pre-Funding	0	-20	-51	-53	-53	-53
These figures represent the estimated cost of the multi-year plan to pre-fund retiree health insurance costs for the County's workforce.						
Utilities	0	66	135	135	135	135
Projected utilities costs						
Subtotal Expenditures	11,061	11,110	11,201	11,137	11,189	11,132

WHEATON PARKING DISTRICT

Expenditures

FY13 Recommended	1,379	1,379	1,379	1,379	1,379	1,379
No inflation or compensation change is included in outyear projections.						
Elimination of One-Time Lump Sum Wage Adjustment	0	-6	-6	-6	-6	-6
This represents the elimination of the one-time lump sum wage increases paid in FY13.						
Debit/Credit Card Bank Fees for Pay-On-Foot and Pay-By-Space Machines	0	13	12	12	11	11
Emergency Backup Batteries in Garages	0	-22	0	-22	0	-22
Replacement every two years.						
Retiree Health Insurance Pre-Funding	0	-3	-8	-8	-8	-8
These figures represent the estimated cost of the multi-year plan to pre-fund retiree health insurance costs for the County's workforce.						
Utilities	0	4	4	4	4	4
Projected cost increase						
Subtotal Expenditures	1,379	1,365	1,381	1,359	1,380	1,358

9

FY13-18 PUBLIC SERVICES PROGRAM- FISCAL PLAN

Bethesda Parking District

FISCAL PROJECTIONS	FY12 ESTIMATE	FY13 REC	FY14 PROJECTION	FY15 PROJECTION	FY16 PROJECTION	FY17 PROJECTION	FY18 PROJECTION
ASSUMPTIONS							
Property Tax Rate: Real/Improved	0.104	0.104	0.104	0.104	0.104	0.104	0.104
Assessable Base: Real/Improved (000)	1,586,000	1,539,800	1,572,100	1,605,900	1,676,500	1,771,600	1,886,000
Property Tax Collection Factor: Real Property	99.4%	99.4%	99.4%	99.4%	99.4%	99.4%	99.4%
Property Tax Rate: Personal/Improved	0.260	0.260	0.260	0.260	0.260	0.260	0.260
Assessable Base: Personal/Improved (000)	181,300	180,600	180,900	178,600	179,600	185,100	185,800
Property Tax Collection Factor: Personal Property	99.4%	99.4%	99.4%	99.4%	99.4%	99.4%	99.4%
Indirect Cost Rate	12.59%	12.13%	12.13%	12.13%	12.13%	12.13%	12.13%
CPI (Fiscal Year)	3.1%	2.7%	2.9%	2.9%	2.7%	2.7%	2.7%
Investment Income Yield	0.15%	0.25%	0.35%	0.85%	1.60%	2.35%	2.85%
BEGINNING FUND BALANCE	9,624,480	6,409,890	4,911,760	9,203,430	5,951,820	4,217,170	6,487,030
REVENUES							
Taxes	2,261,450	2,207,930	2,244,790	2,276,320	2,357,860	2,478,870	2,608,530
Charges For Services	11,193,500	12,499,000	13,554,000	14,229,000	14,487,000	14,487,000	14,487,000
Fines & Forfeitures	5,350,000	5,085,000	4,829,000	4,829,000	4,829,000	4,829,000	4,829,000
Miscellaneous	7,464,720	27,232,910	29,825,270	655,220	562,220	4,714,320	616,520
Subtotal Revenues	26,269,670	47,024,840	50,453,060	21,989,540	22,236,480	26,509,190	22,541,050
INTERFUND TRANSFERS (Net Non-CIP)							
Transfers To The General Fund	(8,962,230)	(8,653,660)	(8,501,820)	(7,393,210)	(7,462,350)	(7,541,140)	(7,624,990)
Indirect Costs	(254,410)	(260,840)	(260,000)	(263,640)	(252,780)	(256,570)	(260,420)
Technology Modernization CIP project	(231,220)	(236,560)	(242,260)	(249,040)	(252,780)	(256,570)	(260,420)
Transfers To Special Fds: Tax Supported	(23,190)	(24,280)	(17,740)	(14,600)	0	0	0
To Transportation Management District	(8,707,820)	(8,392,820)	(8,241,820)	(7,129,570)	(7,209,570)	(7,284,570)	(7,364,570)
To Bethesda Urban District	(492,820)	(492,820)	(492,820)	(492,820)	(492,820)	(492,820)	(492,820)
To Mass Transit (PVN)	(2,865,000)	(2,815,000)	(2,920,000)	(3,015,000)	(3,095,000)	(3,170,000)	(3,250,000)
	(5,350,000)	(5,085,000)	(4,829,000)	(3,621,750)	(3,621,750)	(3,621,750)	(3,621,750)
TOTAL RESOURCES	26,931,920	44,781,070	46,863,000	23,799,760	20,725,950	23,185,220	21,403,090
CIP CURRENT REVENUE APPROP.	(5,965,000)	(3,239,000)	10,120,000	(2,321,000)	(590,000)	(590,000)	(590,000)
OTHER CIP REVENUE APPROP.	(2,577,000)	(23,423,000)	(33,160,000)	0	0	0	0
PSP OPER. BUDGET APPROP/ EXP'S.							
Operating Budget	(8,706,890)	(8,972,230)	(9,247,200)	(9,554,080)	(9,697,391)	(9,842,852)	(9,990,495)
Debt Service: Other (Non-Tax Funds only)	(3,273,140)	(4,235,080)	(5,197,170)	(5,200,800)	(5,205,140)	(5,215,790)	(5,218,680)
Annualizations and One-Time	n/a	n/a	38,310	38,310	38,310	38,310	38,310
Retiree Health Insurance Pre-funding	n/a	n/a	28,540	73,680	76,500	77,470	77,470
Utilities	n/a	n/a	(192,160)	(192,160)	(411,560)	(411,560)	(411,560)
Emergency Batteries	n/a	n/a	38,500	0	38,500	0	38,500
Garage 31	n/a	n/a	0	(607,000)	(677,000)	(677,000)	(677,000)
Debit/Credit Card Fees	n/a	n/a	(88,390)	(84,890)	(81,000)	(76,770)	(76,770)
Subtotal PSP Oper Budget Approp / Exp's	(11,980,030)	(13,207,310)	(14,619,570)	(15,526,940)	(15,918,781)	(16,108,192)	(16,220,225)
TOTAL USE OF RESOURCES	(20,522,030)	(39,869,310)	(37,659,570)	(17,847,940)	(16,508,781)	(16,698,192)	(16,810,225)
YEAR END FUND BALANCE	6,409,890	4,911,760	9,203,430	5,951,820	4,217,170	6,487,030	4,592,870
END-OF-YEAR RESERVES AS A PERCENT OF RESOURCES	23.8%	11.0%	19.6%	25.0%	20.3%	28.0%	21.5%

- The cash balance includes funds required to be held by the District to cover Bond Covenants. Bond coverage (annual net revenues over debt service requirements) is maintained at about 260 percent in FY13. The minimum requirement is 125 percent.
- Real/Improved property tax revenue is assumed to increase over the six years based on an improved assessable base.
- Revenue for the air rights lease for Garage 49 is assumed in FY12 through FY17.
- These projections are based on the Executive's Recommended Budget and include the revenue and resource assumptions of that budget. FY14-18 expenditures are based on the "major, known commitments" of elected officials and include negotiated labor agreements, estimates of compensation and inflation cost increases, the operating costs of capital facilities, the fiscal impact of approved legislation or regulations, and other programmatic commitments. They do not include unapproved service improvements. The projected future expenditures, revenues, and fund balance may vary based on changes to fee or tax rates, usage, inflation, future labor agreements, and other factors not assumed here.
- Restrictions are placed on the fund balance due to outstanding bonds, therefore a portion of the fund balance is restricted. In FY 13 about \$3.5M is restricted, and therefore the available (unrestricted) fund balance is about \$1.4M.

10

FY13-18 PUBLIC SERVICES PROGRAM- FISCAL PLAN

Montgomery Hills Parking Lot District

FISCAL PROJECTIONS	FY12 ESTIMATE	FY13 REC	FY14 PROJECTION	FY15 PROJECTION	FY16 PROJECTION	FY17 PROJECTION	FY18 PROJECTION
ASSUMPTIONS							
Property Tax Rate: Real/Improved	0.240	0.240	0.240	0.240	0.240	0.240	0.240
Assessable Base: Real/Improved (000)	26,000	25,200	25,700	26,300	27,500	29,100	31,000
Property Tax Collection Factor: Real Property	99.4%	99.4%	99.4%	99.4%	99.4%	99.4%	99.4%
Property Tax Rate: Personal/Improved	0.600	0.600	0.600	0.600	0.600	0.600	0.600
Assessable Base: Personal/Improved (000)	2,600	2,600	2,600	2,600	2,600	2,700	2,700
Property Tax Collection Factor: Personal Property	99.4%	99.4%	99.4%	99.4%	99.4%	99.4%	99.4%
Indirect Cost Rate	12.59%	12.13%	12.13%	12.13%	12.13%	12.13%	12.13%
CPI (Fiscal Year)	3.1%	2.7%	2.9%	2.9%	2.7%	2.7%	2.7%
Investment Income Yield	0.15%	0.25%	0.35%	0.85%	1.60%	2.35%	2.85%
BEGINNING FUND BALANCE	121,810	66,600	57,720	46,540	33,870	22,150	11,230
REVENUES							
Taxes	78,140	76,230	77,420	78,850	81,710	86,120	90,650
Charges For Services	27,000	27,000	27,000	27,000	27,000	27,000	27,000
Fines & Forfeitures	27,000	26,000	25,000	25,000	25,000	25,000	25,000
Miscellaneous	0	0	1,200	1,600	3,000	3,100	2,700
Subtotal Revenues	132,140	129,230	130,620	132,450	136,710	141,220	145,350
INTERFUND TRANSFERS (Net Non-CIP)							
Transfers To The General Fund	(22,870)	(5,350)	(5,340)	(5,400)	(5,230)	(5,370)	(5,500)
Indirect Costs	(4,750)	(4,870)	(4,990)	(5,110)	(5,230)	(5,370)	(5,500)
Regional Services Center	(17,640)	0	0	0	0	0	0
Technology Modernization CIP	(480)	(480)	(350)	(290)	0	0	0
Transfers To Special Fds: Tax Supported	(35,000)	0	0	0	0	0	0
To Mass Transit PVN	(35,000)	0	0	0	0	0	0
TOTAL RESOURCES	196,080	190,480	183,000	173,590	165,350	158,000	151,080
PSP OPER. BUDGET APPROP/ EXPS.							
Operating Budget	(129,480)	(132,760)	(135,946)	(139,209)	(142,689)	(146,256)	(149,913)
Annualizations and One-Time	n/a	n/a	850	850	850	850	850
Debit/Credit Cards Fees	n/a	n/a	(1,260)	(1,260)	(1,260)	(1,260)	(1,260)
Utilities	n/a	n/a	(100)	(100)	(100)	(100)	(100)
Subtotal PSP Oper Budget Approp / Exp's	(129,480)	(132,760)	(136,456)	(139,719)	(143,199)	(146,766)	(150,423)
TOTAL USE OF RESOURCES	(129,480)	(132,760)	(136,456)	(139,719)	(143,199)	(146,766)	(150,423)
YEAR END FUND BALANCE	66,600	57,720	46,540	33,870	22,150	11,230	660
END-OF-YEAR RESERVES AS A							
PERCENT OF RESOURCES	34.0%	30.3%	25.4%	19.5%	13.4%	7.1%	0.4%

Assumptions:

- Property tax revenue is assumed to increase over the six years based on an improved assessable base.
- These projections are based on the Executive's Recommended Budget and include the revenue and resource assumptions of that budget. FY14-18 expenditures are based on the "major, known commitments" of elected officials and include negotiated labor agreements, estimates of compensation and inflation cost increases, the operating costs of capital facilities, the fiscal impact of approved legislation or regulations, and other programmatic commitments. They do not include unapproved service improvements. The projected future expenditures, revenues, and fund balance may vary based on changes to fee or tax rates, usage, inflation, future labor agreements, and other factors not assumed here.

11

FY13-18 PUBLIC SERVICES PROGRAM- FISCAL PLAN

Silver Spring Parking Lot District

FISCAL PROJECTIONS	FY12 ESTIMATE	FY13 REC	FY14 PROJECTION	FY15 PROJECTION	FY16 PROJECTION	FY17 PROJECTION	FY18 PROJECTION
ASSUMPTIONS							
Property Tax Rate: Real/Improved	0.317	0.317	0.317	0.317	0.317	0.317	0.317
Assessable Base: Real/Improved (000)	1,583,300	1,537,200	1,569,400	1,603,200	1,673,700	1,768,700	1,882,900
Property Tax Collection Factor: Real Property	99.4%	99.4%	99.4%	99.4%	99.4%	99.4%	99.4%
Property Tax Rate: Personal/Improved	0.793	0.793	0.793	0.793	0.793	0.793	0.793
Assessable Base: Personal/Improved (000)	117,100	116,700	116,900	115,400	116,000	119,600	120,000
Property Tax Collection Factor: Personal Property	99.4%	99.4%	99.4%	99.4%	99.4%	99.4%	99.4%
Indirect Cost Rate	12.59%	12.13%	12.13%	12.13%	12.13%	12.13%	12.13%
CPI (Fiscal Year)	3.1%	2.7%	2.9%	2.9%	2.7%	2.7%	2.7%
Investment Income Yield	0.15%	0.25%	0.35%	0.85%	1.60%	2.35%	2.85%
BEGINNING FUND BALANCE	4,761,340	9,351,630	9,458,110	9,063,490	8,483,060	7,909,840	7,298,670
REVENUES							
Taxes	6,370,960	6,209,090	6,321,070	6,424,800	6,671,300	7,025,770	7,420,490
Charges For Services	8,850,000	10,291,500	11,112,900	11,353,900	11,353,900	11,353,900	11,353,900
Fines & Forfeitures	2,500,000	2,375,000	2,256,250	2,256,250	2,256,250	2,256,250	2,256,250
Miscellaneous	7,866,710	21,300	58,100	116,000	153,900	178,900	209,100
Subtotal Revenues	25,587,670	18,896,890	19,748,320	20,150,950	20,435,350	20,814,820	21,239,740
INTERFUND TRANSFERS (Net Non-CIP)	(5,303,830)	(5,009,131)	(5,941,951)	(6,112,640)	(6,220,830)	(6,344,130)	(6,470,480)
Transfers To The General Fund	(276,390)	(282,700)	(282,420)	(286,330)	(276,490)	(283,950)	(291,620)
Indirect Costs	(249,140)	(254,260)	(261,630)	(269,220)	(276,490)	(283,950)	(291,620)
Technology Modernization CIP	(27,250)	(28,440)	(20,790)	(17,110)	0	0	0
Transfers To Special Fds: Tax Supported	(5,027,440)	(4,758,810)	(5,691,910)	(5,826,310)	(5,944,340)	(6,060,180)	(6,178,860)
To Silver Spring Urban District	(1,696,000)	(1,532,000)	(2,260,000)	(2,369,000)	(2,460,000)	(2,548,000)	(2,638,000)
To Mass Transit (PVN)	(2,500,000)	(2,375,000)	(2,256,250)	(2,256,250)	(2,256,250)	(2,256,250)	(2,256,250)
To Transportation Management District	(831,440)	(851,810)	(1,175,660)	(1,201,060)	(1,228,090)	(1,255,930)	(1,284,610)
Transfers From The General Fund	0	32,379	32,379	0	0	0	0
TOTAL RESOURCES	25,045,180	23,239,389	23,264,479	23,101,800	22,697,580	22,380,530	22,067,930
CIP CURRENT REVENUE APPROP.	(4,346,000)	(2,720,000)	(2,770,000)	(2,800,000)	(2,750,000)	(2,700,000)	(2,700,000)
PSP OPER. BUDGET APPROP/ EXPS.							
Operating Budget	(11,347,550)	(11,061,280)	(11,382,057)	(11,679,312)	(11,961,892)	(12,254,361)	(12,554,727)
Annualizations and One-Time	n/a	n/a	42,490	42,490	42,490	42,490	42,490
Retiree Health Insurance Pre-Funding	n/a	n/a	19,680	50,810	52,750	53,420	53,420
Emergency batteries	n/a	n/a	57,200	0	57,200	0	57,200
Debt/Credit Card fees	n/a	n/a	(101,820)	(97,780)	(93,340)	(88,460)	(88,460)
Utilities	n/a	n/a	(66,480)	(134,950)	(134,950)	(134,950)	(134,950)
Subtotal PSP Oper Budget Approp / Exp's	(11,347,550)	(11,061,280)	(11,430,987)	(11,818,742)	(12,037,742)	(12,381,861)	(12,625,027)
TOTAL USE OF RESOURCES	(15,693,550)	(13,781,280)	(14,200,987)	(14,618,742)	(14,787,742)	(15,081,861)	(15,325,027)
YEAR END FUND BALANCE	9,351,630	9,458,110	9,063,490	8,483,060	7,909,840	7,298,670	6,742,900
END-OF-YEAR RESERVES AS A PERCENT OF RESOURCES	37.3%	40.7%	39.0%	36.7%	34.8%	32.6%	30.6%

Assumptions:

1. Property tax revenue is assumed to increase over the six years based on an improved assessable base.
2. Large assessable base increases are due to economic growth and new projects coming online in FY17-18.
3. These projections are based on the Executive's Recommended Budget and include the revenue and resources assumptions of that budget. FY14-18 expenditures are based on the "major, known commitments" of elected officials and include negotiated labor agreements, estimates of compensation and inflation cost increases, the operating costs of capital facilities, the fiscal impact of approved legislation or regulations, and other programmatic commitments. They do not include unapproved service improvements. The projected future expenditures, revenues, and fund balance may vary based on changes to fee or tax rates, usage, inflation, future labor agreements, and other factors not assumed here.

FY13-18 PUBLIC SERVICES PROGRAM: FISCAL PLAN

Wheaton Parking Lot District

FISCAL PROJECTIONS	FY12 ESTIMATE	FY13 REC	FY14 PROJECTION	FY15 PROJECTION	FY16 PROJECTION	FY17 PROJECTION	FY18 PROJECTION
ASSUMPTIONS							
Property Tax Rate: Real/Improved	0.240	0.240	0.240	0.240	0.240	0.240	0.240
Assessable Base: Real/Improved (000)	151,400	147,000	150,100	153,300	160,000	169,100	180,000
Property Tax Collection Factor: Real Property	99.4%	99.4%	99.4%	99.4%	99.4%	99.4%	99.4%
Property Tax Rate: Personal/Improved	0.600	0.600	0.600	0.600	0.600	0.600	0.600
Assessable Base: Personal/Improved (000)	8,900	8,900	8,900	8,800	8,800	9,100	9,100
Property Tax Collection Factor: Personal Property	99.4%	99.4%	99.4%	99.4%	99.4%	99.4%	99.4%
Indirect Cost Rate	12.59%	12.13%	12.13%	12.13%	12.13%	12.13%	12.13%
CPI (Fiscal Year)	3.1%	2.7%	2.9%	2.9%	2.7%	2.7%	2.7%
Investment Income Yield	0.15%	0.25%	0.35%	0.85%	1.60%	2.35%	2.85%
BEGINNING FUND BALANCE	741,050	550,950	503,810	471,860	389,430	304,340	175,170
REVENUES							
Taxes	426,190	415,690	423,090	430,120	446,110	470,010	496,140
Charges For Services	725,000	1,071,500	1,071,500	1,071,500	1,071,500	1,071,500	1,071,500
Fines & Forfeitures	580,000	562,600	546,000	546,000	546,000	546,000	546,000
Subtotal Revenues	1,731,190	2,049,790	2,040,590	2,047,620	2,063,610	2,087,510	2,113,640
INTERFUND TRANSFERS (Net Non-CIP)	(464,430)	(560,600)	(499,280)	(499,900)	(498,740)	(500,020)	(501,340)
Transfers To The General Fund	(42,110)	(43,280)	(43,160)	(43,780)	(42,620)	(43,900)	(45,220)
Indirect Costs	(38,290)	(39,350)	(40,290)	(41,420)	(42,620)	(43,900)	(45,220)
Technology Modernization CIP	(3,820)	(3,930)	(2,870)	(2,360)	0	0	0
Transfers To Special Fds: Tax Supported	(422,320)	(517,320)	(456,120)	(456,120)	(456,120)	(456,120)	(456,120)
To Mass Transit PVN	(130,000)	(225,000)	(163,800)	(163,800)	(163,800)	(163,800)	(163,800)
To Urban District	(292,320)	(292,320)	(292,320)	(292,320)	(292,320)	(292,320)	(292,320)
TOTAL RESOURCES	2,007,810	2,040,140	2,045,120	2,019,580	1,954,300	1,891,830	1,787,470
CIP CURRENT REVENUE APPROP. PSP OPER. BUDGET APPROP/ EXPS.	(157,000)						
Operating Budget	(1,299,860)	(1,379,330)	(1,431,020)	(1,471,089)	(1,513,751)	(1,559,163)	(1,605,938)
Annualizations and One-Time	n/a	n/a	6,486	6,486	6,486	6,486	6,486
Utilities	n/a	n/a	(3,840)	(3,840)	(3,840)	(3,840)	(3,840)
Emergency Batteries	n/a	n/a	22,000	0	22,000	0	22,000
Retiree Health Insurance Pre-Funding	n/a	n/a	2,950	7,620	7,910	8,010	8,010
Debit/Credit Card Fees	n/a	n/a	(12,840)	(12,330)	(11,770)	(11,150)	(11,150)
Subtotal PSP Oper Budget Approp / Exp's	(1,299,860)	(1,379,330)	(1,416,264)	(1,473,153)	(1,492,965)	(1,559,657)	(1,584,432)
TOTAL USE OF RESOURCES	(1,456,860)	(1,536,330)	(1,573,264)	(1,630,153)	(1,649,965)	(1,716,657)	(1,741,432)
YEAR END FUND BALANCE	550,950	503,810	471,860	389,430	304,340	175,170	46,040
END-OF-YEAR RESERVES AS A PERCENT OF RESOURCES	27.4%	24.7%	23.1%	19.3%	15.6%	9.3%	2.6%

Assumptions:

- Property tax revenue is assumed to increase over the six years based on an improved assessable base.
- These projections are based on the Executive's Recommended Budget and include the revenue and resource assumptions of that budget. FY14-18 expenditures are based on the "major, known commitments" of elected officials and include negotiated labor agreements, estimates of compensation and inflation cost increases, the operating costs of capital facilities, the fiscal impact of approved legislation or regulations, and other programmatic commitments. They do not include unapproved service improvements. The projected future expenditures, revenues, and fund balance may vary based on changes to fee or tax rates, usage, inflation, future labor agreements, and other factors not assumed here.

FY12 Adopted Parking Security Patrol Budget				
Sworn Officer Patrols	Bethesda	Silver Spring	Wheaton	Total
Total County Police Hours	0	0	0	0
Cost	\$0	\$0	\$0	\$0
Total Park Police	0	0	0	0
Cost	\$0	\$0	\$0	\$0
Total Sworn Officer Patrol Hours	0	0	0	0
Cost	\$0	\$0	\$0	\$0
Contract Security Guards	Bethesda	Silver Spring	Wheaton	Total
Scheduled Patrol Hours	26,281	39,523	8,368	74,172
Cost	\$563,971	\$848,684	\$178,672	\$1,591,327
Clean & Safe Team	Bethesda	Silver Spring	Wheaton	Total
Total Patrol Hours	0	6,000	0	6,000
Cost	\$0	\$104,703	\$0	\$104,703
Total	Bethesda	Silver Spring	Wheaton	Total
Total Patrol Hours	26,281	45,523	8,368	80,172
PLD Cost	\$563,971	\$953,387	\$178,672	\$1,696,030

Change from FY12 Adopted to FY13 CE Recommended Parking Security Patrol Budget				
Sworn Officer Patrols	Bethesda	Silver Spring	Wheaton	Total
Total County Police Hours-Change	0	0	0	0
Cost-Change	\$0	\$0	\$0	\$0
Total Park Police-Change	0	0	0	0
Cost-Change	\$0	\$0	\$0	\$0
Total Sworn Officer Patrol Hours-Change	0	0	0	0
Cost-Change	\$0	\$0	\$0	\$0
Contract Security Guards	Bethesda	Silver Spring	Wheaton	Total
Scheduled Patrol Hours-Change	(762)	(1,121)	(283)	(2,166)
Cost-Change	\$0	\$0	\$0	\$0
Clean & Safe Team	Bethesda	Silver Spring	Wheaton	Total
Total Patrol Hours-Change	0	0	0	0
Cost-Change	\$0	\$0	\$0	\$0
Total	Bethesda	Silver Spring	Wheaton	Total
Total Patrol Hours-Change FY12 to FY13	(762)	(1,121)	(283)	(2,166)
PLD Cost-Change FY12 to FY13	\$0	\$0	\$0	\$0

FY13 CE RECOMMENDED PARKING SECURITY BUDGET				
Sworn Officer Patrols	Bethesda	Silver Spring	Wheaton	Total
Total County Police Hours	0	0	0	0
Cost	\$0	\$0	\$0	\$0
Total Park Police	0	0	0	0
Cost	\$0	\$0	\$0	\$0
Total Sworn Officer Patrol Hours	0	0	0	0
Cost	\$0	\$0	\$0	\$0
Contract Security Guards	Bethesda	Silver Spring	Wheaton	Total
Scheduled Patrol Hours (estimated)	25,519	38,402	8,085	72,006
Cost	\$563,971	\$848,684	\$178,672	\$1,591,327
Clean & Safe Team	Bethesda	Silver Spring	Wheaton	Total
Total Patrol Hours	0	6,000	0	6,000
Cost	\$0	\$104,703	\$0	\$104,703
Total	Bethesda	Silver Spring	Wheaton	Total
Total Patrol Hours	25,519	44,402	8,085	78,006
PLD Cost	\$563,971	\$953,387	\$178,672	\$1,696,030

* Silver Spring Total Cost includes \$9,019 of Montg Hills Cost

*cost of 3.0 WY



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

VALERIE ERVIN
COUNCILMEMBER
DISTRICT 5

Memorandum

Date: March 29, 2012

To: Roger Berliner, Council President and Chair, Transportation, Infrastructure, Energy,
and Environment Committee

From: Valerie Ervin, ^{VE}Councilmember – District 5

Re: Silver Spring Parking Lot District

In January, I attended a meeting in Silver Spring to discuss parking issues with the residents of the South Silver Spring Neighborhood Association, the Department of Transportation (DOT), and Councilmember George Leventhal. The attendees voiced concerns about the rising cost of parking, the utilization of the garages in the area, and suggested options for Council consideration.

A few months later, my office was contacted by residents regarding the County's intention to lease a substantial portion of the Kennett Street Garage (Garage 9) to Discovery Communications, Inc. Meanwhile, the County just opened up a new garage located below the new Galaxy Apartments in Silver Spring at 8025 13th Street. Further, the County Executive's FY13 Recommended Operating Budget includes changes to parking rates and when residents are charged.

As the District 5 representative, I recognize the importance of balancing the needs of retaining an important Silver Spring business, maintaining the fund balance of the Parking Lot District (PLD), and properly utilizing the County's garages, and ensuring parking is still affordable and safe for those residents that live in the central business district. However, we do need understand fully the implications of these various factors on the PLD.

Accordingly, as part of the FY13 Operating Budget review, I would like to request an update on the status of the Parking Lot Districts, including specific information related to Silver Spring:

- Current rates for parking in the four PLDs;
- Sources of PLD revenue;
- PLD expenditures and transfers to other programs;
- County Executive's proposals for changes to the PLDs in the FY13 Recommended Operating Budget;
- Alternative options that maintain the PLD fund balances;
- Ways the DOT Division of Parking Management can become more user-friendly (e.g., online renewals, extended operating hours, annual permits instead of monthly, etc.);
- Terms of the Garage 9 lease agreement with Discovery Communications, Inc.; and
- Other garages in PLDs that have been leased to private entities.

Please feel free to contact my office with any questions regarding this request at 240-777-7960. Thank you very much for your time and consideration.

c: Councilmembers
Arthur Holmes, Jr., Director, Department of Transportation
Rick Siebert, Division of Parking Management, Department of Transportation
Glenn Orlin, Deputy Director, Montgomery County Council

16

**THE GREATER BETHESDA-CHEVY CHASE CHAMBER OF COMMERCE
TESTIMONY ON RESOLUTION TO AMEND
TRANSPORTATION FEES, CHARGES AND FARES
BEFORE THE MONTGOMERY COUNTY COUNCIL – April 24, 2012**

Good evening. My name is Heather Dlhopsky, and I am the Vice President of Economic Development and Government Relations for The Greater Bethesda-Chevy Chase Chamber of Commerce, representing more than 650 member businesses.

On behalf of the Chamber, I am here to express our general opposition to the proposals to both increase parking rates in the Bethesda Parking Lot District (PLD) and expand the times during which fees are imposed to include Saturdays for parking lots and garages. As we have expressed in recent years, the Bethesda area, just like everywhere else in the County, is still struggling to recover from the economic downturn, and those working in and visiting Bethesda should not have to pay significantly higher rates to park than elsewhere in the County. In addition, with so many changes occurring in the Bethesda PLD recently, most notably the closures of parking lots 31 and 31A, those who park here are working hard to adjust their habits and locate new lots and garages in which to park. Now is not the time to also significantly increase the cost of parking on them.

Recognizing, however, that the health of the Bethesda PLD has been jeopardized in recent years due to adjustments by the County to other revenue streams that had been coming into the PLD, the Chamber would like to propose that instead of charging for parking in lots and garages on Saturdays and increasing the monthly parking pass from \$140/month to \$160/month, the two proposals to which our members are most strongly opposed, that the County look to whether increasing the cost of short-term parking to \$1.25 or even \$1.50 per hour would be sufficient to retain the health of the PLD in this coming fiscal year. We also ask the County to look into the potential for other “creative” revenue streams for the PLD including permitting advertising in garages or setting up a program to allow for naming rights for lots and garages.

We are aware that there is a potential proposal to place additional metered parking on streets located just outside of the PLD. If this comes to fruition, we suggest that the County look into expanding the boundaries of the PLD so that the fees from those expanded parking meters will come into the PLD to help buttress its health going forward.

Finally, we suggest that if the County Council approves parking fee increases in areas outside of the PLDs, that these fee increases be deferred until January 2013. A fee increase just went into effect in those areas, which includes North Bethesda, in January 2012, and two fee increases in less than one calendar year could prove burdensome to employees, employees, and visitors in those areas, particularly as we are trying to attract businesses and visitors to the White Flint area.

This past week the Chamber conducted an extensive survey of our members to obtain their thoughts on parking issues and to assist us in preparing this testimony, and we received nearly 130 responses. Some excerpts from these responses follows:

- “Even though I subsidize the parking (by 50%) in the garage which is very expensive for a small business, I lose young employees over the disgust at how much they have to pay. ... For younger workers this is a really big deal. As an employer, I am saddened by the insensitivity to the cost of getting to and staying at work, for those who don’t live in Bethesda.”
- “It will increase the cost of doing business at a time when we cannot afford it. Keeping our doors open through this recession has been difficult. My staff use their cars for business all day long so carpooling and public transportation are not an option for real estate companies. ...”
- “Parking is so expensive and limited in Bethesda that I have to somehow factor it in to the overall compensation of my employees or I can’t stay competitive for really good help. They could make as much elsewhere without the parking hassles. I buy my staff the monthly stickers so a \$20 increase is a big bump for me when you add up all the stickers I buy.”
- “We are looking to move out of Bethesda because our employees and more importantly our clients complain about the parking.”

Thank you for the opportunity to present these comments.



**Testimony of
The Greater Silver Spring Chamber of Commerce
Public Hearing – FY13 Transportation Fees, Charges, and Fares
Montgomery County Council
Thursday, April 24, 2012**

Council President Berliner, members of the Council, good evening. For the record, my name is Jane Redicker and I am President of the Greater Silver Spring Chamber of Commerce. I speak here today on behalf of some 400 businesses – small and large, but mostly small – and several non-profit organization members, many of whom rely on county parking facilities in Silver Spring for both their employees and their customers.

I am here this evening to urge you reject both the County Executive’s recommendation to begin charging for Saturday parking in Silver Spring and the Council staff report suggestion to extend enforcement hours to 10 p.m.

The Chamber recognizes the need to generate revenues sufficient to run the PLD, contribute to the operation of the Urban District, and assure necessary reserves so that major repairs and renovations can be done without seeking a bond. That is why we are not opposing the increase in long term parking rates at this time, despite the fact that more than half of our member companies have said they oppose such an increase. As we noted in opposition to the rate increase last year, unfortunately, efficient and reliable public transit does not exist for many commuters or locations. And, Silver Spring employers still need to provide incentives for our employees to work here. Though we’ve come a long way, Silver Spring is not on the list of desired places to work, like downtown D.C., or even Bethesda. Silver Spring employers need to provide incentives to attract good employees to work here.

That said, a much larger percentage of our members surveyed oppose charging for parking during evenings and on Saturdays. Specifically, in a survey of Chamber members conducted since the budget was released, 90 percent of respondents said they oppose charging for parking on Saturday and an equal number said they oppose extending enforcement hours to 10 p.m.

Though Silver Spring’s night life is attracting more and more visitors on evenings and weekends, we still need incentives to make it an attractive place to visit and shop. As one member put it, “why would anyone come to Silver Spring to shop or go to a movie, when they can just as easily go to one of our nearby malls or theatre complexes and park for free. Implementing paid parking on Saturdays and evenings will just drive customers out of Silver Spring.

Because we recognize that eliminating paid parking on Saturdays from the budget would not provide sufficient revenues to meet the needs of the PLD, we are suggesting a couple of alternatives.

First, we suggest increasing the short term parking rates from \$0.75 per hour to, perhaps, \$1 per hour. Members who responded to the Chamber’s survey indicated that the combination of increasing both long-term rates (as recommended by the County Executive) and increasing short-term rates was the least unacceptable alternative – not a desired alternative -- but more acceptable than charging for parking evenings or Saturdays. It is assumed that the overall impact of having to put one or two more quarters into a meter, would be less a deterrent than the Executive’s recommendation.

18

Second, we suggest Council take a look at alternative ways to increase revenues for the PLD. Among those suggested by our members: making available paid advertising in County garages, licensing private ventures to offer such services as mobile car detailing, windshield repair, or even vending machines. This is done in some privately owned garages in the area. Patrons might appreciate having these services available. And, the County could generate revenue for the PLDs without resorting to raising rates or extending enforcement hours.

On another note, we support the modest increases recommended for Ride-On fares. We were dismayed to learn from the County Budget Director recently that the fare box return for the County's Ride-On system is only 22 percent. Even the State of Maryland's subsidized transit systems does better than that. As one member asked, "Why does the County expect the Parking Lot Districts to fully fund their operations and provide a subsidy for the buses, but even with that subsidy, the taxpayers underwrite a 75 percent loss for bus system? Something's wrong with that equation." We suggest the Council urge the Department of Transportation to strive for a more cost efficient public transit system.

We thank you for the opportunity to provide the business perspective on the County Executive's recommended FY13 Transportation Fees, Charges, and Fares.



RETAIL

Peterson Management

An Affiliate of The Peterson Companies

3

**Resolution to Approve FY 13 Transportation Fees, Charges & Fares
Testimony of Kelly M. Price
Vice President, Retail Property and Asset Management
The Peterson Companies
April 24, 2012**

Good evening President Berliner and Members of the Montgomery County Council. My name is Kelly Price and I am Vice President of Retail Property and Asset Management for the Peterson Companies. The Peterson Companies has been dedicated to developing communities since the early 1970's. We are development partners in a variety of retail, office, residential and hotel properties in the Washington Metropolitan region including Downtown Silver Spring, Washingtonian Center, Milestone, Fairfax Corner and the National Harbor. We are particularly proud of Downtown Silver Spring – a project that was born from a partnership amongst Montgomery County, Foulger Pratt, and Argo Investments. We want it to continue to be a point of pride for the County and the Silver Spring community. I am here tonight to express our concern about the impact extended paid parking enforcement will have on the health of Downtown Silver Spring.

Our primary concern is the recommendation, offered by the County Executive, to expand parking enforcement hours in the Silver Spring Parking Lot District to Saturdays. The Staff Packet indicates that some Council Members wish to consider further expanding enforcement hours to 10:00 p.m during the week. We strongly oppose both of these recommendations.

Charging for parking on Saturdays will negatively impact the Silver Spring business community and harm the health of this vibrant urban core. Economic conditions are still fragile. Customers, particularly in Silver Spring are price sensitive and businesses are succeeding on the slimmest of margins. Customers have choices. They can choose to drive to a local mall or other venues where parking is free. The resulting decrease in sales could have a crippling impact. A decrease in sales by as little as 1% or 2% can affect the viability of a small retailer since they operate on very tight margins. The loss of sales by a larger tenant can reverberate throughout the entire business community. For example, robust sales at the Regal Majestic Theater translate into additional sales for the Silver Spring restaurants and retailers. Theatergoers will choose other venues if the cost of parking is added to the cost of their evening's entertainment. Silver Spring's merchants lose business and Montgomery County loses sales tax revenue.

We recognize that, like our merchants, the County has serious budget constraints. For this reason, we do not oppose the recommended increase to parking fees. We also encourage the County to consider other ways the garages could generate revenue such as selling advertising.

The revitalization of Silver Spring is a point of pride for Montgomery County government, businesses and residents. Its health, however, remains fragile as we navigate our way out of the recession. Let's not undermine our efforts by burdening our businesses and our customers with this additional cost. We respectfully urge the Council to reject this proposal.

Thank you for considering our position on this important topic. I am available to answer any questions you may have regarding our position on this matter.

LEASE
BETWEEN
DISCOVERY COMMUNICATIONS, LLC
AND
MONTGOMERY COUNTY, MARYLAND

DATED: March __, 2012

1. Term
2. Rent
3. Payment of Rent
4. Use
5. Additional Space
6. Security
7. Maintenance
8. Insurance/Indemnification
9. Default
10. Surrender/Holdover
11. Assignment
12. Governing Law
13. Invalidity
14. Brokers
15. Non-Discrimination
16. Public Employment
17. Waiver of Jury Trial and Trial Jurisdiction
18. Notices
19. Non-Appropriation
20. Miscellaneous

<u>Exhibit</u>	<u>Title</u>
A	Description of Property
B	Description of Demised Premises

LEASE FOR GARAGE

THIS LEASE (the "Lease") dated this ___ day of March, 2012, is by and between **MONTGOMERY COUNTY, MARYLAND**, a body corporate and politic and a political subdivision of the State of Maryland with an address of 101 Monroe Street, Rockville, MD 20850 (hereinafter, "Lessor" or "County") and **DISCOVERY COMMUNICATIONS, LLC** with the address of One Discovery Place, Silver Spring, MD 20910 (hereinafter, "Lessee"), (the Lessor/County and the Lessee together the "Parties").

RECITALS

WHEREAS, the County is the owner of property in the central business district of Silver Spring, Maryland, located at 8040 Kennett Street, Silver Spring Maryland, 20910, (the "Property") being the same Property conveyed to the County by deed recorded April, 19, 1948 among the Land Records of Montgomery County, Maryland in Liber 01146 at folio 00278; and

WHEREAS, the County has constructed on the Property the structure shown on a drawing attached hereto as Exhibit A (the "Parking Garage") consisting of four (4) parking levels containing approximately five hundred ninety four (594) parking spaces; and

WHEREAS, the Lessee leases the building ("Building") at 8045 Kennett Street, Silver Spring, Maryland 20910 by lease (the "Building Lease") entered into between Lessee and the owner of the Building, WB Kennett Street, LLC, said Building Lease to expire on March 31, 2025 or earlier pursuant to the terms of the Building Lease, wherein the Lessee operates the Discovery Creative and Technology Center, ("DCTC"); and

WHEREAS, the Lessee desires to lease from the Lessor a portion of the Parking Garage as depicted on the drawing attached hereto as Exhibit B (the "Demised Premises") in accordance with the terms of this Lease; and

WITNESSETH

That for and in consideration of the rents, covenants and agreements herein contained including the above Recitals, County does hereby lease, rent, let and demise to Lessee, and Lessee does hereby accept from County, upon and subject to the conditions herein and the agreements and covenants herein contained, the Demised Premises, and the Parties mutually agree as follows:

1. **TERM:** The term of this Lease (the "Term") shall commence the date on which this Lease is fully executed (the "Commencement Date") by the Parties and continue until and including March 31, 2025 unless the Lessee's lease of the Building expires, the entire Building is sublet to a third party or the Building Lease is terminated for any reason (each, an "Early Termination"). Additionally, Lessee shall have the right to terminate this Lease at any time, in its discretion, without liability upon one hundred and eighty days prior written notice to Lessor, and any such termination also shall be considered an Early Termination of this Lease. If any Early Termination occurs the Lessee shall be entitled to the refund of the prorated portion of any rent payment made in advance to the County within thirty (30) days of the date of Early Termination.

2. **RENT:** Rent for the Term is as follows: (i) one hundred eighty thousand (\$180,000) DOLLARS per annum between the Commencement Date and March 31, 2015, and (ii) two hundred forty thousand (\$240,000.00) DOLLARS per annum between April 1, 2015 and March 31, 2025 (the "Rent"), due and payable in advance, of each lease year (except for the Rent payment for the first lease year which such Rent shall be prorated and due and payable on the Commencement Date). All installments of Rent and any other payments required to be made in this Lease by Lessee to County shall be paid in such United States currency as shall, at the time of payment, be legal tender for the payment of public and private debts.

3. **PAYMENT OF RENT:** All Rent payments shall be due at: Montgomery County Department of Transportation, ("MCDOT"), Division of Parking Management, 100 Edison Park Drive, 4th Floor, Gaithersburg, MD 20878, Attn: Chief, Financial Management Section or at such other place designated by County, without prior demand thereof and without any deduction or set-off whatsoever.

4. **USE:** County agrees to provide to Lessee, for Lessee's exclusive use pursuant to the terms herein, part of the first level, and the entire second, and part of the third levels of the Parking Garage (but not the area beyond this space through and including the roof of the Parking Garage, "Additional Space"), an area comprised of 300 consecutive and contiguous covered parking spaces, which area of parking spaces shall encompass the skywalk that connects the Parking Garage to the Building, as specifically set forth in the diagram of the Demised Premises attached hereto as Exhibit B. The County acknowledges and agrees that Lessee may use the Demised Premises for parking for its employees, contractors, and visitors to the Building. The following vehicles are prohibited from being parked in the Demised Premises: a.) any vehicle with a gross weight greater than 8,000 pounds, and b.) any vehicle having a manufacturer's rated carrying capacity greater than one ton. Lessee further agrees the Demised Premises cannot be used for parking by others not specifically noted in this paragraph.

5. **ADDITIONAL SPACE:** Upon written notice of a minimum of thirty (30) days notice Lessee shall have the option to lease (consistent with the permitted uses set forth in Section 4 above) additional parking spaces in the Additional Space on a year-to-year basis for a period up to the remaining term of the Lease at a cost of \$800.00 per annum per space. The cost of leasing additional spaces shall be prorated on a monthly

basis for the period of year(s) chosen by Lessee, and rent for such spaces for the current calendar year will be due and payable immediately upon assuming access to the added spaces without the receipt of invoice from the County. During such period of time during which Lessee rents such additional spaces, such additional spaces shall be considered part of the Demised Premises as if by written amendment and the annual rent shall be adjusted accordingly. The County shall have unlimited access to the Additional Space (i.e., such Additional Space does not include any spaces that form part of the Demised Premises pursuant to the preceding sentences) by County employees and contractors. The County may use the Additional Space for any County purpose other than public parking without notice or permission of the Lessee. If demand for public parking exceeds the capacity of the Parking Garage below the Demised Premises, the Lessee shall, at Lessee's option, have the right to lease alternative spaces in the Additional Space or shall work with the County cooperatively to allow public access to the Additional Space without compromising the security interests of the Lessee.

6. **SECURITY**: The Lessee is responsible for providing any and all security for the Demised Premises, to include the construction and maintenance of any pedestrian and/or vehicular barrier between the Demised Premises and the Parking Garage. The Lessee shall not make any modification to the Demised Premises without the prior written approval of the County which shall not be unreasonably withheld. The installation and operation of any installed equipment or other modification to the Demised Premises is at the Lessee's sole risk. The Lessee shall indemnify, defend, and hold County harmless from and against any and all third party claims, costs, damages, liabilities, and expenses (including, but not limited to, reasonable attorneys' fees) that arise out of the Lessee's installation, operation, or removal of equipment or other modification of the Demised Premises. Lessee shall have no security responsibilities whatsoever for the Parking Garage or for any other persons that may rent spaces in the Parking Garage from the County other than with respect to the Demised Premises as specifically set forth herein including any Additional Space leased by Lessee.

7. **MAINTENANCE**: The Lessee shall be responsible for any and all routine maintenance activities for the Demised Premises, with the exception of elevator maintenance and maintenance for the water drainage systems and any fire suppression systems. Lessee's routine maintenance activities for the Demised Premises shall consist of janitorial services, snow removal, electrical maintenance, to include light fixture and bulb replacement, and biannual garage sweeping and wash downs. The Lessee agrees to allow the County unlimited access to the Demised Premises specifically for the County to perform County maintenance and to inspect that routine maintenance is being carried out by the Lessee so as not to result in any structural damage not the result of typical deterioration resulting from the permitted use. The County shall be responsible for all structural maintenance of the entire Parking Garage as well as all maintenance for the Parking Garage elevator, the water drainage systems and any fire suppression systems for the entire Parking Garage. The County shall perform all routine and structural maintenance for the Property substantially in accordance with the level of maintenance provided for other County owned public parking garages in the Silver Spring Parking Lot District.

8. **INSURANCE /INDEMNIFICATION**: Any obligation or liability of the County arising in any way from this Agreement is subject to, limited by, and contingent upon the appropriation and availability of funds, as well as the damage caps and notice requirements stated in the Local Government Tort Claims Act, Md. Code Ann., Cts. & Jud. Proc. §§ 5-301, et seq. (2006 Repl. Vol.) (the "LGTCA"); Md. Code Ann. Art. 25A, § 1A (201105 Repl. Vol.); and Md. Code Ann., Cts. & Jud. Proc. § 5-509 (2006 Repl. Vol.), (together the "County Indemnification Statutes"), all as amended from time to time. Any indemnification given by the County in this Agreement is not intended to create any rights or causes of action in any third parties or to increase the County's liability above the caps provided in the County Indemnification Statutes, as applicable. The County maintains the right to self-insure.

Lessee agrees to indemnify, defend and hold the Lessor and the Lessor's officials, agents, and employees free and harmless from any third party loss, injury, liability, damage, claim, lien, cost or expense, including reasonable attorney's fees and costs, arising from the exercise by Lessee or its, employees, contractors, and visitors, agents or representatives of the use of the Demised Premises under this Agreement or arising out of a breach of this Agreement by Lessee, except if such liability arises from Lessor's gross negligence, willful misconduct or breach of its obligations under this Lease. The Lessee's use shall be at Lessee's sole risk and expense. This agreement to indemnify and hold harmless shall survive any termination of this Agreement pursuant to its terms.

Prior to the execution of this agreement by the County, the Lessee must obtain at its own cost and expense the following insurance with an insurance company/companies licensed to do business in the State of Maryland and acceptable to the Division of Risk Management. This insurance must be kept in full force and effect during the term of this contract, including all extensions. The insurance must be evidenced by a certificate of insurance, and if requested by the County, the proposed Lessee shall provide a copy of the insurance policies. The Lessee's insurance shall be primary.

Commercial General Liability

A minimum limit of liability of one million dollars (\$1,000,000), combined single limit, for bodily injury and property damage coverage per occurrence including the following coverages:

- Contractual Liability
- Premises and Operations
- Independent Contractors
- Products and Completed Operations

Automobile and Heavy Equipment Liability Coverage

A minimum limit of liability of one million dollars (\$1,000,000), combined single limit, for bodily injury and property damage coverage per occurrence including the following:

- Owned automobiles
- Hired automobiles
- Non-owned automobiles

Worker's Compensation/Employer's Liability

Meeting all requirements of Maryland Law and with the following minimum limits:

- Bodily Injury by Accident - \$100,000 each accident
- Bodily Injury by Disease - \$500,000 policy limits
- Bodily Injury by Disease - \$100,000 each employee

Additional Insured

Montgomery County Government must be named as an additional insured on all general liability policies.

Policy Cancellation

Should any of the above policies be cancelled before the expiration date thereof, written notice must be delivered to the County in accordance with the policy provisions.

Certificate Holder

Montgomery County Government
Attention: _____
Department of Transit
Division of Parking Management

9. **DEFAULT**: Any one of the following events shall constitute an event of default (“**Event of Default**”) by the Lessee under this Lease: (i) if the Lessee fails to pay any Rent after the same shall be due and payable; provided, however, that Lessor will give the Lessee notice and an opportunity to cure any failure to pay Rent within ten (10) business days of any such notice and the Lessee agrees that such notice shall be in lieu of and not in addition to any notice required by law; or (ii) if the Lessee shall breach or fail in the observance or performance of any of the terms, conditions or covenants of this Lease to be observed or performed by the Lessee (other than those involving the payment of Rent) and such breach or failure is not cured within thirty (30) days (or such period as may reasonably be required to correct the default with the exercise of continuity and due diligence) after the Lessee’s receipt of written notice from Lessor.

a) **Lessee’s Right to Cure**. Upon the occurrence of any Event of Default, Lessor shall have all rights and remedies provided in this Section, in addition to all rights and remedies available under this Lease and the laws of the State of Maryland, except that Lessor shall have no right to terminate or take other action against the Lessee based on the Event of Default if the Lessee cures the Event of Default before such action is taken. Lessee shall remain liable for any and all third party claims, costs, damages, expenses, fees, liabilities, and losses due to Lessor under Section 9 above.

b) **Lessor’s Remedies**. Upon the occurrence of any Event of Default, Lessor shall be entitled to all remedies available to Lessor at law or in equity, including, but not limited to, the right to terminate this Lease by appropriate proceeding in a court of competent jurisdiction. Notwithstanding the foregoing, in no event will Lessee be liable to Lessor for any indirect, punitive, special, incidental or consequential damages or lost profits in connection with or arising out of this Lease.

10. **SURRENDER/HOLDOVER**: The Lessee, upon expiration or termination of this Lease, either by lapse of time or otherwise, shall peaceably surrender the Demised Premises to Lessor in broom clean condition and in good order and repair and in the same condition as at the Commencement Date, ordinary wear and tear and damage excepted. In the event that the County determines that Lessee has failed to leave the premises in broom clean condition, ordinary and wear and tear excepted, and has caused damage to the Demised Premises then Lessee is responsible to reimburse the County for the actual cost of repair of the damages. If the Lessee shall holdover after the expiration of the term, it shall, in the absence of a written agreement to the contrary be a month to month tenancy with rent payable to the County calculated at the rate of 1.5 times the value of a monthly PCS permit at the time of the holdover multiplied by the total number of spaces within the Demised Premises

11. **ASSIGNMENT**: The Lessee shall have no right to assign this Lease without the prior written consent of the Lessor, unless the assignment is to its parent company, a subsidiary, or any entity into which the Lessee is merged or consolidated or to which substantially all of its assets are sold. As soon as possible after the assignment of the Lease, the Lessee shall provide the County reasonable evidence and notification of the above required relationship to the assignee. Lessor shall have no right to assign this Lease without the prior written consent of the Lessee.

12. **GOVERNING LAW:** The provisions of this Lease shall be governed by the laws of the State of Maryland. If any term of this Lease or any application thereof shall be invalid or unenforceable, the remainder of this Lease and any other application of such term shall not be affected thereby. Any dispute between the Parties if required shall be settled by a court of proper jurisdiction located in Montgomery County Maryland.

13. **INVALIDITY:** All Lease provisions shall be enforced to full extent allowed by law. No provision shall be invalid because the provision, if enforced to its fullest, would be invalid. All of the Lease not declared invalid by a court shall remain in force.

14. **BROKERS:** The Parties each represents and warrants that it has not dealt with any broker, agent or other person (collectively, "Broker") in connection with this transaction and that no Broker brought about this transaction. Each of the Parties hereby agrees to indemnify and hold the other harmless from and against any claims by any Broker, claiming a commission or other form of compensation by virtue of having dealt with County or Lessee, as applicable, with regard to this leasing transaction.

15. **NON-DISCRIMINATION:** Lessee agrees to comply with the non-discrimination policies as required by Sections 11B-33 and Chapter 27 of the Montgomery County Code, 1984 as amended (the "County Code"), as well as all other applicable legal requirements regarding discrimination. By signing this Lease, Lessee assures the County that in accordance with applicable legal requirements, it does not, and agrees that it will not engage in any discrimination in violation of the above sections of the County Code as well as any other applicable legal requirements.

16. **PUBLIC EMPLOYMENT:** Lessee understands and agrees that unless authorized pursuant to Section 11B-52 and Chapter 19A of the County Code, that it is unlawful for any person or entity transacting business with the County to employ a public employee for employment contemporaneous with his or her public employment.

17. **WAIVER OF JURY TRIAL AND TRIAL JURISDICTION:** Should any controversy arise by and between the Parties concerning any of the terms and conditions contained in this Lease, or the payment of any monies due hereunder, each of the Parties hereby knowingly, voluntarily and intentionally waives its right to a jury trial and freely elects to be tried by a court of competent jurisdiction without a jury in Montgomery County, Maryland.

18. **NOTICES:** All notices required or desired to be given hereunder by either party to the other shall be given addressed as follows:

<u>To County :</u>	MONTGOMERY COUNTY, MARYLAND Department of Transportation 101 Monroe Street, 10 th Floor
--------------------	--

	Rockville, Maryland 20850 Attn: Director
<u>With a copy that does not constitute notice to:</u>	Office of the County Attorney 101 Monroe Street Rockville, Maryland 20850 Attn: County Attorney
<u>To the Lessee:</u>	Discovery Communications, LLC One Discovery Place Silver Spring, MD 20910 Attn: EVP, Facilities & Real Estate Strategy
<u>With a copy that does not constitute notice to:</u>	Discovery Communications, LLC One Discovery Place Silver Spring, MD 20910 Attn: Vice President, Corporate Legal Dept.

19. **NON-APPROPRIATION:** If the County fails to appropriate sufficient funds for performance of the County's obligations under this Lease for the County's next fiscal year (i.e. the period commencing on July 1st and ending June 31st of that year, the County's fiscal year) for any reason whatsoever then this Lease will automatically terminate at 11:59 p.m. on June 30th of the next fiscal year, provided that such termination will only take effect if the County has provided the Lessee one hundred and eighty days prior written notice of such termination.

20. **MISCELLANEOUS:** This Lease contains the entire understanding and supersedes all prior understandings and agreements between the parties relating to the subject matter herein, and this Lease cannot be amended except in a writing executed by both parties. This Lease may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Facsimile signatures shall be considered valid as original signatures.

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the Parties hereto have caused this Lease to be properly executed.

WITNESS:

MONTGOMERY COUNTY, MARYLAND

By: _____

Name: _____

Title: _____

WITNESS:

DISCOVERY COMMUNICATIONS, LLC

By: _____

Name: _____

Title: _____

APPROVED AS TO FORM AND LEGALITY
OFFICE OF THE COUNTY ATTORNEY

By: _____

Date signed: _____

RECOMMENDED:

By: _____

Date signed: _____

Exhibit A

Parking Garage



Exhibit A

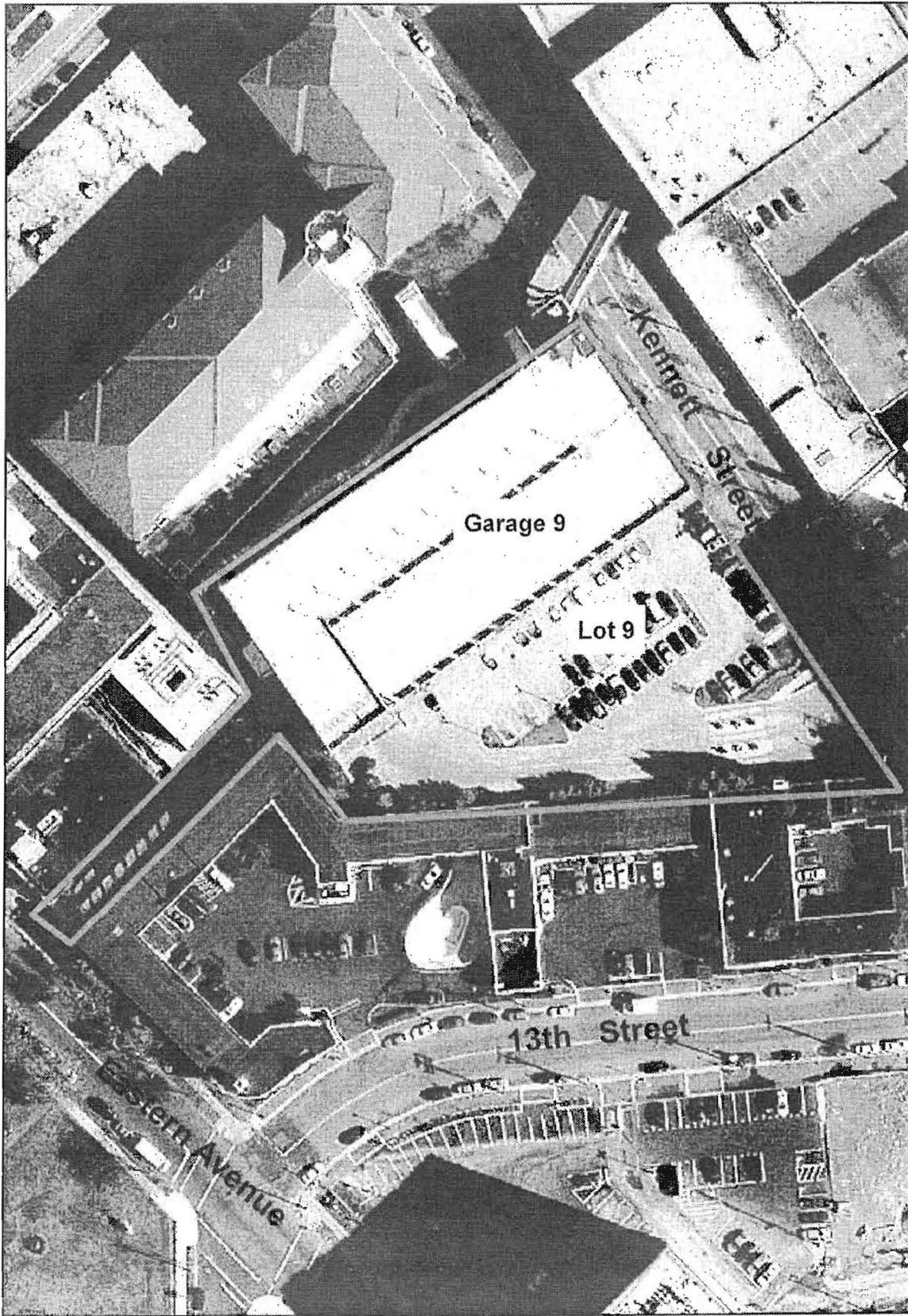


Exhibit B

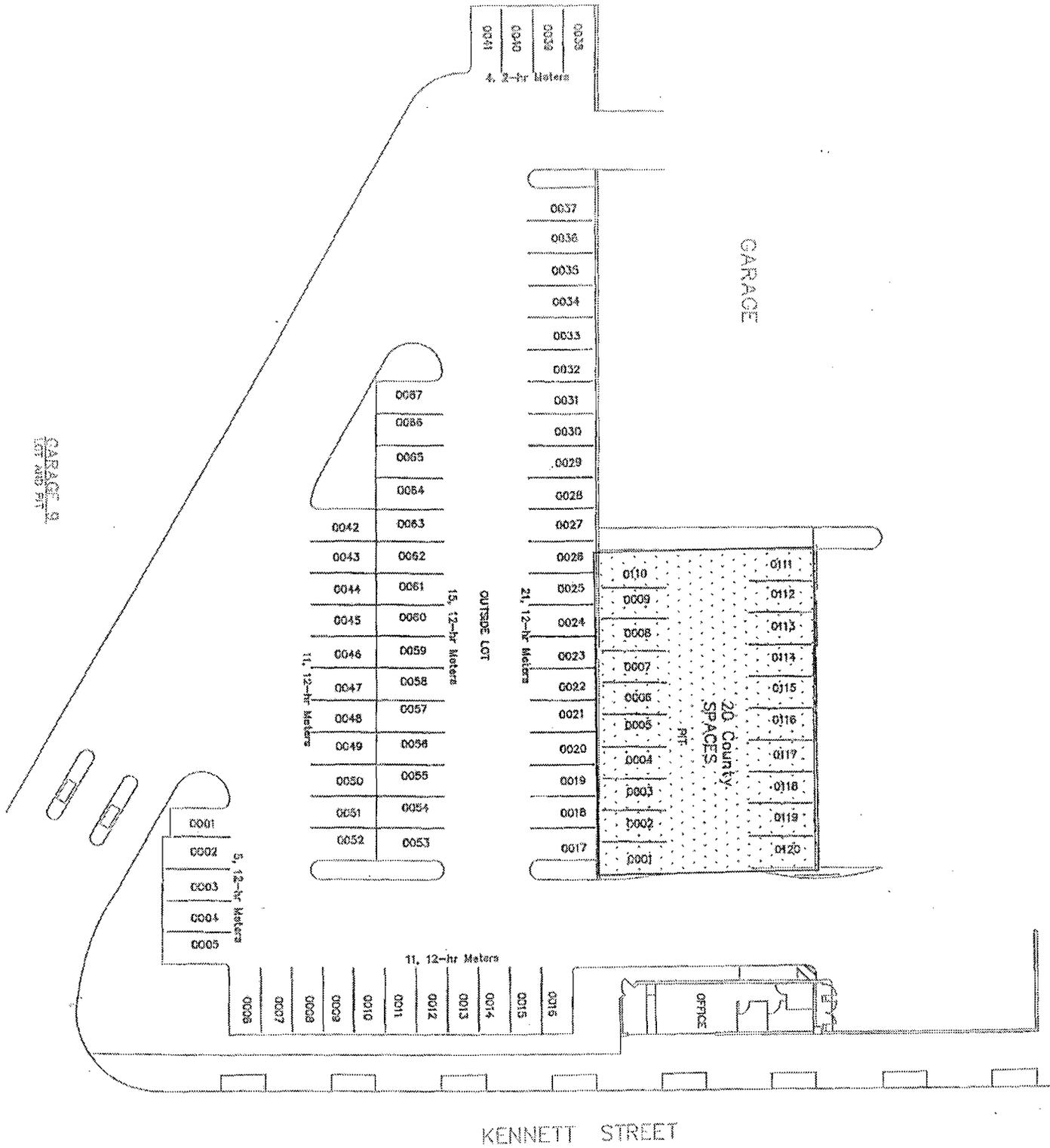
Demised Premises

34

12

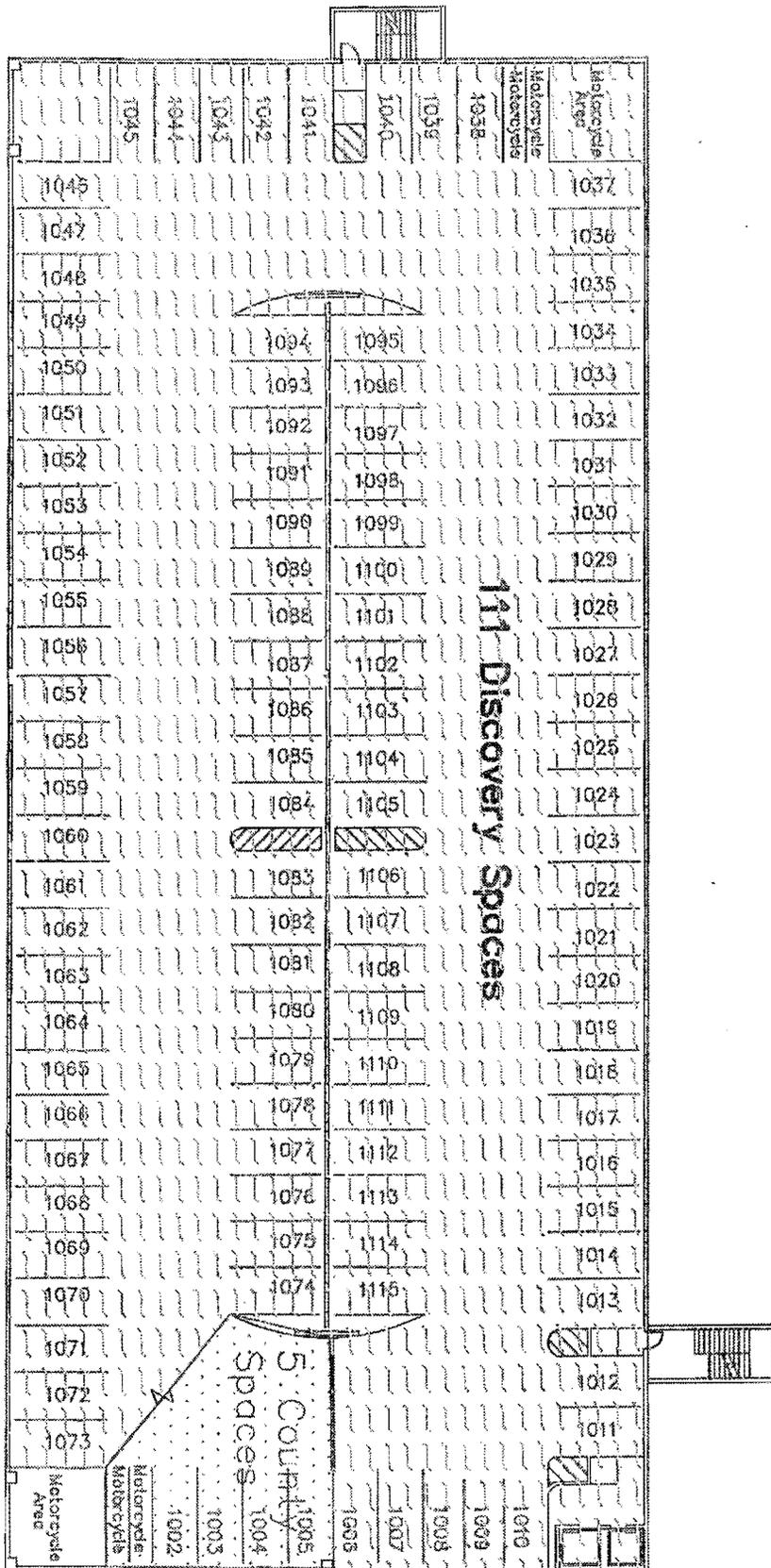
EASTERN AVENUE

Exhibit B - 1



EASTERN AVENUE

Exhibit B - 3



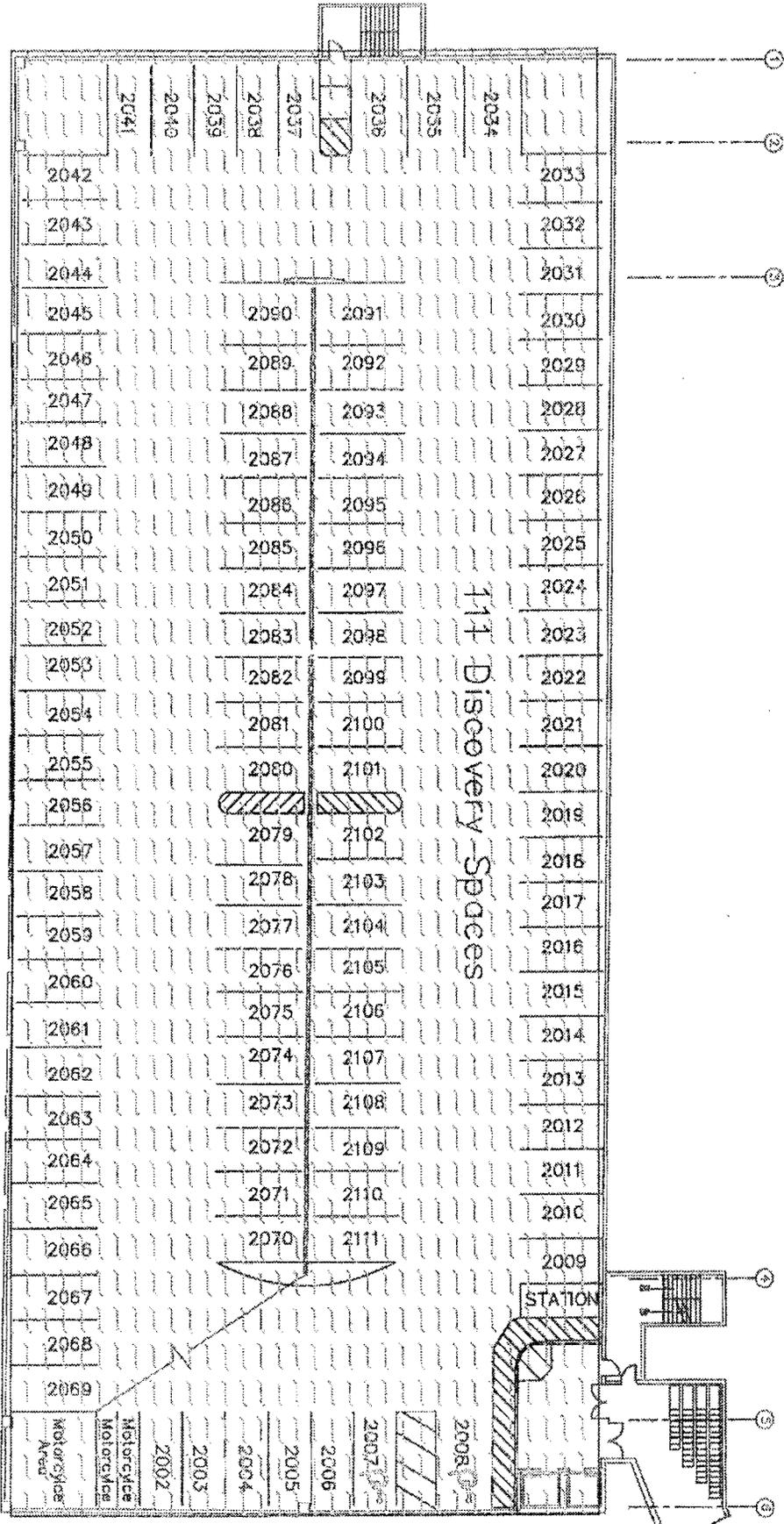
GARAGE 9
1st LEVEL

KENNETT STREET

37

EASTERN AVENUE

Exhibit B - 4



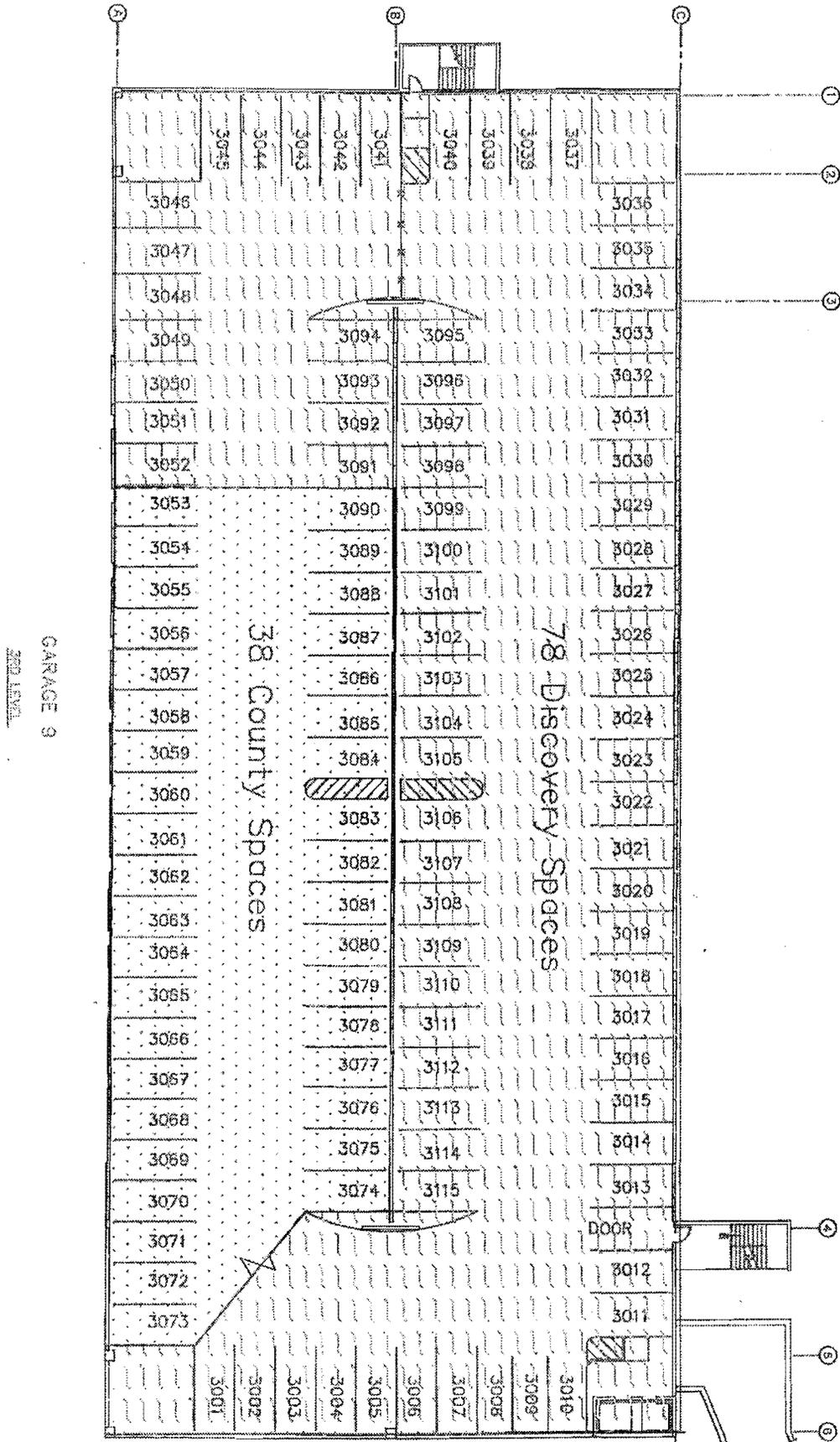
GARAGE 9
2ND LEVEL

KENNETT STREET

38

EASTERN AVENUE

Exhibit B - 5



GARAGE 9
3RD LEVEL

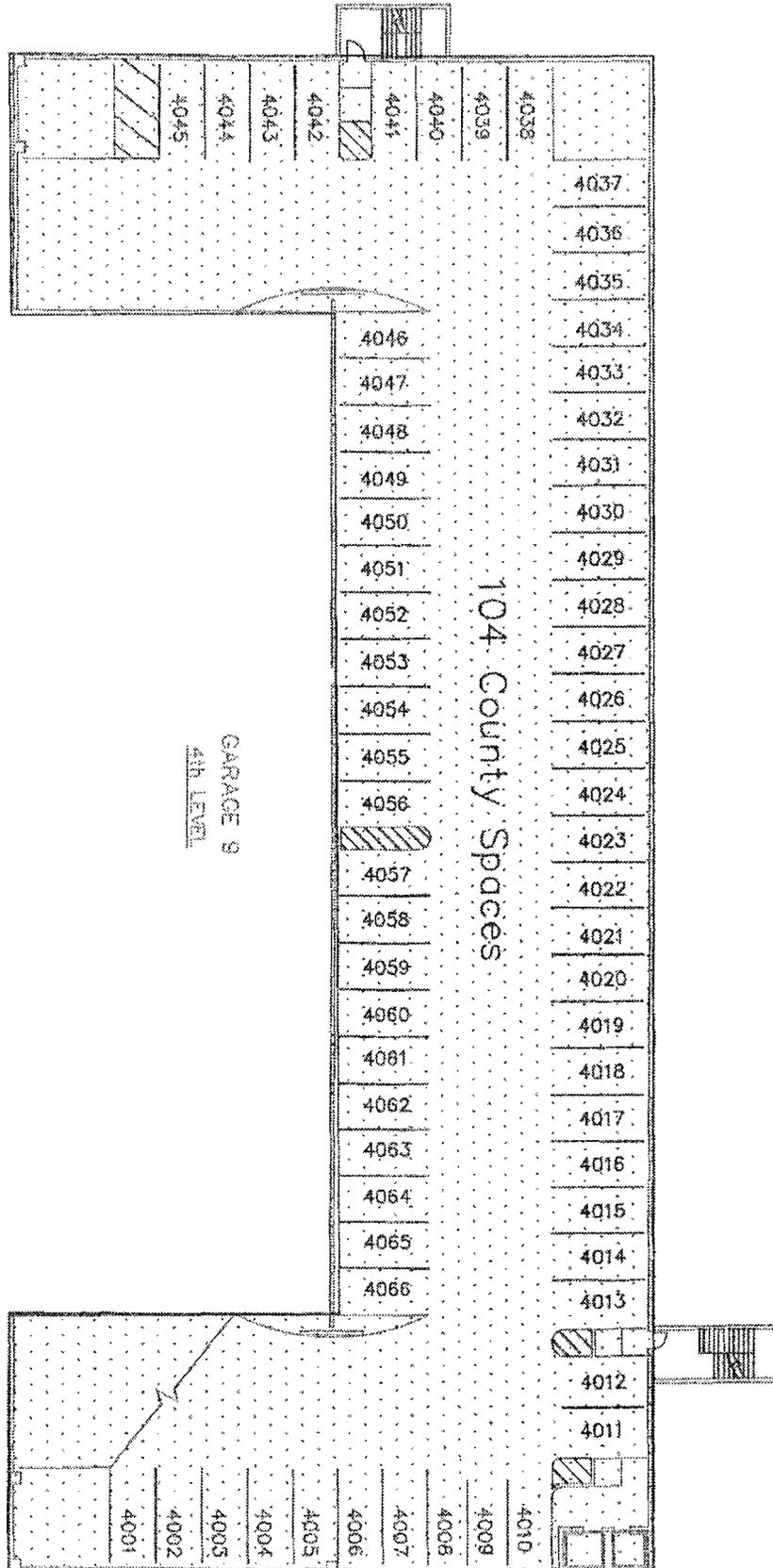
38 County Spaces

78 Discovery Spaces

39

KENNETT STREET

EASTERN AVENUE



KENNETT STREET

Councilmembers - It now costs me less to drive to my workplace in downtown DC and park at a commercial lot with an "early bird special" than it does to buy a PCS permit – which is why I stopped purchasing PCS permits. I drive to work and when I am home on a weekday, I park on the street in DC and move my car when needed to avoid ticketing.

Evidently, I am not the only South Silver Spring resident to opt out of the PCS permit program. According to official records, in December 2011, prior to the most recent rate increase, 1,047 people with a 20910 zip code purchased a PCS sticker. Last month only 940 purchased the sticker – a decrease of 107.

But if all things were equal, I would prefer to park in a county garage for several reasons:

- My workplace is very metro accessible;
- Parking in a county garage is safer than street parking ;
- Parking on the street in DC causes tension with our neighbors in Shepherd Park; and
- Dealing with DC parking enforcement can be tedious.

A PCS permit may be convenient, but I do not think it is \$113 convenient - certainly not for those of us who have to pay that cost every month despite already paying a Parking Lot District tax to help subsidize the existence and maintenance of county parking lots. Over 100 people reacted to the 2012 rate increase by opting out of the PCS permit program. If a residential permit is not created, more people will likely opt out in 2013 and each year thereafter. The county will lose a revenue stream.

The lack of a residential parking permit negatively affects the quality of life of county residents living in the central business district, discourages use of existing infrastructure, and results in increased auto pollution. The current PCS permit model effectively penalizes residents of the central business district by making them pay twice for parking and it is resulting in a decrease in the county's parking garage customer base.

Please help South Silver Spring residents. A residential parking permit is in everyone's best interests.

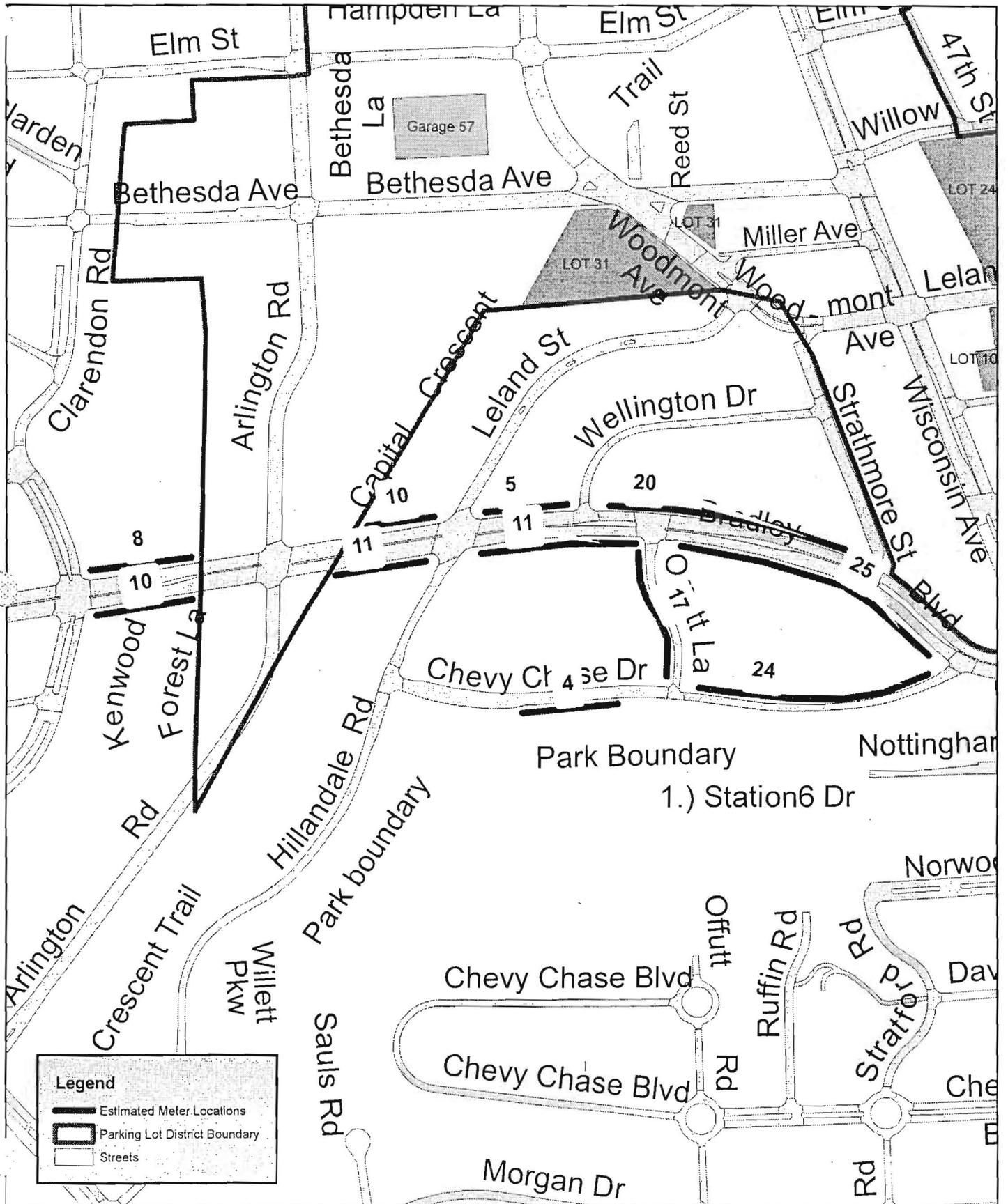
Melissa Kaufman Stein
7981 Eastern Avenue, #114
Silver Spring, MD 20910

Good evening Montgomery County Council Members . My name is Melissa Stein and I am a homeowner in Eastern Village, a Condominium and Cohousing community located on Eastern Avenue in South Silver Spring. Currently my husband and I purchase a monthly PCS parking pass so we may park in the Kennett Street garage. My husband and I share one car and we use it primarily for errands and taking our toddler to activities. We use public transportation as our primary mode of transport including my husband's daily commute. We do not have the option to purchase an AM PM permit as I have heard suggested by county officials precisely because we do not use our car as our primary transportation. It seems to me as if my husband is being encouraged to use our car for his commute by the outrageous hikes in fees; the fees that were initially established in part to deter driving commuters.

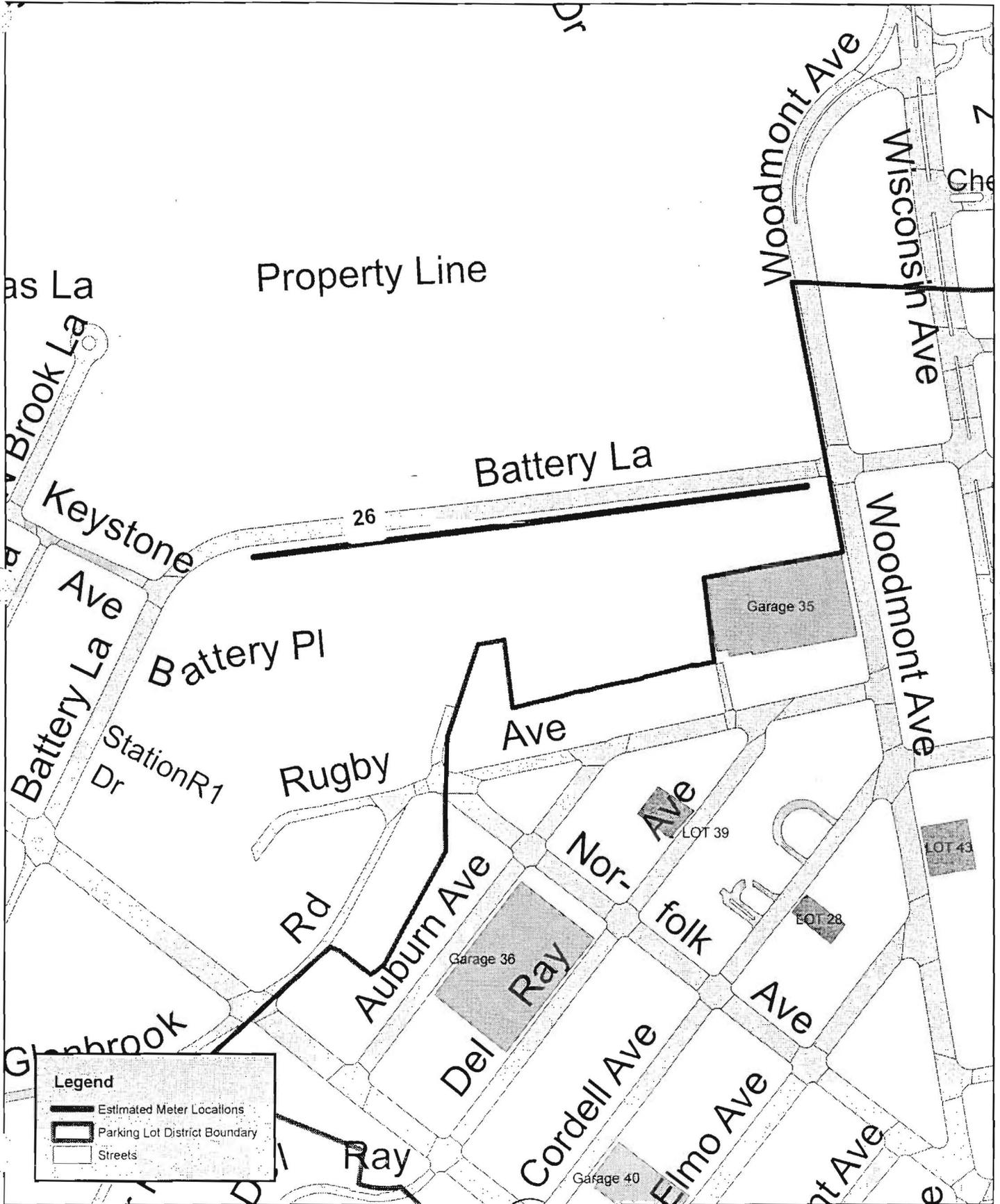
Even the sidewalk on our side of the street is the District of Columbia. This fact is far from a fun fact because I cannot even park on my own street. We pay taxes to the county that we do not receive direct benefit from. If we sold our home and bought across the street in Shepherd Park, even without an increase from the current fee, we would save over \$1300 per year and not have the hassle of procuring a pass every month from the parking office. We also are concerned that our property will lose value as parking becomes a larger monthly expense. A drop in property value means less tax revenue for the county. The existing fee that is in part there to deter commuters from driving is forcing my family to reconsider commuting by car. These parking fees feel punitive to a community that depends largely on public transportation and that supports the growing urban district. I do not have the option of searching for un-zoned DC parking every time I return home. I am pregnant and almost always have a child in tow; two reasons that make long walks, especially at night, dangerous. If these fees continue, my family will be forced to reconsider our place of residence. For the county that means losing committed community members who pay county income and property taxes.

I urge you, councilmembers, to create a residential parking permit that better reflects our status as taxpaying members of the community and encourages my family and our neighbors to continue living in Montgomery County and to continue using public transportation for most transportation needs. Thank you for your time.

Bethesda Meters Outside PLD



Bethesda Meters Outside PLD



Legend

- Estimated Meter Locations
- Parking Lot District Boundary
- Streets

350 175 350 Feet



Silver Spring Transit Center -- No. 509974

Category
Subcategory
Administering Agency
Planning Area

Transportation
Mass Transit
General Services
Silver Spring

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

April 27, 2012
No
None.
Under Construction

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY11	Est. FY12	Total 6 Years	FY13	FY14	FY15	FY16	FY17	FY18	Beyond 6 Years
Planning, Design, and Supervision	20,037	11,686	6,751	1,600	1,600	0	0	0	0	0	0
Land	309	217	92	0	0	0	0	0	0	0	0
Site Improvements and Utilities	11,531	169	11,362	0	0	0	0	0	0	0	0
Construction	70,295	59,667	6,922	3,706	3,706	0	0	0	0	0	0
Other	7,285	524	6,761	0	0	0	0	0	0	0	0
Total	109,457	72,263	31,888	5,306	5,306	0	0	0	0	0	0

FUNDING SCHEDULE (\$000)

Contributions	868	0	0	868	868	0	0	0	0	0	0
Federal Aid	53,556	39,913	9,583	4,060	4,060	0	0	0	0	0	0
G.O. Bonds	31,245	24,811	6,356	78	78	0	0	0	0	0	0
Impact Tax	5,067	0	5,067	0	0	0	0	0	0	0	0
Land Sale	4,339	4,339	0	0	0	0	0	0	0	0	0
Mass Transit Fund	93	93	0	0	0	0	0	0	0	0	0
State Aid	14,289	3,107	10,882	300	300	0	0	0	0	0	0
Total	109,457	72,263	31,888	5,306	5,306	0	0	0	0	0	0

DESCRIPTION

This project replaces the existing 30 year old Silver Spring transit facility with a new 3-story, multi-modal transit center that serves as a vital part of the Silver Spring revitalization initiative. Phase I of this project, completed by the State, relocated the MARC facility near the transit center. In Phase II, the eight acre site will be jointly developed to accommodate a transit center and an urban park. Phase III includes coordinated and integrated transit-oriented private development adjacent to the transit center by WMATA. The transit center consists of a pedestrian friendly complex supporting rail (Metrorail and MARC), bus traffic (Ride On and Metrobus, inter-city and various shuttles), and automobile traffic (taxis and kiss-and-ride). Major features include increasing bus capacity by approximately 50 percent (from 23 bus bays to 32), a 3,500 square foot inter-city bus facility, extensive provisions for safe pedestrian and vehicle movement in a weather protected structure. The project also includes a realignment of Colesville Road, a new traffic light at the transit center entrance, connections to MARC platforms, and enhancement of hiker/biker trails. The design allows sufficient space for the future Purple Line transit system and for an interim hiker/biker trail that will be reconstructed as a permanent hiker/biker trail when the Purple Line transit facility is built in the reserved area. The transit center will be accessible from all sides and on all three levels. The project includes Intelligent Transportation System (ITS) improvements including new signage and infrastructure to accommodate future Automatic Vehicle Locator (AVL) systems, real time bus schedule information, centralized bus dispatch, operational controls, and centralized traffic controls. The project will be constructed in two stages: stage one, started Fall 2006, included road work and relocation of bus stops; stage two is the construction of the new transit center and began Fall 2008.

ESTIMATED SCHEDULE

The project is under construction. The estimated completion date of the transit center has been delayed from December 2011 to September 2012. The Gene Lynch Urban Park and decommissioning of the interim operating site (IOS) will be completed in FY13. An FY12 supplemental will be necessary to meet this schedule.

COST CHANGE

Cost change of \$10,611,000 reflects direct and delay costs resulting from required changes to the project scope. Direct change costs (approximately \$7,400,000) reflect costs related to different soil and utility conditions discovered at the site and scope changes, including unanticipated changes to meet WMATA requirements. The delay costs (approximately \$3,200,000) provide additional funding for nine months of contractor construction management, County and architecture/engineer construction administration, inspections, office rental, Van-Go costs, and maintenance of the Interim Operations Site (IOS). These costs do not include remediation of deficient slabs; these costs shall be borne by the construction contractor.

JUSTIFICATION

With over 1,250 bus movements per day, the Silver Spring transit center has the highest bus volume in the Washington metro system. The Silver Spring transit center is a major contributor to the vitality of Silver Spring. There are various existing transit modes at this location although they are poorly organized. Patrons are exposed to inclement weather conditions and interconnectivity between various modes of transportation is poor. There is no provision for future growth and future transit modes. The current facility accommodates approximately 57,000 patrons daily, which is expected to increase by 70 percent to 97,000 by year 2024. The project enhancements will be an urban park and connections to hiker/biker trails. The benefits will be improved pedestrian circulation and safety in a covered facility, and reduced pedestrian conflicts with vehicle movements. All associated trails will be enhanced and new signage will be installed. This project

APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY99	(\$000)
First Cost Estimate	FY12	109,457
Last FY's Cost Estimate		98,846
Appropriation Request	FY13	0
Appropriation Request Est.	FY14	0
Supplemental Appropriation Request		8,493
Transfer		2,118
Cumulative Appropriation		98,846
Expenditures / Encumbrances		78,557
Unencumbered Balance		20,289
Partial Closeout Thru	FY10	0
New Partial Closeout	FY11	0
Total Partial Closeout		0

COORDINATION

CSX Railroad
Federal Transit Administration
Maryland Transit Administration
State Highway Administration
Maryland-National Capital Park and Planning Commission
Department of Permitting Services
WMATA
Department of Transportation
Department of General Services
Department of Technology Services
Silver Spring Regional Services Center
Department of Police
WSSC
PEPCO

MAP

See Map on Next Page

45

Silver Spring Transit Center -- No. 509974 (continued)

will complement the completed facility of the relocated MARC station and the bridge over CSX and Metro track.

FISCAL NOTE

The full cost of this project has increased to \$112,049,000 - which includes Federal and State aid in the amount of \$2,592,000 for State of Maryland expenses for planning and supervision (that funding is not reflected in the expenditure and funding schedules of the PDF).

Based on agreements with WMATA, Montgomery County will ultimately receive a share of land sale or lease proceeds and 50 percent reimbursement for sewer and water line relocations related to anticipated nearby private development. The amount and timing of these payments is not certain or known at this time and has not been included in the funding schedule. If developer contributions are received after this project is closed, they will be allocated to other capital projects.

Project budget reflects an FY12 supplemental and transfers from various transportation projects.

OTHER DISCLOSURES

- A pedestrian impact analysis has been completed for this project.
- The Executive asserts that this project conforms to the requirements of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.

County Service Park Infrastructure Improvements -- No. 501317

Category **Transportation**
 Subcategory **Roads**
 Administering Agency **General Services**
 Planning Area **Shady Grove Vicinity**

Date Last Modified **April 26, 2012**
 Required Adequate Public Facility **No**
 Relocation Impact **None.**
 Status **Planning Stage**

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY11	Est. FY12	Total 6 Years	FY13	FY14	FY15	FY16	FY17	FY18	Beyond 6 Years
Planning, Design, and Supervision	1,689	0	0	1,689	1,267	422	0	0	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	1,689	0	0	1,689	1,267	422	0	0	0	0	0

FUNDING SCHEDULE (\$000)

Current Revenue: General	1,689	0	0	1,689	1,267	422	0	0	0	0	0
Total	1,689	0	0	1,689	1,267	422	0	0	0	0	0

DESCRIPTION

This project ultimately provides for the design, engineering, and construction of several infrastructure improvements at the County Service Park (CSP). A development district ("The County Service Park Development District") will be established to provide funding for the improvements which will serve and benefit the entire Shady Grove Sector Plan area, including both the east and west parcels of the CSP site. The improvements include:

- Crabbs Branch Way Improvements for the portion of the road that bisects the County Service Park and related storm water management for public roads;
- Intersection Improvements at Shady Grove Road and Crabbs Branch Way;
- Shady Grove Road sidewalk improvement along the northern property boundary and related storm water management;
- Improvements on the WMATA property to improve vehicular connectivity, create pedestrian connectivity between the County Service Park and the Shady Grove Metro station, and to facilitate the development of the CSP site;
- A nature trail around the regional storm water pond; and
- System upgrades to WSSC infrastructure that is necessitated by the development.

This initial funding will provide for preliminary design and engineering costs. Construction costs will be added to this project once design work has sufficiently progressed to determine an accurate estimate.

ESTIMATED SCHEDULE

Design will commence in the Summer of 2012 and will conclude in Spring of 2014. The improvements will be constructed by the developer beginning in Fall 2014 and completed in Summer 2017.

JUSTIFICATION

This project will be developed in accordance with the Council approved Shady Grove Sector Plan to redevelop the CSP property into a transit-oriented mixed-use area. The CSP property is a major component of the County's Smart Growth Initiative (SGI), a comprehensive strategy to better serve the public interest and support economic development in key areas by relocating several County offices from their current, outdated, and inadequate facilities to other more functional and appropriate sites.

The CSP property is planned to support several different types of uses, including residential townhomes and apartments; commercial office and retail space; public parks; and open spaces located in and around the Shady Grove Metro Station area.

OTHER

The improvements on the WMATA site and the WSSC upgrades are the sole responsibility of the proposed development district. The developer is not eligible for any tax credits for the design and construction of the transportation and WSSC improvements.

FISCAL NOTE

The project design and construction costs will be repaid with development district revenues in the out-years. A petition to establish a development district at the County Service Park will be submitted to the County Council, in accordance with the Master Plan Real Estate Purchase Agreement.

APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY09	(\$000)
First Cost Estimate	FY13	1,689
Current Scope		
Last FY's Cost Estimate		0
Appropriation Request	FY13	1,689
Appropriation Request Est.	FY14	0
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		0
Expenditures / Encumbrances		0
Unencumbered Balance		0
Partial Closeout Thru	FY10	0
New Partial Closeout	FY11	0
Total Partial Closeout		0

COORDINATION

Department of General Services
 Department of Finance
 Department of Permitting Services
 Department of Transportation
 Offices of the County Executive
 Washington Suburban Sanitary Commission
 Maryland-National Capital Park and Planning Commission
 Washington Metropolitan Area Transit Authority
 Utility Companies
 Developers

MAP

See Map on Next Page

48

Dedicated but Unmaintained County Roads -- No. 501117

Category
Subcategory
Administering Agency
Planning Area

Transportation
Roads
Transportation
Countywide

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

April 24, 2012
No
None.
Planning Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY11	Est. FY12	Total 6 Years	FY13	FY14	FY15	FY16	FY17	FY18	Beyond 6 Years
Planning, Design, and Supervision	252	43	33	176	68	68	40	0	0	0	0
Land	13	4	0	9	0	9	0	0	0	0	0
Site Improvements and Utilities	20	0	0	20	20	0	0	0	0	0	0
Construction	410	0	0	410	0	137	273	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	695	47	33	615	88	214	313	0	0	0	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	695	47	33	615	88	214	313	0	0	0	0
Total	695	47	33	615	88	214	313	0	0	0	0

OPERATING BUDGET IMPACT (\$000)

Maintenance				3	0	0	0	1	1	1
Net Impact				3	0	0	0	1	1	1

DESCRIPTION

This project provides funds for the study and prioritization of improvements to Dedicated but Unmaintained (DBU) County Roads in order to accept them into the County's road maintenance system. Once the need and priority of the roadway improvements are established, funding will be provided for their design and construction. As stipulated in the DBU County Roads Policy, the County will fund planning, design and supervision costs up to 10 percent of the total cost of each project. The remaining costs for these projects will be recovered from the communities through a special tax assessment.

The DBU County Roads Policy was developed by the DBU County Roads Working Group. The Policy provides guidance for County officials in responding to requests from residents for improvements to, or maintenance of, DBU County Roads in a consistent manner, and establishes criteria for evaluating the need for improvements to the DBU County Roads. Fawsett Road in Potomac is the first road to apply and be selected for design and construction of improvements under the DBU program. The proposed improvements include roadway pavement and a storm drain system.

ESTIMATED SCHEDULE

Design for improvements to Fawsett Road will be completed in the Fall of 2013 and construction will be completed in the Fall of 2014.

COST CHANGE

Cost increase due to the addition of design and construction costs for the improvements to Fawsett Road.

JUSTIFICATION

A total of 59 Roads have been identified and inventoried as DBU County Roads. In the past, residents have requested that the County assume maintenance of various non-standard roads even though County policy prohibits acceptance of maintenance responsibilities for roadways that do not meet County standards. The purpose of this project is to respond to these requests in accordance with the recently adopted DBU County Roads Policy. Under the terms of the policy, citizen requests will result in comparative studies of the DBU County Roads to determine the priority and ranking of the requested projects. In accordance with the policy, residents of Fawsett Road petitioned the County for design and reconstruction of Fawsett Road to meet County standards and to subsequently provide future maintenance of the road. It was determined that Fawsett Road met the qualifications under the policy and was selected for implementation.

FISCAL NOTE

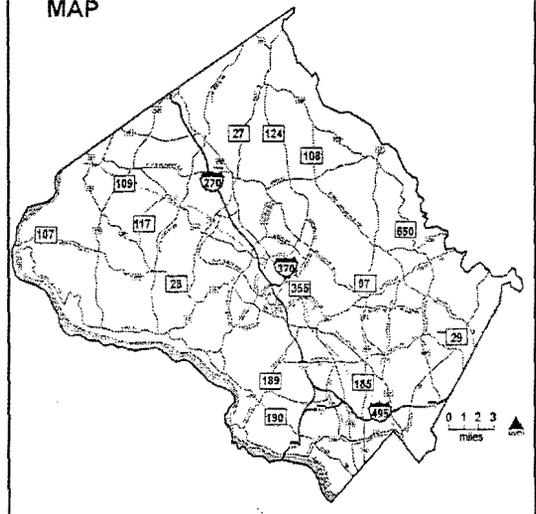
Construction costs will be added once candidate projects are assessed, ranked, and preliminary design is complete. The revised cost estimate for construction of Fawsett Road was prepared in Fall 2011.

APPROPRIATION AND EXPENDITURE DATA		
Date First Appropriation	FY11	(\$000)
First Cost Estimate		
Current Scope	FY13	695
Last FY's Cost Estimate		100
Appropriation Request	FY13	595
Appropriation Request Est.	FY14	0
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		100
Expenditures / Encumbrances		63
Unencumbered Balance		37
Partial Closeout Thru	FY10	0
New Partial Closeout	FY11	0
Total Partial Closeout		0

COORDINATION

Montgomery County Department of Permitting Services
Montgomery County Department of Finance
Montgomery County Civic Federation (MCCF)

MAP



49

Bethesda CBD Streetscape -- No. 500102

Category Transportation
 Subcategory Roads
 Administering Agency Transportation
 Planning Area Bethesda-Chevy Chase

Date Last Modified
 Required Adequate Public Facility
 Relocation Impact
 Status

April 24, 2012
 Yes
 None.
 Preliminary Design Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY11	Est. FY12	Total 6 Years	FY13	FY14	FY15	FY16	FY17	FY18	Beyond 6 Years
Planning, Design, and Supervision	2,562	391	707	1,447	0	0	0	60	897	490	17
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	1,196	0	0	0	0	0	0	0	0	0	1,196
Construction	4,456	0	0	3,268	0	0	0	0	1,286	1,982	1,188
Other	0	0	0	0	0	0	0	0	0	0	0
Total	8,214	391	707	4,715	0	0	0	60	2,183	2,472	2,401

FUNDING SCHEDULE (\$000)

G.O. Bonds	8,214	391	707	4,715	0	0	0	60	2,183	2,472	2,401
Total	8,214	391	707	4,715	0	0	0	60	2,183	2,472	2,401

DESCRIPTION

This project provides for the design and construction of pedestrian improvements to complete unfinished streetscapes along approximately 5,425 feet of Central Business District (CBD) streets in Bethesda as identified in the Bethesda CBD Sector Plan. This includes 1,125 feet along Woodmont Avenue between Old Georgetown Road and Cheltenham Drive; 3,550 feet along Wisconsin Avenue between Cheltenham Drive and the northern end of the CBD; and 750 feet along East-West Highway between Waverly Street and Pearl Street. It is intended to fill in the gaps between private development projects which have been constructed or are approved in the CBD. The design elements include the replacement and widening, where possible, of sidewalks, new vehicular and pedestrian lighting, street trees, street furniture, and roadway signs. The county will additionally coordinate with the utility company for installation of aesthetic covering over existing utility poles within the project area. This project addresses streetscape improvements only and does not assume the undergrounding of utilities.

ESTIMATED SCHEDULE

Design will be completed in the Fall of 2017. Construction will start in the Summer of 2017 and will be completed by Spring 2019.

COST CHANGE

Decrease due to more accurate design costs, offset by inflation and overhead charges.

JUSTIFICATION

Staging of the Bethesda CBD Sector Plan recommends implementation of transportation improvements and facilities identified in Stage I prior to moving to Stage II.

Bethesda CBD Sector Plan, approved and adopted July 1994; and Bethesda Streetscape Plan Standards, updated April 1992.

OTHER DISCLOSURES

- A pedestrian impact analysis has been completed for this project.

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP												
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Date First Appropriation</td> <td style="text-align: center;">FY01</td> <td style="text-align: right;">(\$000)</td> </tr> <tr> <td>First Cost Estimate</td> <td></td> <td></td> </tr> <tr> <td>Current Scope</td> <td style="text-align: center;">FY13</td> <td style="text-align: right;">8,214</td> </tr> <tr> <td>Last FY's Cost Estimate</td> <td></td> <td style="text-align: right;">10,049</td> </tr> </table>	Date First Appropriation	FY01	(\$000)	First Cost Estimate			Current Scope	FY13	8,214	Last FY's Cost Estimate		10,049	Maryland-National Capital Park and Planning Commission Montgomery County Public Schools Department of Permitting Services Maryland State Highway Administration Utility Companies Bethesda-Chevy Chase Regional Services Center	See Map on Next Page
Date First Appropriation	FY01	(\$000)												
First Cost Estimate														
Current Scope	FY13	8,214												
Last FY's Cost Estimate		10,049												
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Appropriation Request</td> <td style="text-align: center;">FY13</td> <td style="text-align: right;">0</td> </tr> <tr> <td>Appropriation Request Est.</td> <td style="text-align: center;">FY14</td> <td style="text-align: right;">0</td> </tr> <tr> <td>Supplemental Appropriation Request</td> <td></td> <td style="text-align: right;">0</td> </tr> <tr> <td>Transfer</td> <td></td> <td style="text-align: right;">0</td> </tr> </table>	Appropriation Request	FY13	0	Appropriation Request Est.	FY14	0	Supplemental Appropriation Request		0	Transfer		0		
Appropriation Request	FY13	0												
Appropriation Request Est.	FY14	0												
Supplemental Appropriation Request		0												
Transfer		0												
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Cumulative Appropriation</td> <td style="text-align: right;">1,098</td> </tr> <tr> <td>Expenditures / Encumbrances</td> <td style="text-align: right;">503</td> </tr> <tr> <td>Unencumbered Balance</td> <td style="text-align: right;">595</td> </tr> </table>	Cumulative Appropriation	1,098	Expenditures / Encumbrances	503	Unencumbered Balance	595								
Cumulative Appropriation	1,098													
Expenditures / Encumbrances	503													
Unencumbered Balance	595													
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Partial Closeout Thru</td> <td style="text-align: center;">FY10</td> <td style="text-align: right;">0</td> </tr> <tr> <td>New Partial Closeout</td> <td style="text-align: center;">FY11</td> <td style="text-align: right;">0</td> </tr> <tr> <td>Total Partial Closeout</td> <td></td> <td style="text-align: right;">0</td> </tr> </table>	Partial Closeout Thru	FY10	0	New Partial Closeout	FY11	0	Total Partial Closeout		0					
Partial Closeout Thru	FY10	0												
New Partial Closeout	FY11	0												
Total Partial Closeout		0												
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center; margin: 0 auto;"> 50 </div>														

White Flint District West: Transportation -- No. 501116

Category
Subcategory
Administering Agency
Planning Area

Transportation
Roads
Transportation
North Bethesda-Garrett Park

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

January 04, 2012
No
None.
Preliminary Design Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY11	Est. FY12	Total 6 Years	FY13	FY14	FY15	FY16	FY17	FY18	Beyond 6 Years
Planning, Design, and Supervision	14,064	189	1,711	11,474	500	2,900	2,950	3,535	1,589	0	690
Land	11,000	0	0	1,000	600	0	200	200	0	0	10,000
Site Improvements and Utilities	3,162	0	0	2,351	0	0	0	1,741	610	0	811
Construction	70,381	0	0	69,539	0	0	0	6,069	4,681	58,789	842
Other	35	0	35	0	0	0	0	0	0	0	0
Total	98,642	189	1,746	84,364	1,100	2,900	3,150	11,545	6,880	58,789	12,343

FUNDING SCHEDULE (\$000)

Current Revenue: General	0	189	-189	0	0	0	0	0	0	0	0
White Flint - Special Tax District	98,642	0	1,935	84,364	1,100	2,900	3,150	11,545	6,880	58,789	12,343
Total	98,642	189	1,746	84,364	1,100	2,900	3,150	11,545	6,880	58,789	12,343

DESCRIPTION

This project provides for completing preliminary engineering, to 35% plans, and initial land acquisition for one new road, one relocated road, improvements to three existing roads, and one new bikeway in the White Flint District area for Stage 1. Various improvements to the roads will include new traffic lanes, shared-use paths, the undergrounding of overhead utility lines, other utility relocations and streetscaping.

The proposed projects for preliminary engineering are as follows:

1. Main Street/Market Street (B-10)-Old Georgetown Rd. (MD 187) to Rockville Pike (MD 355) -New 2 lane 1,700 foot roadway (\$500k PDS + \$217k Land).
2. Main Street/Market Street (LB-1)-Old Georgetown Rd. (MD 187) to Rockville Pike (MD 355) - 1,700 feet of bikeway (\$100k PDS).
3. Executive Blvd. Extended (B-15)-Marinelli Rd. to Old Georgetown Rd. (MD 187) -New 900 feet of 4 lane roadway (\$520k PDS + \$200k Land).
4. Rockville Pike (MD 355) (M-6)-Flanders Avenue to Hubbard Drive - 6,300 feet of 6-8 lane roadway (\$9.6m PDS + \$412k Land).
5. Old Georgetown Rd. (MD 187) (M-4)-Nicholson Ln./Tilden Ln. to Executive Blvd. - 1,600 feet of 6 lane roadway (\$700k PDS + \$200k Land).
6. Hoya St. (formerly 'Old' Old Georgetown Rd.) (M-4A)-Executive Blvd. to Montrose Parkway - 1,100 feet of 4 lane roadway (\$615k PDS).

This project also includes the estimated final design, construction, and land acquisition costs for the projects approved in Resolution #16-1570, White Flint Sector Plan Implementation Strategy and Infrastructure Improvement List, Action items #7 and #10.

The proposed projects for construction are:

1. Main Street/Market Street (B-10)-Old Georgetown Rd. (MD 187) to Woodglen Rd. (MD 355)- New 2 lane 1,700 foot roadway (\$5,008,000).
2. Main Street/Market Street (LB-1)-Old Georgetown Rd. (MD 187) to Woodglen Rd. (MD 355) -Construct 1,700 feet of bikeway (\$1,738,000).
3. Executive Blvd. Extended (B-15)-Marinelli Rd. to Old Georgetown Rd. (MD 187)-New 900 feet of 4 lane roadway (\$23,536,000).
4. Rockville Pike (MD 355) (M-6)-Flanders Avenue to Hubbard Drive- Reconstruct 6,300 feet of 6-8 lane roadway (\$68,113,000).

These projects will become stand-alone projects once preliminary engineering up to 35% is complete and final construction costs can be determined.

This project also provides for consulting fees for the analysis and studies necessary to implement the district, which are programmed in the "Other" cost element for FY11. Effective FY12 consulting fees are programmed in the White Flint Redevelopment Program project #151200.

ESTIMATED SCHEDULE

Design began on all projects with the exception of the Rockville Pike segment and will conclude in the Spring of 2013. Some property acquisition may occur in 2012-2013 (FY13). Design of the Rockville Pike section will begin in the Fall of 2013 (FY14) and be complete in the Spring of 2016 (FY16). Some property acquisition may occur on this section in 2015 (FY15) and 2016 (FY16).

COST CHANGE

Cost increase due to moving expenditures into FY17 and FY18 from beyond the 6 years.

JUSTIFICATION

The vision for the White Flint District is for a more urban core with a walkable street grid, sidewalks, bikeways, trails, paths, public use space, parks and recreational facilities, mixed-use development, and enhanced streetscape to improve the areas for pedestrian circulation and transit oriented development around the Metro station. These road improvements, along with other District roads proposed to be constructed by developers will fulfill the strategic program

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP
Date First Appropriation	WMATA	
First Cost Estimate	City of Rockville	
Current Scope	MSHA	
Last FY's Cost Estimate	Town of Garrett Park	
	Neighborhood Civic Associations	
	Developers	
Appropriation Request		
Appropriation Request Est.		
Supplemental Appropriation Request		
Transfer		
Cumulative Appropriation		
Expenditures / Encumbrances		
Unencumbered Balance		
Partial Closeout Thru		
New Partial Closeout		
Total Partial Closeout		

See Map on Next Page

White Flint District West: Transportation -- No. 501116 (continued)

plan for a more effective and efficient transportation system. The proposed improvements are in conformance with the White Flint Sector Plan Resolution 16-1300 adopted March 23, 2010.

OTHER

The expenditure schedule for the proposed projects is as follows:

	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	Beyond	TOTAL
Main St/ Market St (B-10)	\$0	\$400	\$200	\$250	\$200	\$1,606	\$2,177	\$0	\$0	\$4,833
Main St/ Market St (LB-1)	\$0	\$0	\$0	\$50	\$50	\$1,513	\$0	\$0	\$0	\$1,613
Executive Blvd (B-15)	\$0	\$200	\$450	\$400	\$500	\$5,926	\$3,631	\$0	\$12,343	\$23,450
Old Georgetown Rd (M-4A)	\$0	\$450	\$350	\$0	\$0	\$0	\$0	\$0	\$0	\$800
Rockville Pike MD 355 (M-6)	\$0	\$0	\$0	\$2,200	\$2,400	\$2,500	\$1,072	\$58,789	\$0	\$66,961
Hoya St (M-4A)	\$0	\$500	\$100	\$0	\$0	\$0	\$0	\$0	\$0	\$600
Analysis & Studies	\$35	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$35
TOTAL	\$35	\$1,550	\$1,100	\$2,900	\$3,150	\$11,545	\$6,880	\$58,789	\$12,343	\$98,292

The 35% design of the Main Street/Market Street projects (projects 1 and 2 from the above list) will be from Old Georgetown to MD 355. The final design and construction will be from Old Georgetown Rd to Woodglen Drive. Construction of Woodglen Drive to MD 355 will be funded by the developer.

FISCAL NOTE

Funding Sources:

The ultimate funding source for these projects will be White Flint Special Taxing District tax revenues and related special obligation bond issues. Debt service on the special obligation bond issues will be paid solely from White Flint Special Taxing District revenues. Resolution No 16-1570 states that "The County's goal is that the White Flint Special Taxing District special tax rate must not exceed 10% of the total tax rate for the District, except that the rate must be sufficient to pay debt service on any bonds that are already outstanding." With an overall goal of providing infrastructure financing to allow implementation in a timely manner, the County will conduct feasibility studies to determine the affordability of special obligation bond issues prior to the funding of the projects 1, 2, 3 and 4 listed in the Description section above. If district revenues are not sufficient to fund these projects then the County will utilize forward funding, advance funding, and management of debt issuance or repayment in a manner to comply with the goal.

Current Revenue: General in FY11 will be repaid by White Flint Development District Tax funding sources in FY12.

Programming:

As each of the infrastructure items to be designed under this Project reach the 35% design level and are programmed for construction in a stand-alone PDF, the details of the financing plan and any repayment plan in accordance with the implementation strategy will be determined and reflected in the individual PDF.

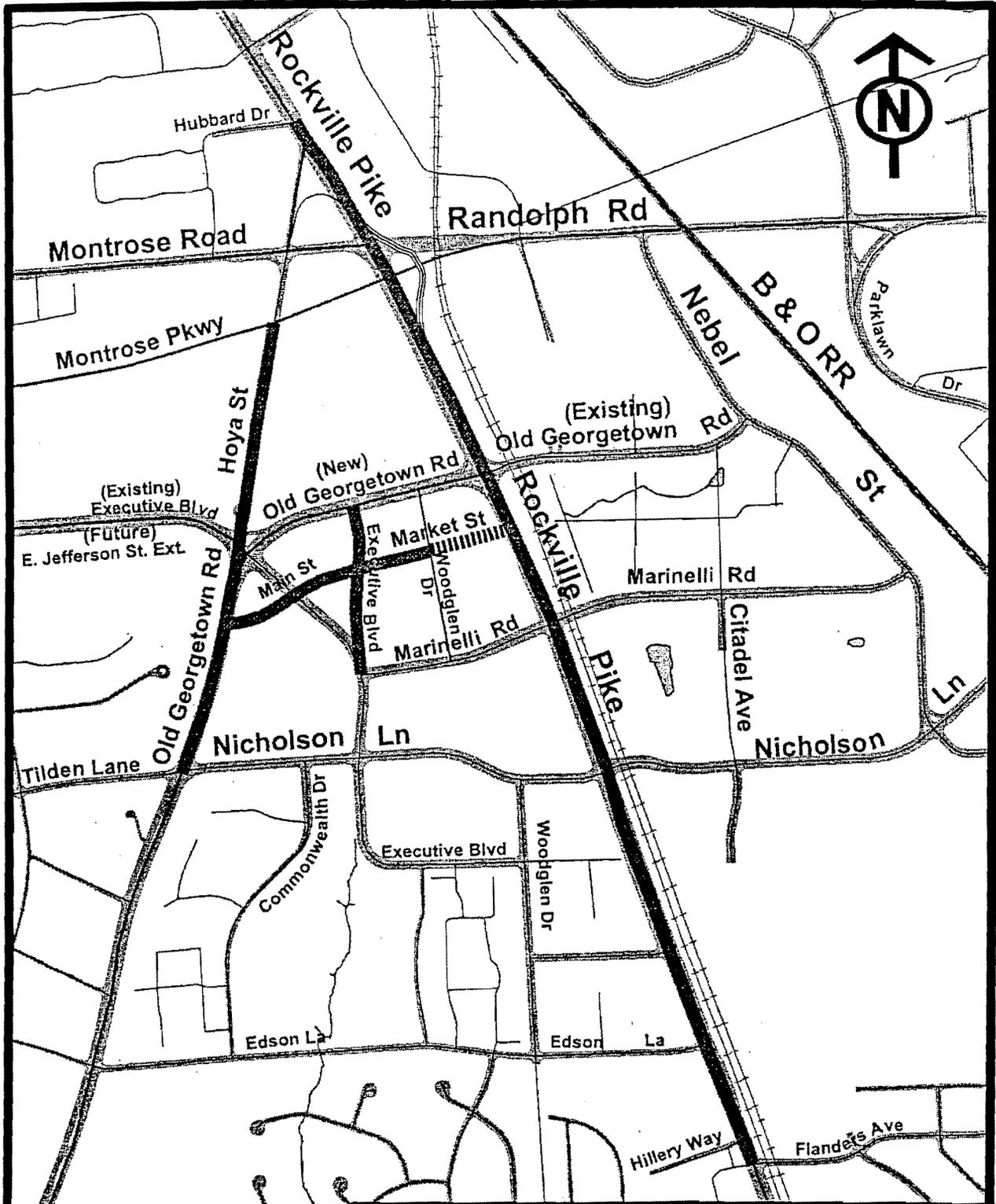
Cost Estimation:

Project cost estimates are in FY10 dollars and have been projected with very limited definition of the project scope of work and without any engineering design having been performed. Furthermore, construction cost estimates are projected from unit length of road costs of similar prior projects and are not based on quantity estimates. Final construction costs will be determined after the preliminary engineering (35%) phase.

OTHER DISCLOSURES

- A pedestrian impact analysis has been completed for this project.

(52)



LEGEND

-  35% Design only
-  Final Design & Construction

**WHITE FLINT DISTRICT WEST
TRANSPORTATION
CIP. NO. 501116**

53

White Flint District West: Transportation -- No. 501116

Category
Subcategory
Administering Agency
Planning Area

Transportation
Roads
Transportation
North Bethesda-Garrett Park

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

January 04, 2012
No
None.
Preliminary Design Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY11	Est. FY12	Total 6 Years	FY13	FY14	FY15	FY16	FY17	FY18	Beyond 6 Years
Planning, Design, and Supervision	14,064	189	1,711	11,474	750 600	260 2,900	2,950	3,535	1,589	0	690
Land	11,000	0	0	1,000	600	0	200	200	0	0	10,000
Site Improvements and Utilities	3,162	0	0	2,351	0	0	0	1,741	610	0	811
Construction	70,381	0	0	69,539	0	0	0	6,069	4,681	58,789	842
Other	35	0	35	0	0	0	0	0	0	0	0
Total	98,642	189	1,746	84,364	1350 1,100	260 2,900	3,150	11,545	6,880	58,789	12,343

FUNDING SCHEDULE (\$000)

Current Revenue: General	0	189	-189	0	0	0	0	0	0	0	0
White Flint - Special Tax District	98,642	0	1,935	84,364	1350 1,100	260 2,900	3,150	11,545	6,880	58,789	12,343
Total	98,642	189	1,746	84,364	1350 1,100	260 2,900	3,150	11,545	6,880	58,789	12,343

DESCRIPTION

This project provides for completing preliminary engineering, to 35% plans, and initial land acquisition for one new road, one relocated road, improvements to three existing roads, and one new bikeway in the White Flint District area for Stage 1. Various improvements to the roads will include new traffic lanes, shared-use paths, the undergrounding of overhead utility lines, other utility relocations and streetscaping.

The proposed projects for preliminary engineering are as follows:

1. Main Street/Market Street (B-10)-Old Georgetown Rd. (MD 187) to Rockville Pike (MD 355) -New 2 lane 1,700 foot roadway (\$500k PDS + \$217k Land).
2. Main Street/Market Street (LB-1)-Old Georgetown Rd. (MD 187) to Rockville Pike (MD 355) - 1,700 feet of bikeway (\$100k PDS).
3. Executive Blvd. Extended (B-15)-Marinelli Rd. to Old Georgetown Rd. (MD 187) -New 900 feet of 4 lane roadway (\$520k PDS + \$200k Land).
4. Rockville Pike (MD 355) (M-6)-Flanders Avenue to Hubbard Drive - 6,300 feet of 6-8 lane roadway (\$9.6m PDS + \$412k Land).
5. Old Georgetown Rd. (MD 187) (M-4)-Nicholson Ln./Tilden Ln. to Executive Blvd. - 1,600 feet of 6 lane roadway (\$700k PDS + \$200k Land).
6. Hoya St. (formerly 'Old' Old Georgetown Rd.) (M-4A)-Executive Blvd. to Montrose Parkway - 1,100 feet of 4 lane roadway (\$615k PDS).

This project also includes the estimated final design, construction, and land acquisition costs for the projects approved in Resolution #16-1570, White Flint Sector Plan Implementation Strategy and Infrastructure Improvement List, Action items #7 and #10.

The proposed projects for construction are:

1. Main Street/Market Street (B-10)-Old Georgetown Rd. (MD 187) to Woodglen Rd. (MD 355)- New 2 lane 1,700 foot roadway (\$5,008,000).
2. Main Street/Market Street (LB-1)-Old Georgetown Rd. (MD 187) to Woodglen Rd. (MD 355) -Construct 1,700 feet of bikeway (\$1,738,000).
3. Executive Blvd. Extended (B-15)-Marinelli Rd. to Old Georgetown Rd. (MD 187)-New 900 feet of 4 lane roadway (\$23,536,000).
4. Rockville Pike (MD 355) (M-6)-Flanders Avenue to Hubbard Drive- Reconstruct 6,300 feet of 6-8 lane roadway (\$68,113,000).

These projects will become stand-alone projects once preliminary engineering up to 35% is complete and final construction costs can be determined.

This project also provides for consulting fees for the analysis and studies necessary to implement the district, which are programmed in the "Other" cost element for FY11. Effective FY12 consulting fees are programmed in the White Flint Redevelopment Program project #151200.

ESTIMATED SCHEDULE

Design began on all projects with the exception of the Rockville Pike segment and will conclude in the Spring of 2013. Some property acquisition may occur in 2012-2013 (FY13). Design of the Rockville Pike section will begin in the Fall of ~~2015 (FY14)~~ ^{2012 (FY13)} and be complete in the Spring of 2016 (FY16). Some property acquisition may occur on this section in 2015 (FY15) and 2016 (FY16).

COST CHANGE

Cost increase due to moving expenditures into FY17 and FY18 from beyond the 6 years.

JUSTIFICATION

The vision for the White Flint District is for a more urban core with a walkable street grid, sidewalks, bikeways, trails, paths, public use space, parks and recreational facilities, mixed-use development, and enhanced streetscape to improve the areas for pedestrian circulation and transit oriented development around the Metro station. These road improvements, along with other District roads proposed to be constructed by developers will fulfill the strategic program

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP
Date First Appropriation FY11 (\$000)	WMATA City of Rockville MSHA	See Map on Next Page
First Cost Estimate FY12 98,642	Town of Garrett Park	
Current Scope FY12 98,642	Neighborhood Civic Associations	
Last FY's Cost Estimate 98,642	Developers	
Appropriation Request FY13 850		
Appropriation Request Est. FY14 260		
Supplemental Appropriation Request 0		
Transfer 0		
Cumulative Appropriation 2,435		
Expenditures / Encumbrances 272		
Unencumbered Balance 2,163		
Partial Closeout Thru FY10 0		
New Partial Closeout FY11 0		
Total Partial Closeout 0		

54

White Flint District West: Transportation -- No. 501116 (continued)

plan for a more effective and efficient transportation system. The proposed improvements are in conformance with the White Flint Sector Plan Resolution 16-1300 adopted March 23, 2010.

OTHER

The expenditure schedule for the proposed projects is as follows:

	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	Beyond	TOTAL
Main St/ Market St (B-10)	\$0	\$400	\$200	\$250	\$200	\$1,606	\$2,177	\$0	\$0	\$4,833
Main St/ Market St (LB-1)	\$0	\$0	\$0	\$50	\$50	\$1,513	\$0	\$0	\$0	\$1,613
Executive Blvd (B-15)	\$0	\$200	\$450	\$400	\$500	\$5,926	\$3,631	\$0	\$12,343	\$23,450
Old Georgetown Rd (M-4A)	\$0	\$450	\$350	\$0	\$0	\$0	\$0	\$0	\$0	\$800
Rockville Pike MD 355 (M-6)	\$0	\$0	\$0 ^{\$1,350}	\$2,200 ^{\$1,950}	\$2,400	\$2,500	\$1,072	\$58,789	\$0	\$66,961
Hoya St (M-4A)	\$0	\$500	\$100	\$0	\$0	\$0	\$0	\$0	\$0	\$600
Analysis & Studies	\$35	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$35
TOTAL	\$35	\$1,550	\$1,100 ^{\$1,350}	\$2,000 ^{\$2,650}	\$3,150	\$11,545	\$6,880	\$58,789	\$12,343	\$98,292

The 35% design of the Main Street/Market Street projects (projects 1 and 2 from the above list) will be from Old Georgetown to MD 355. The final design and construction will be from Old Georgetown Rd to Woodglen Drive. Construction of Woodglen Drive to MD 355 will be funded by the developer.

FISCAL NOTE

Funding Sources:

The ultimate funding source for these projects will be White Flint Special Taxing District tax revenues and related special obligation bond issues. Debt service on the special obligation bond issues will be paid solely from White Flint Special Taxing District revenues. Resolution No 16-1570 states that "The County's goal is that the White Flint Special Taxing District special tax rate must not exceed 10% of the total tax rate for the District, except that the rate must be sufficient to pay debt service on any bonds that are already outstanding." With an overall goal of providing infrastructure financing to allow implementation in a timely manner, the County will conduct feasibility studies to determine the affordability of special obligation bond issues prior to the funding of the projects 1, 2, 3 and 4 listed in the Description section above. If district revenues are not sufficient to fund these projects then the County will utilize forward funding, advance funding, and management of debt issuance or repayment in a manner to comply with the goal.

Current Revenue: General in FY11 will be repaid by White Flint Development District Tax funding sources in FY12.

Programming:

As each of the infrastructure items to be designed under this Project reach the 35% design level and are programmed for construction in a stand-alone PDF, the details of the financing plan and any repayment plan in accordance with the implementation strategy will be determined and reflected in the individual PDF.

Cost Estimation:

Project cost estimates are in FY10 dollars and have been projected with very limited definition of the project scope of work and without any engineering design having been performed. Furthermore, construction cost estimates are projected from unit length of road costs of similar prior projects and are not based on quantity estimates. Final construction costs will be determined after the preliminary engineering (35%) phase.

OTHER DISCLOSURES

- A pedestrian impact analysis has been completed for this project.

T&E COMMITTEE #1
May 2, 2012
Addendum

MEMORANDUM

May 1, 2012

TO: Transportation, Infrastructure, Energy & Environment Committee

FROM: Glenn Orlin, ^{GO}Deputy Council Staff Director

SUBJECT: **Addendum**—amendment to FY11-16 Capital Improvements Program and Supplemental Appropriation to the FY12 Capital Budget: Silver Spring Transit Center; Supplemental Appropriation to the FY12 Operating Budget, Montgomery County Government—Bikesharing Grant for Rockville/Shady Grove, \$2,286,000

The Council received the following supplemental appropriation requests from the Executive on May 1. They will both be introduced on May 8; public hearing and action on both are scheduled for May 24.

Silver Spring Transit Center (©1-5). This supplemental appropriation and CIP amendment was referenced in the Executive's FY13 budget adjustments, and is reviewed on pages 12-14 and ©45-46 of the main packet. **Council staff recommendation: Concur with the Executive.**

Bikesharing grant (©6-9). The supplemental appropriation of \$2,286,000 would fund 20 bikesharing stations and 200 bicycles at the Rockville and Shady Grove Metro Stations, Rockville Town Center, Shady Grove Life Sciences Center, and other activity centers in the Rockville/Shady Grove area. A majority of the funding--\$1,283,000—is from a Federal Jobs Access Reverse Commute (JARC) Grant award that must be used by December 31, 2013. The City of Rockville is contributing \$300,000 towards this program, and \$150,000 is anticipated revenue from bike rentals and bikeshare memberships. The balance, \$553,000, is from the Mass Transit Fund. **Council staff recommendation: Concur with the Executive.**



OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

April 30, 2012

RECEIVED
MONTGOMERY COUNTY
COUNCIL

2012 MAY -1 PM 2:20

TO: Roger Berliner, President, County Council

FROM: Isiah Leggett, County Executive, County Executive 

SUBJECT: Amendment to the FY11-16 Capital Improvements Program and Supplemental Appropriation #10-S12-CMCG-3 to the FY12 Capital Budget
Montgomery County Government
Department of General Services
Silver Spring Transit Center (No. 509974), \$8,493,000

I am recommending a supplemental appropriation to the FY12 Capital Budget and amendment to the FY11-16 Capital Improvements Program in the amount of \$8,493,000 for Silver Spring Transit Center (No. 509974). Appropriation for this project will fund increased costs for the project.

This increase is needed due to direct and delay costs resulting from required changes to the project scope which are unrelated to problems with concrete. Direct change costs (approximately \$5,293,000) reflect costs related to different soil and utility conditions discovered at the site and scope changes, including unanticipated changes to meet WMATA requirements. The delay costs (approximately \$3,200,000) provide additional funding for nine months of contractor construction management, County and architecture/engineer construction administration, inspections, office rental, Van-Go costs, and maintenance of the Interim Operations Site (IOS). The recommended amendment is consistent with the criteria for amending the CIP because the project is proposed to increase by at least \$2,000,000 from the last adopted CIP.

I recommend that the County Council approve this supplemental appropriation and amendment to the FY11-16 Capital Improvements Program in the amount of \$8,493,000 and specify the source of funds as Federal Aid, State Aid, Contributions, Impact Taxes, and GO Bonds.

I appreciate your prompt consideration of this action.

IL:brg

Attachment: Amendment to the FY11-16 Capital Improvements Program and Supplemental Appropriation #10-S12-CMCG-3

c: David Dise, Director, Department of General Services
Jennifer A. Hughes, Director, Office of Management and Budget

Resolution: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

SUBJECT: Amendment to the FY11-16 Capital Improvements Program and
Supplemental Appropriation #10-S12-CMCG-3 to the FY12 Capital Budget
Montgomery County Government
Department of General Services
Silver Spring Transit Center (No. 509974), \$8,493,000

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.
3. The County Executive recommends the following capital project appropriation increases:

Project Name	Project Number	Cost Element	Amount	Source of Funds
Silver Spring Transit Center	509974	PDS Construction	\$3,200,000 <u>\$5,293,000</u>	Federal Aid, State Aid, Contributions Impact Taxes, and GO Bonds
	TOTAL		<u>\$8,493,000</u>	

Amendment to the FY11-16 Capital Improvements Program and Supplemental Appropriation
#10-S12-CMCG-3

Page Two

4. The increase is needed due to direct and delay costs resulting from required changes to the scope. Direct change costs (approximately \$5,293,000) reflect costs related to different soil and utility conditions discovered at the site and scope changes, including unanticipated changes to meet WMATA requirements. The delay costs (approximately \$3,200,000) provide additional funding for nine months of contractor construction management, County and architecture/engineer construction administration, inspections, office rental, Van-Go costs, and maintenance of the Interim Operations Site (IOS). The recommended amendment is consistent with the criteria for amending the CIP because the project is proposed to increase by at least \$2,000,000 from the last adopted CIP.
5. The County Executive recommends an amendment to the FY11-16 Capital Improvements Program and a supplemental appropriation in the amount of \$8,493,000 for Silver Spring Transit Center (No. 509974), and specifies that the source of funds will be Federal Aid, State Aid, Contributions, and GO Bonds.
6. Notice of public hearing was given and a public hearing was held.

Action

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

The FY11-16 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description form and a supplemental appropriation is approved as follows:

Project Name	Project Number	Cost Element	Amount	Source of Funds
Silver Spring Transit Center	509974	PDS	\$3,200,000	Federal Aid,
		Construction	<u>\$5,293,000</u>	State Aid,
	TOTAL		<u>\$8,493,000</u>	Contributions Impact Taxes, and GO Bonds

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

Silver Spring Transit Center -- No. 509974

Category
Subcategory
Administering Agency
Planning Area

Transportation
Mass Transit
General Services
Silver Spring

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

April 27, 2012
No
None.
Under Construction

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY10	Rem. FY10	Total 6 Years	FY11	FY12	FY13	FY14	FY15	FY16	Beyond 6 Years
Planning, Design, and Supervision	20,037	10,164	1,197	8,676	325	6,751	1,600	0	0	0	0
Land	309	161	0	148	56	92	0	0	0	0	0
Site Improvements and Utilities	11,531	129	0	11,402	40	11,362	0	0	0	0	0
Construction	70,295	22,533	13,808	33,954	23,326	6,922	3,706	0	0	0	0
Other	7,285	258	0	7,027	266	6,761	0	0	0	0	0
Total	109,457	33,245	15,005	61,207	24,013	31,888	5,306	0	0	0	0

FUNDING SCHEDULE (\$000)

Contributions	868	0	0	868	0	0	868	0	0	0	0
Federal Aid	53,556	24,131	9,903	19,522	5,879	9,583	4,060	0	0	0	0
G.O. Bonds	31,245	3,258	4,417	23,570	17,136	6,356	78	0	0	0	0
Impact Tax	5,067	0	0	5,067	0	5,067	0	0	0	0	0
Land Sale	4,339	3,747	592	0	0	0	0	0	0	0	0
Mass Transit Fund	93	0	93	0	0	0	0	0	0	0	0
State Aid	14,289	2,109	0	12,180	998	10,882	300	0	0	0	0
Total	109,457	33,245	15,005	61,207	24,013	31,888	5,306	0	0	0	0

DESCRIPTION

This project replaces the existing 30 year old Silver Spring transit facility with a new 3-story, multi-modal transit center that serves as a vital part of the Silver Spring revitalization initiative. Phase I of this project, completed by the State, relocated the MARC facility near the transit center. In Phase II, the eight acre site will be jointly developed to accommodate a transit center and an urban park. Phase III includes coordinated and integrated transit-oriented private development adjacent to the transit center by WMATA. The transit center consists of a pedestrian friendly complex supporting rail (Metrorail and MARC), bus traffic (Ride On and Metrobus, inter-city and various shuttles), and automobile traffic (taxis and kiss-and-ride). Major features include increasing bus capacity by approximately 50 percent (from 23 bus bays to 32), a 3,500 square foot inter-city bus facility, extensive provisions for safe pedestrian and vehicle movement in a weather protected structure. The project also includes a realignment of Colesville Road, a new traffic light at the transit center entrance, connections to MARC platforms, and enhancement of hiker/biker trails. The design allows sufficient space for the future Purple Line transit system and for an interim hiker/biker trail that will be reconstructed as a permanent hiker/biker trail when the Purple Line transit facility is built in the reserved area. The transit center will be accessible from all sides and on all three levels. The project includes Intelligent Transportation System (ITS) improvements including new signage and infrastructure to accommodate future Automatic Vehicle Locator (AVL) systems, real time bus schedule information, centralized bus dispatch, operational controls, and centralized traffic controls. The project will be constructed in two stages: stage one, started Fall 2006, included road work and relocation of bus stops; stage two is the construction of the new transit center and began Fall 2008.

ESTIMATED SCHEDULE

The project is under construction. The estimated completion date of the transit center has been delayed from December 2011 to September 2012. The Gene Lynch Urban Park and decommissioning of the interim operating site (IOS) will be completed in FY13. An FY12 supplemental will be necessary to meet this schedule.

COST CHANGE

Cost change of \$10,611,000 reflects direct and delay costs resulting from required changes to the project scope. Direct change costs (approximately \$7,400,000) reflect costs related to different soil and utility conditions discovered at the site and scope changes, including unanticipated changes to meet WMATA requirements. The delay costs (approximately \$3,200,000) provide additional funding for nine months of contractor construction management, County and architecture/engineer construction administration, inspections, office rental, Van-Go costs, and maintenance of the Interim Operations Site (IOS). These costs do not include remediation of deficient slabs; these costs shall be borne by the construction contractor.

JUSTIFICATION

With over 1,250 bus movements per day, the Silver Spring transit center has the highest bus volume in the Washington metro system. The Silver Spring transit center is a major contributor to the vitality of Silver Spring. There are various existing transit modes at this location although they are poorly organized. Patrons are exposed to inclement weather conditions and interconnectivity between various modes of transportation is poor. There is no provision for future growth and future transit modes. The current facility accommodates approximately 57,000 patrons daily, which is expected to increase by 70 percent to 97,000 by year 2024. The project enhancements will be an urban park and connections to hiker/biker trails. The benefits will be improved pedestrian circulation and safety in a covered facility, and reduced pedestrian conflicts with vehicle movements. All associated trails will be enhanced and new signage will be installed. This project

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP																																																
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Date First Appropriation</td> <td>FY99</td> <td>(\$000)</td> </tr> <tr> <td>First Cost Estimate</td> <td>FY12</td> <td>109,457</td> </tr> <tr> <td>Current Scope</td> <td></td> <td></td> </tr> <tr> <td>Last FY's Cost Estimate</td> <td></td> <td>95,596</td> </tr> <tr> <td colspan="3"> </td> </tr> <tr> <td>Appropriation Request</td> <td>FY12</td> <td>3,250</td> </tr> <tr> <td>Supplemental Appropriation Request</td> <td></td> <td>8,493</td> </tr> <tr> <td>Transfer</td> <td></td> <td>2,118</td> </tr> <tr> <td colspan="3"> </td> </tr> <tr> <td>Cumulative Appropriation</td> <td></td> <td>95,596</td> </tr> <tr> <td>Expenditures / Encumbrances</td> <td></td> <td>85,262</td> </tr> <tr> <td>Unencumbered Balance</td> <td></td> <td>10,334</td> </tr> <tr> <td colspan="3"> </td> </tr> <tr> <td>Partial Closeout Thru</td> <td>FY09</td> <td>0</td> </tr> <tr> <td>New Partial Closeout</td> <td>FY10</td> <td>0</td> </tr> <tr> <td>Total Partial Closeout</td> <td></td> <td>0</td> </tr> </table>	Date First Appropriation	FY99	(\$000)	First Cost Estimate	FY12	109,457	Current Scope			Last FY's Cost Estimate		95,596				Appropriation Request	FY12	3,250	Supplemental Appropriation Request		8,493	Transfer		2,118				Cumulative Appropriation		95,596	Expenditures / Encumbrances		85,262	Unencumbered Balance		10,334				Partial Closeout Thru	FY09	0	New Partial Closeout	FY10	0	Total Partial Closeout		0	<p>CSX Railroad Federal Transit Administration Maryland Transit Administration State Highway Administration Maryland-National Capital Park and Planning Commission Department of Permitting Services WMATA Department of Transportation Department of General Services Department of Technology Services Silver Spring Regional Services Center Department of Police WSSC PEPCO</p>	<p>See Map on Next Page</p>
Date First Appropriation	FY99	(\$000)																																																
First Cost Estimate	FY12	109,457																																																
Current Scope																																																		
Last FY's Cost Estimate		95,596																																																
Appropriation Request	FY12	3,250																																																
Supplemental Appropriation Request		8,493																																																
Transfer		2,118																																																
Cumulative Appropriation		95,596																																																
Expenditures / Encumbrances		85,262																																																
Unencumbered Balance		10,334																																																
Partial Closeout Thru	FY09	0																																																
New Partial Closeout	FY10	0																																																
Total Partial Closeout		0																																																

(4)

Silver Spring Transit Center -- No. 509974 (continued)

will complement the completed facility of the relocated MARC station and the bridge over CSX and Metro track.

FISCAL NOTE

The full cost of this project has increased to \$112,049,000 - which includes Federal and State aid in the amount of \$2,592,000 for State of Maryland expenses for planning and supervision (that funding is not reflected in the expenditure and funding schedules of the PDF).

Based on agreements with WMATA, Montgomery County will ultimately receive a share of land sale or lease proceeds and 50 percent reimbursement for sewer and water line relocations related to anticipated nearby private development. The amount and timing of these payments is not certain or known at this time and has not been included in the funding schedule. If developer contributions are received after this project is closed, they will be allocated to other capital projects.

Project reflects transfers from various transportation projects.

OTHER DISCLOSURES

- A pedestrian impact analysis has been completed for this project.
- The Executive asserts that this project conforms to the requirements of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.



OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

RECEIVED
MONTGOMERY COUNTY
COUNCIL

2012 MAY - 1 PM 2: 20

Isiah Leggett
County Executive

MEMORANDUM

April 30, 2012

TO: Roger Berliner, President, County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Supplemental Appropriation #12-331 to the FY12 Operating Budget
Montgomery County Government
Department of Transportation
Job Access Reverse Commute (JARC) Grant Award – Bikesharing for Low Income
Employees and Residents in Rockville / Shady Grove, \$2,286,000

I am recommending a supplemental appropriation to the FY12 Operating Budget of the Department of Transportation in the amount of \$2,286,000 to provide the full appropriation for the Job Access Reverse Commute (JARC) Grant Award to establish a bikesharing system in the Rockville/Shady Grove area. The grant is designed to facilitate low income residents and employees traveling to work sites and/or job training in those areas. This appropriation would fund a substantial portion of costs for 20 bikeshare docking stations and 200 bicycles to be located in the City of Rockville and Greater Shady Grove Transportation Management District (GSG TMD), including sites at the Rockville and Shady Grove Metro stations, Rockville Town Center, Shady Grove Life Sciences Center, and other key activity nodes throughout those areas.

This increase in the FY12 Operating Budget is needed to provide the full appropriation of funds to establish the JARC Bikesharing system, leveraging \$1,283,000 in Federal Aid for this purpose over the term of the JARC Grant, Fiscal Years 2012, 2013, and 2014. The Operating Budget Appropriation of \$2,286,000 will be offset by a total of \$1,283,000 in reimbursements from the Federal JARC Grant, as well as \$300,000 in contributions from the City of Rockville, and approximately \$150,000 in Membership and Usage Fee Revenue. The JARC grant represents a unique opportunity to implement a bikesharing program that serves multiple needs within the community.

I recommend that the County Council approve this supplemental appropriation in the amount of \$2,286,000 and specify the source of funds as Mass Transit Facilities Fund. This supplemental will reduce the Mass Transit Facilities Fund by \$2,286,000 and is consistent with the fund balance policy for the Mass Transit Facilities Fund.

I appreciate your prompt consideration of this action.

IL:slb

Attachment: Supplemental Appropriation #12-331

cc: Arthur Holmes Jr.,
Jennifer Hughes

6

Resolution No: _____
 Introduced: _____
 Adopted: _____

COUNTY COUNCIL
 FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

SUBJECT: Supplemental Appropriation #12-331 to the FY12 Operating Budget
 Montgomery County Government
 Department of Transportation
 Job Access Reverse Commute (JARC) Grant Award – Bikesharing for Low
 Income Employees and Residents in Rockville / Shady Grove, \$2,286,000

Background

- Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
- The County Executive has requested the following FY12 Operating Budget appropriation increases for the Department of Transportation:

	<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Capital Outlay</u>	<u>Total</u>	<u>Source of Funds</u>
	\$19,600	\$ 533,400		\$ 553,000	Mass Transit Facilities Funds
		\$ 150,000		\$ 150,000	User Fees and Memberships
		\$ 300,000		\$ 300,000	City of Rockville Contribution
	<u>\$78,400</u>	<u>\$1,204,600</u>		<u>\$1,283,000</u>	<u>Federal Funds</u>
Total	\$98,000	\$2,188,000	\$0	\$2,286,000	Mass Transit Facilities Funds

3. This increase is needed to provide the full appropriation of funds for the (JARC) Grant Award to establish a bikesharing system in the Rockville/Shady Grove area designed to facilitate low income residents reaching work sites and/or job training in those areas. This appropriation would fund a substantial portion of the costs for 20 bikeshare docking stations and 200 bicycles to be located in the City of Rockville and in the Greater Shady Grove Transportation Management District (GSG TMD), including sites at the Rockville and Shady Grove Metro stations, Rockville Town Center, Shady Grove Life Sciences Center, and other key activity nodes throughout those areas. This program will be implemented over three fiscal years, FY12, FY13 and FY14. The grant term is January 1, 2012 to December 31, 2013.
 - a. This supplemental will appropriate money to establish the JARC Bikesharing system, leveraging \$1,283,000 in Federal Aid for this purpose over FY12, FY13 and FY14.
 - b. The Operating Budget Appropriation of \$2,286,000 will be offset by a total of \$1,283,000 in reimbursements from the Federal JARC Grant, \$300,000 in contributions from the City of Rockville, and approximately \$150,000 in Membership and Usage Fee Revenue.
 - c. Montgomery College will provide \$8,000 of in-kind bicycle training services not included in this supplemental appropriation request.
 - d. The JARC grant represents a unique opportunity to implement a bikesharing program that serves multiple needs within the community.
4. The County Executive recommends a supplemental appropriation to the FY12 Operating Budget in the amount of **\$2,286,000** to provide the full appropriation for the (JARC) Grant Award and specifies that the source of funds will be Mass Transit Facilities Funds.
5. Notice of public hearing was given, and a public hearing was held.

Action

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

A supplemental appropriation to the FY12 Operating Budget of the Department of Transportation is approved as follows:

	<u>Personnel</u> <u>Services</u>	<u>Operating</u> <u>Expenses</u>	<u>Capital</u> <u>Outlay</u>	<u>Total</u>	<u>Source</u> <u>of Funds</u>
	\$19,600	\$ 533,400		\$ 553,000	Mass Transit Facilities Funds
		\$ 150,000		\$ 150,000	User Fees and Memberships
		\$ 300,000		\$ 300,000	City of Rockville Contribution
	<u>\$78,400</u>	<u>\$1,204,600</u>		<u>\$1,283,000</u>	<u>Federal Funds</u>
Total	\$98,000	\$2,188,000	\$0	\$2,286,000	Mass Transit Facilities Funds

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council