



EAST COUNTY CITIZENS ADVISORY BOARD

October 6, 2015

The Honorable Isiah Leggett
County Executive
Executive Office Building
101 Monroe Street, 2nd Floor
Rockville, MD 20850

Dear Mr. Leggett,

On behalf of the East County Citizens Advisory Board (ECCAB), I would like to thank you for the opportunity to present to you the support and endorsement of the County Executive's Transit Task Force Public Draft and Recommendations.

The Transit Task Force has worked and produced a report that we feel has addressed the issues raised by the citizen in the Spring 2015 public forum regarding the enabling legislation being requested at the General Session in Annapolis for an Independent Transit Authority (ITA). The issues (in no particular order) order were:

- 1) the organizational transfer issue as it pertains to the county government's Department of Transportation and Ride-On services and labor issues,
- 2) the exceeding of charter limits on property tax,
- 3) the appropriate separation of the ITA from the county government in regards to the county's debt obligations,
- 4) the acquisition of real property through eminent domain,
- 5) the lack of public input and process,
- 6) the lack of accountability to the public and elected officials, and
- 7) the determination of how the proposed ITA would be measured and audited as it pertains to the performance of financials, operations and services expected set in the institution of this independent authority.

In addressing the perceived lack of transit authority accountability to the public and elected officials, the recommendations contain the makeup and term limits of the governing board of the ITA and the appointment authority by the Council and Executive. The Council will also have the authority to remove members of the governing board for cause. By requiring the ITA to submit a multi-year capital improvement program for Council consideration and approval, as

well as provide the Council the power to require the authority to submit an operating budget for both the internal operations of the authority and for the operations of the transit programs provides for sufficient oversight by the county over the authority.

The proposed authority not being able to take real property through the exercise of eminent domain until reviewed by the Council through its CIP and budget approval process, consistent with Title 12 of the Real Property Article of the State Code and with the County Master Plans provides for sufficient controls to manage the exercise of eminent domain of real property by the authority.

In regards to the financing of the authority, authorizing the County to create special taxing districts with the limitations of a maximum tax rate raised and that any tax set by the authority is subject to disapproval by the Council, with an accompanying process of negotiation and possibly revert to a tax level just needed to cover debt services on outstanding bonds provides sufficient controls over the authority to protect the financial interest of the county. In authorizing the authority to impose excise taxes with a maximum tax ceiling limit and subject to the disapproval of the Council, with an accompanying process of negotiation and possibly revert to a tax level to the preceding year limit again provides sufficient controls over the authority to protect the financial interest of the county and its businesses.

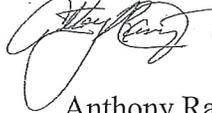
The requirement by Council for annual independent financial audits and regular management audits will ensure that the authority has sufficient internal controls, plus these audits are to be submitted to Council and published for public review will provide the needed measure of 'eyes' on the authority and how it runs its business. An additional requirement for performance metrics will also provide indications on the efficacy and efficiency of the authority's operations. This is in line with the required participation of the authority in Montgomery County's Open Government Initiative to a level consistent with existing Executive Branch agencies.

The Task Force working with Municipal and County Government Employees Organization (MCGEO) arrived at an acceptable solution where the protections afforded by the county to existing transit staff is protected, the function continues to stay with the county government, and continue to enjoy the applicable County collective bargaining law.

Finally, in reference to the biggest issue expressed by the citizenry, the Task Force recommended creating a structure allowing revenues generated for the purpose of supporting the County's transit program to exceed current Charter limits subject to limitations to the aforementioned tax matters and more fully described in the Task Force's Public Draft Report and Recommendations, but with restrictions on the amount of special property tax that may be imposed.

The Transit Task Force has done an admirable job in addressing the issues raised by the citizens, businesses, civic and business organizations and submitted sound and workable recommendations. The East County Citizens Advisory Board supports the Transit Task Force Public Draft Report and Recommendations.

Sincerely,



Anthony Ramirez

Chair, East County Citizens Advisory Board

cc: Jewru Bandeh, ECRSC Director
Councilmember George Leventhal, MC Council President
Councilmember Tom Hucker, District 5
Councilmember Nancy Navarro, District 4