MEMORANDUM

TO:

County Council

FROM:

Michael Faden, Senior Legislative Attorney Glenn Orlin, Deputy Council Administrator

SUBJECT:

Public Hearing: 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. Action is tentatively scheduled for May 22.

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 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, as the Transportation, Infrastructure, Energy, and Environment Committee discussed in its worksession on the parking lot district budgets held on April 24. The current law, County Code §60-16, does not authorize this kind of transfer.

This packet contains:	,	Circle #
Expedited Bill 26-14		1
Legislative Request Report		3

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Expedited Bill No. 26-14				
Concerning: _F	Parking	Lot	Districts	<u> </u>
Transfer o	f Funds			
Revised: _4/3	0/14	D	raft No	3_
Introduced:				
Expires:	Novem	<u>ber 6,</u>	2015	
Enacted:				
Executive:				
Effective:	July 1,	2014		
Sunset Date:	None			
Ch La	ws of Mo	nt Co	L	

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 Underlining [Single boldface brackets] Double underlining [[Double boldface brackets]] * * *	Heading or defined term. Added to existing law by original bill. Deleted from existing law by original bill. Added by amendment. Deleted from existing law or the bill by amendment. Existing law unaffected by bill.
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The County Council for Montgomery County, Maryland approves the following Act:

1	Sec.	1. Sec	tion 60-16 is amended as follows:
2	60-16.	Purp	oose of parking lot funds.
3			* * *
4	<u>(f)</u>	<u>(1)</u>	Notwithstanding the limits in subsection (a) or (b) or any other
5			provision of this Chapter, the County Council may authorize
6			the transfer of revenue from parking fees collected in a parking
7	,		lot district in any fiscal year to temporarily fund the operations
8			of another parking lot district. In this subsection, "parking fee"
9			means revenue from parking meters, parking permits, or any
10			other user charge for parking.
11		<u>(2)</u>	The Council must approve any transfer under this subsection in
12			the resolution approving the district's annual operating budge
13			or in a separate resolution. Each transfer of funds must be
14			conditioned on a reasonable repayment agreement. Each
15			authorizing resolution must specify:
16			(A) the purposes for which the transferred funds may be
17			used; and
18			(B) the terms of repayment to the originating parking lot
19			district.
20	Sec. 2	2.	Expedited Effective Date. The Council declares that this
21	legislation i	s nece	essary for the immediate protection of the public interest. This
22	Act takes et	ffect c	n July 1, 2014, and applies to any fiscal year that begins on or
23	after that da	te.	

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 To increase budgetary flexibility, with appropriate controls, among

OBJECTIVES: parking lot districts.

COORDINATION: Department of Transportation, Office of Management and Budget,

Finance Department

FISCAL IMPACT: To be requested.

ECONOMIC To be requested. **IMPACT:**

EVALUATION: To be requested.

EXPERIENCE To be researched. **ELSEWHERE:**

SOURCE OF Michael Faden, Senior Legislative Attorney, 240-777-7905 **INFORMATION:** Glenn Orlin, Deputy Council Administrator, 240-777-7936

APPLICATION Applies only to County parking lot districts. **WITHIN**

PENALTIES: Not applicable.

MUNICIPALITIES:

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