

**MEMORANDUM**

June 25, 2015

TO: Transportation, Infrastructure, Energy and Environment (T&E) Committee

FROM: <sup>Go</sup> Glenn Orlin, Deputy Council Administrator

SUBJECT: Executive Regulation 3-15, Greater Shady Grove Transportation Management District (TMD) Advisory Committee

On May 29 the Executive transmitted this Method (2) regulation that would establish the membership of the Greater Shady Grove TMD Advisory Committee. The Executive's transmittal memo is on ©1, the proposed regulation is on ©2-5, and the fiscal impact statement is on ©6-7.

The Greater Shady Grove TMD was established by Council resolution in 2006, and a TMD fee was initiated in 2011. The TMD's boundary encompasses significant portions of incorporated area within the Cities of Rockville and Gaithersburg (see ©8). However, the 2006 resolution indicates that TMD services will be provided with these portions of the cities to the extent each municipality enters into a financial agreement with the County, which has not yet occurred.

For the Greater Shady Grove TMD Advisory Committee the Executive proposes that there be 14 voting members from the unincorporated area, an unspecified number of non-voting members from Gaithersburg and Rockville, and 6 ex-officio members. The following table compares the representation to other already established TMDs:

<b>TMD</b>	<b>Voting Members</b>	<b>Non-Voting Members</b>
Bethesda CBD	11	6
Friendship Heights	14*	8*
North Bethesda	18	3
Silver Spring CBD	12	4
White Oak	9	4
<b>Greater Shady Grove</b>	<b>14</b>	<b>6</b>

\* If the District of Columbia agrees to participate financially and programmatically in the TMD, then its 3 non-voting members would become voting members.

As with other TMD advisory committees, the Executive is recommending that the voting members serve 3-year terms.

The proposed voting membership would include a mix of civic, business, and institutional representatives. The ex-officio membership would include certain government officials. In both cases the composition is similar to those on other TMD advisory committees.

Council staff's only concern is what would occur if Rockville and/or Gaithersburg ultimately decide to participate financially in the TMD, in which case they would reasonably expect commensurate voting membership. The areas and intensity of development in the Rockville and Gaithersburg portions of the TMD are each similar to the area and intensity of development in the unincorporated area. Each city might wish for 14 voting members of its own, meaning that the composition might increase to 28 (if one city participates) or 42 (if both participate). These numbers are too unwieldy for an advisory committee, for a variety of reasons. If the advisory committee were limited to no more than 18 voting members—equal to the North Bethesda TMD Advisory Committee, the largest that now exists—this would mean that many of the then-current voting members from the unincorporated areas would have to be removed.

**Council staff recommendation: Approve the regulation.** But this should be done with the understanding that if Rockville and/or Gaithersburg ultimately participate in the TMD, a new Executive regulation will need to be promulgated to address the issue of voting membership.

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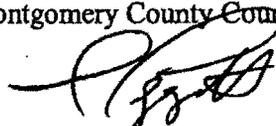
OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

MEMORANDUM

RECEIVED  
MONTGOMERY COUNTY  
COUNCIL

May 28, 2015

TO: George Leventhal, President, Montgomery County Council  
FROM: Isiah Leggett, County Executive   
SUBJECT: Executive Regulation 3-15, Greater Shady Grove Transportation Management District (TMD) Advisory Committee

METHOD 2

I am transmitting for your approval Executive Regulation 3-15, establishing the Greater Shady Grove Transportation Management District (TMD) Advisory Committee. This regulation defines the scope, composition, responsibilities and terms of the committee members.

Executive Regulation 3-15 was advertised for 30 days in the April 2015 issue of the *Montgomery County Register*. No comments were received in response to this advertisement.

Attachments

IL:jc



# MONTGOMERY COUNTY EXECUTIVE REGULATION

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

<b>Subject</b> Greater Shady Grove Transportation Management District Advisory Committee	<b>Number</b>  3-15
<b>Originating Department</b> Department of Transportation	<b>Effective Date</b>

Montgomery County Regulation on:

**ESTABLISHMENT OF AN ADVISORY COMMITTEE IN THE  
GREATER SHADY GROVE  
TRANSPORTATION MANAGEMENT DISTRICT**

**DEPARTMENT OF TRANSPORTATION**

Issued by: County Executive Regulation No. 3-15  
COMCOR No. 42A.23.01

Authority: Code Section 42A-23 (e)

Council Review: Method (2) under Code Section 2A-15 (d)  
Register Volume 32 Issue 4

Comment Deadline: April 30, 2015

Effective Date: \_\_\_\_\_

Sunset Date: None

**CONTACT:** Carolyn G. Biggins, Chief  
Division of Transit Services  
(240) 240-777-5800

**ADDRESS:** Montgomery County Department of Transportation  
Division of Transit Services  
101 Monroe Street 5<sup>th</sup> Floor  
Rockville, Maryland 20850

**SUMMARY:** Under authority of Section 42A-23 (e) of the County Code, a Greater Shady Grove Transportation Management District (“TMD”) Advisory Committee will be appointed by the Executive and confirmed by Council, according to a structure to be designated by Executive Regulation.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

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

<b>Subject</b> Greater Shady Grove Transportation Management District Advisory Committee	<b>Number</b>  3-15
<b>Originating Department</b> Department of Transportation	<b>Effective Date</b>

The Greater Shady Grove Transportation Management District Advisory Committee (“GSGTMD AC”) will advise County government and/or a designated contractor on all aspects of programs, management, and finances relating to the implementation of transportation demand management in the Greater Shady Grove TMD and vicinity. Specifically, the GSGTMD AC may:

- a. propose guidelines for employer traffic mitigation plans and developer Traffic Mitigation Agreements (TMAs);
- b. monitor the implementation of employer traffic mitigation plans and developer TMAs;
- c. evaluate progress in attaining the commuting goals specified in the Subdivision Staging Policy, and in the Great Seneca Science Corridor Master Plan and Shady Grove Sector Plan areas;
- d. recommend government, private or joint actions necessary to facilitate attainment of the commuting goals specified in the Subdivision Staging Policy, and in the Great Seneca Science Corridor Master Plan and Shady Grove Sector Plan areas;
- e. advise the Director, Department of Transportation (“DOT”) on transit, pooling, bicycling, bikesharing, pedestrian, parking and related policies and programs;
- f. review traffic patterns and control measures in the TMD and vicinity, including any relevant issues relating to neighborhood or commercial parking, and bicycle and pedestrian mobility and safety.

**COMPOSITION:**

The GSGTMD AC shall be comprised of 14 voting members and certain non-voting and ex officio representatives.

**Voting Members**

The voting members will represent a cross section of employer, developer and residential stakeholders in the unincorporated Montgomery County portion of the TMD:

- a. Four members must be representatives of private sector employers within the



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<b>Originating Department</b> Department of Transportation	<b>Effective Date</b>

GSGTMD, with two representing employers of 50 employees or more in the TMD, and two representing employers of fewer than 50 employees;

- b. Two members must be representatives of major public sector employers in the TMD, with one from the Universities at Shady Grove and one from National Cancer Institute (NCI) Shady Grove; or other public sector employers of more than 50 employees;
- c. Four members must be representatives of residential neighborhoods located within the TMD in the unincorporated areas of the County;
- d. Three members must be representative of development interests within the TMD, selected from among developers active in the area;
- e. One member must be a representative of the Gaithersburg-Germantown Chamber of Commerce.

GSGTMD AC voting members may not serve concurrently on the Great Seneca Science Corridor Master Plan Implementation Advisory Committee or any committee appointed by the County Executive.

### Non-Voting Members

Residential representatives of properties or neighborhoods located within the TMD that are also within the municipalities of Rockville and Gaithersburg.

### Ex Officio Members

- a. Montgomery County Department of Transportation Director or designee;
- b. Montgomery-National Capital Park and Planning Commission designee;
- c. Montgomery County Chief of Police or designee;
- d. Upcounty Regional Services Center Director or designee;
- e. City of Rockville designee - Community Planning and Development Services or similar agency representative;



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<b>Originating Department</b> Department of Transportation	<b>Effective Date</b>

f. City of Gaithersburg designee - Planning Director or similar agency representative.

Advisory Committee members shall serve one three-year term, and may serve an additional three years contingent upon approval of the member's representative organization. Member terms are limited to two consecutive three-year terms. Members may re-apply for a position on the GSGTMD AC after a one-year break in service.

Approved:

Isiah Leggett  
County Executive

May 28, 2015

Date

Approved as to Form and Legality  
Office of the County Attorney

By:

Date: 5/28/15

**Fiscal Impact Statement**  
**Executive Regulation 03-15**  
**Establishing the Greater Shady Grove Transportation Management District**  
**Advisory Committee**

1. Executive Regulation Summary (Enter narrative that explains the purpose of the regulation).

**The Executive Regulation defines the composition, responsibilities, and terms of voting members of the Greater Shady Grove Transportation Management District Advisory Committee. Council Resolution 15-1432, establishing the TMD, calls for creation of an advisory committee:**

**“Under authority of Section 42A-23(e) of the County Code, a Greater Shady Grove Transportation Management District Advisory Committee will be appointed by the Executive and confirmed by Council, according to a structure to be designated by Executive Regulation.”**

2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.

**There are no new positions associated with the Executive Regulation.**

**Expenditures are primarily associated with staff time needed in preparing meeting materials, scheduling and participating in advisory committee meetings. Estimated: six (6) hrs./mo. for the primary staff contact; four (4) hrs./mo. for Grade 16 OSC support staff; two (2) hrs./mo. for Section Chief, Commuter Services. Estimated value of staff time is \$3,500/year.**

**Members of the County’s various boards, committees and commissions are volunteers eligible for reimbursement for dependent care and mileage.**

3. Revenue and expenditure estimates covering at least the next 6 fiscal years.

**Estimated value of staff time is \$3,500/year. Over six years that projects to at least \$21,000.**

**Direct reimbursements for mileage and dependent care expected to be minimal based on experience with other advisory committees. The Committee will meet no more than 11 times per year.**

4. An actuarial analysis through the entire amortization period for each regulation that would affect retiree pension or group insurance costs.

**N/A**

5. Later actions that may affect future revenue and expenditures if the regulation authorizes future spending.

**N/A**

6. An estimate of the staff time needed to implement the regulation.

Six (6) hrs./mo. for the primary staff contact; four (4) hrs./mo. for Grade 16 OSC support staff; two (2) hrs./mo. for Section Chief, Commuter Services.

7. An explanation of how the addition of new staff responsibilities would affect other duties.

Once the approval is given to establish the Committee, there will be a demand on staff time to canvass the various neighborhoods and businesses in Greater Shady Grove to recruit founding members. This will primarily fall to the primary staff contact (Planning Specialist) with assistance from a Grade 21 Marketing Specialist and Grade 16 OSC. This will be absorbed within existing duties.

After the initial recruitment is done, staff time will be allotted as described in #2.

8. An estimate of costs when an additional appropriation is needed.

N/A – no appropriations will be needed.

9. A description of any variable that could affect revenue and cost estimates.

Should the Committee elect to meet fewer than 11 times per year, the staff time needed will be less.

10. Ranges of revenue or expenditures that are uncertain or difficult to project.

As stated in #2, Committee members are entitled to reimbursement for dependent care and mileage. There will be no more than 14 Committee members, and not all will claim reimbursement.

11. If a regulation is likely to have no fiscal impact, why that is the case.

N/A

12. Other fiscal impacts or comments.

N/A

13. The following contributed to and concurred with this analysis (enter name and dept.)

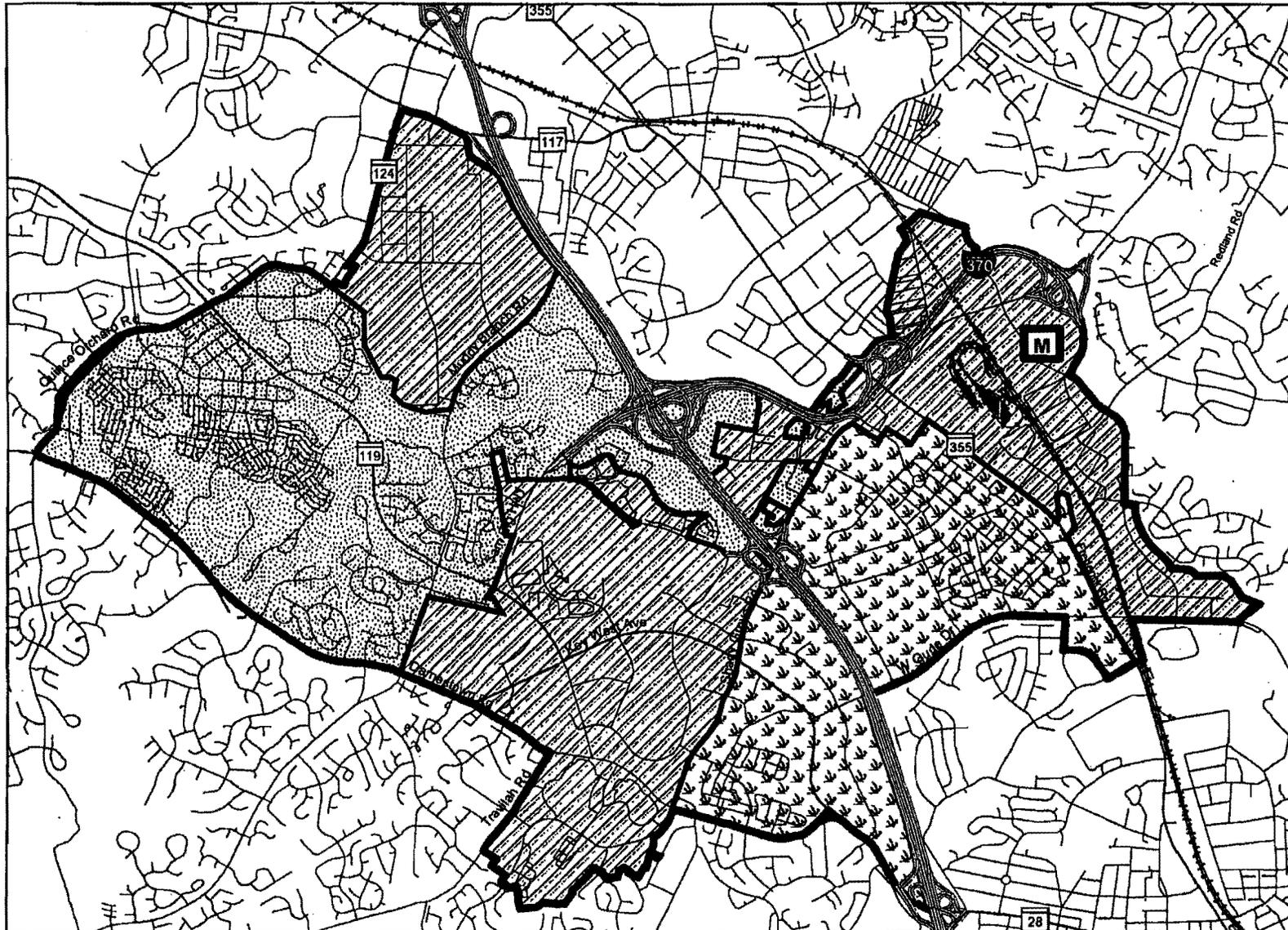
James Carlson, Department of Transportation

Brady Goldsmith, Office of Management and Budget

Amy G. Wilson for  
Jennifer A. Hughes, Director  
Office of Management and Budget

3/20/15  
Date

# Greater Shady Grove Transportation Management District (TMD)

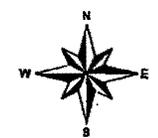


### Roads/Streets

- Interstates
- State Roads
- Major Roads
- Minor Roads
- Railroads

### JURISDICTIONS

- Montgomery County
- Gaithersburg
- Rockville



The Greater Shady Grove TMD includes properties within Montgomery County as well as the cities of Rockville and Gaithersburg. TMD services will be provided within the Cities of Rockville and Gaithersburg to the extent that each municipality enters into financial agreements with Montgomery County. Commercial and residential developments will be subject to the laws of each municipality with regard to TMD participation.

Montgomery County  
 Department of Public Works & Transportation  
 Office of Project Development  
 February 28, 2006

