

MEMORANDUM

TO: County Council

FROM: ^{WE} Michael Faden, Senior Legislative Attorney
^{GO} Glenn Orlin, Deputy Council Administrator

SUBJECT: **Action:** Expedited Bill 26-14, Parking Lot Districts – Transfer of Funds

Expedited Bill 26-14, Parking Lot Districts – Transfer of Funds, sponsored by Councilmembers Berliner, Branson, Floreen and Riemer, was introduced on May 6, 2014. A public hearing was held on May 13 at which no speakers appeared.

Bill 26-14 would authorize the transfer of parking fee revenues from one parking lot district to another, conditioned on a reasonable repayment agreement. The Council would approve each transfer, including the terms of repayment, in the annual operating budget resolution or a separate resolution. This Bill would not authorize the transfer of any parking lot district tax revenues.

This Bill is intended to allow a one-time transfer in FY15 of parking fee revenues from the Silver Spring parking lot district to the Bethesda parking lot district to cover a shortfall in operating funds, as the Transportation, Infrastructure, Energy, and Environment Committee discussed in its worksession on the parking lot district budgets on April 24 and the Council later approved in concept. The current law, County Code §60-16, does not authorize this kind of transfer.

This packet contains:

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Expedited Bill No. 26-14
Concerning: Parking Lot Districts –
Transfer of Funds
Revised: 4/30/14 Draft No. 3
Introduced: May 6, 2014
Expires: November 6, 2015
Enacted: _____
Executive: _____
Effective: July 1, 2014
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmembers Berliner, Branson, and Floreen

AN EXPEDITED ACT to:

- (1) authorize the transfer of certain funds from one parking lot district to another; and
- (2) generally amend the law governing parking lot districts.

By amending

Montgomery County Code
Chapter 60, Silver Spring, Bethesda, Wheaton and Montgomery Hills Parking Lot
Districts
Section 60-16, Purpose of parking lot funds

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

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

LEGISLATIVE REQUEST REPORT

Expedited Bill 26-14

Parking Lot Districts – Transfer of Funds

- DESCRIPTION:** Would authorize the transfer of parking fee revenues from one parking lot district to another, conditioned on a reasonable repayment agreement. The Council would approve each transfer, including the terms of repayment, in the annual operating budget resolution or a separate resolution. Would not authorize the transfer of any parking lot district tax revenues.
- PROBLEM:** Fluctuations in revenue among parking lot districts from year to year.
- GOALS AND OBJECTIVES:** To increase budgetary flexibility, with appropriate controls, among parking lot districts.
- COORDINATION:** Department of Transportation, Office of Management and Budget, Finance Department
- FISCAL IMPACT:** To be requested.
- ECONOMIC IMPACT:** To be requested.
- EVALUATION:** To be requested.
- EXPERIENCE ELSEWHERE:** To be researched.
- SOURCE OF INFORMATION:** Michael Faden, Senior Legislative Attorney, 240-777-7905
Glenn Orlin, Deputy Council Administrator, 240-777-7936
- APPLICATION WITHIN MUNICIPALITIES:** Applies only to County parking lot districts.
- PENALTIES:** Not applicable.

Fiscal Impact Statement
Council Bill 26-14, Parking Lot Districts – Transfer of Funds

1. Legislative Summary

Authorizes the transfer of parking fee revenues from one parking lot district to another, conditioned on a reasonable repayment agreement. The Bill is intended to allow the one-time transfer in FY15 of parking fee revenues from the Silver Spring parking lot district to the Bethesda parking lot district to cover a shortfall in operating funds.

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.

N/A

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

\$1.5M in parking fee revenue will be transferred from the Silver Spring Parking Lot District Fund to the Bethesda Parking Lot District Fund with a corresponding transfer from Bethesda to Silver Spring in FY16.

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

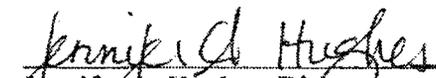
The \$1.5M transfer from Silver Spring to Bethesda will be repaid the following fiscal year.

12. Other fiscal impacts or comments.

13. The following contributed to and concurred with this analysis:

Brady Goldsmith, Office of Management and Budget

Rick Siebert, Department of Transportation



Jennifer A. Hughes, Director
Office of Management and Budget

5/13/14
Date

Economic Impact Statement
Bill 26-14E, Parking Lot Districts – Transfer of Funds

Background:

This legislation would authorize the transfer of parking fee revenues from one parking lot district (PLD) to another, conditioned on a reasonable repayment agreement. Bill 26-14E allows the one-time transfer in fiscal year (FY) 2015 of \$1.5 million in parking fee revenues from the Silver Spring PLD Fund to the Bethesda PLD Fund. This transfer is intended to cover a short-term cash flow issue in the Bethesda PLD Fund in order to keep a positive fund balance. In FY2016, the \$1.5 million will be transferred from the Bethesda PLD Fund to the Silver Spring PLD Fund.

1. The sources of information, assumptions, and methodologies used.

Office of Management and Budget (OMB)

2. A description of any variable that could affect the economic impact estimates.

Not applicable

3. The Bill's positive or negative effect, if any on employment, spending, saving, investment, incomes, and property values in the County.

Bill 24-14E has no economic effect on employment, spending, saving, investment, incomes, and property values in the County.

4. If a Bill is likely to have no economic impact, why is that the case?

Bill 24-14E has no economic impact because it is a transfer of funds from the Silver Spring PLD Fund to the Bethesda PLD Fund.

5. The following contributed to and concurred with this analysis:

David Platt and Rob Hagedoom, Department of Finance;

Brady Goldsmith, Office of Management and Budget.



Joseph F. Beach, Director
Department of Finance

5/9/14

Date