

T&E COMMITTEE #1-2  
July 25, 2019

**M E M O R A N D U M**

July 22, 2019

TO: Transportation and Environment (T&E) Committee

FROM: Glenn Orlin, Deputy Director <sup>GO</sup>

SUBJECT: Supplemental appropriation to the FY20 Operating Budget, Department of Transportation: grant to the Jewish Council on Aging Misler Adult Day Care Center, \$50,000 (Source: Transportation Services Improvement Fund); Amendment to FY20 Operating Budget Resolution 19-128, Section G, FY20 Designation of Entities for Non-Competitive Contract Award Status

PURPOSE: Develop T&E Committee recommendations

On June 26 the County Executive recommended this \$50,000 appropriation for a grant to support the Elderbus service operated by the Jewish Council on Aging (JCA). The Executive's transmittal is on ©1 and a draft adoption resolution is on ©2-3. This resolution would also amend the Non-Competitive Award Status list in the FY20 Operating Budget resolution. The Council's public hearing and action are scheduled for July 30.<sup>1</sup>

Staff anticipated to attend the session include:

Emil Wolanin, Deputy Director, Department of Transportation (DOT)  
Fred Lees, Chief, Management Services, DOT  
Hannah Henn, Senior Engineer, DOT  
Brady Goldsmith, Budget Analyst, Office of Management and Budget (OMB)

The Elderbus serves the Misler Day Care Center solely and costs \$300,000 to operate annually. Philanthropic contributions are funding half this amount in FY20, the Jewish Federation is providing \$100,000, and this \$50,000 would supply the remaining funds to keep the Elderbus running through next June. (Concurrently JCA is conducting a study to determine whether there should be a different model for providing this service in the future.) Bill 13-18, approved last autumn, allows for funds from the Transportation Services Improvement Fund to be used "to provide incentives or program enhancements to improve or expand transportation options for ... eligible senior citizens" (see ©4-8, especially lines 60-61 and 63 on ©7).

**Council staff recommends approval of the resolution on ©2-3.**

F:\ORLIN\FY20\T&E\taxi services\JCA\190725te.docx2

---

<sup>1</sup> Key words: #JCA, adult day care, transportation services improvement fund.




OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Marc Elrich  
County Executive

MEMORANDUM

June 26, 2019

TO: Nancy Navarro, President, County Council

FROM: Marc Elrich, County Executive 

SUBJECT: Supplemental Appropriation #20-443 to the FY20 Operating Budget  
Montgomery County Government  
Department of Transportation  
JCA Misler Adult Day Care Center, \$50,000

I am recommending a supplemental appropriation to the FY20 Operating Budget of the Department of Transportation in the amount of \$50,000 for a one-time grant for the Jewish Council for the Aging (JCA) Misler Adult Day Care Center. This appropriation will partially fund the Elderbus transportation service.

This increase is needed to provide support to JCA to provide transportation services to disabled and vulnerable seniors within the County.

I recommend that the County Council approve this supplemental appropriation in the amount of \$50,000 and specify the source of funds as Transportation Services Improvement Fund. This supplemental will reduce the available balance of that fund.

I appreciate your prompt consideration of this action.

ME:bg

Attachment: Supplemental Appropriation #20-443

c: Al R. Roshdieh, Director, Department of Transportation  
Richard S. Madaleno, Director, Office of Management and Budget

①

Resolution No: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

---

By: Council President at the Request of the County Executive

---

**SUBJECT:** Supplemental Appropriation #20-443 to the FY20 Operating Budget  
Montgomery County Government  
Department of Transportation  
JCA Misler Adult Day Care Center, \$50,000, and  
Amendment to Fiscal Year 2020 Operating Budget Resolution 19-128, Section G,  
Fiscal Year 2020 Designation of Entities for Non-Competitive Contract Award  
Status

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. The County Executive has requested the following FY20 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>
\$0	\$50,000	\$0	\$50,000	Transportation Services Improvement Fund

3. The County Executive recommends a supplemental appropriation to the FY20 Operating Budget in the amount of \$50,000 for a one-time grant for the JCA Misler Adult Day Care Center and specifies that the source of funds will be Transportation Services Improvement Fund.
4. Section 11B-14 (a) (4) of the Montgomery County Code states that "a contract may be awarded without competition if the Chief Administrative Officer makes a written determination that the contract award serves a public purpose and the proposed contractor has been identified in a grant or appropriation resolution approved by the Council." The result of this action is to amend the Fiscal Year (FY) 2020 Designation of Entities for Non-Competitive Contract Award status resolution to include the entity listed in Section 7.
5. The Chief Administrative Officer has determined that funding for contracts with this entity serves a public purpose and that such an expense would be in the public interest.
6. The Department of Transportation will fund a contract from the Transportation Services Improvement Fund appropriation for the Jewish Council for the Aging of Greater Washington, Inc. for \$50,000.
7. 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 FY20 Operating Budget of the Department of Transportation is approved as follows:

<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Capital Outlay</u>	<u>Total</u>	<u>Source of Funds</u>
\$0	\$50,000	\$0	\$50,000	Transportation Services Improvement Fund

This resolution amends Resolution 19-128, Section G, Fiscal Year 2020 Designation of Entities for Non-Competitive Contract Award Status to reflect:

The Department of Transportation will establish a new contract with the Jewish Council for the Aging of Greater Washington, Inc. to read, "Provides for transportation services to disabled and vulnerable senior citizens" in the amount of \$50,000.

This is a correct copy of Council action.

\_\_\_\_\_  
Megan Davey Limarzi, Esq., Clerk of the Council

Expedited Bill No. 13-18  
Concerning: Taxicabs – Transportation Services Improvement Fund – Use of Fund  
Revised: 09/27/2018 Draft No. 2  
Introduced: April 3, 2018  
Enacted: October 16, 2018  
Executive: October 25, 2018  
Effective: October 25, 2018  
Sunset Date: None  
Ch. 30, Laws of Mont. Co. 2018

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

---

Lead Sponsor: Council President at the Request of the County Executive

---

**AN EXPEDITED ACT** to:

- (1) provide for disbursements from the Transportation Services Improvement Fund for [[any transportation purpose]] specific purposes;
- (2) require that the Fund be used to supplement, and not supplant, previously appropriated expenditures; and
- (3) generally amend the law governing the licensing and regulation of taxicabs.

By amending

Montgomery County Code  
Chapter 53, Taxicabs  
Section 53-801

<b>Boldface</b>	<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:*

1           **Sec. 1.           Section 53-801 is amended as follows:**

2   **53-801. Transportation Services Improvement Fund.**

3           (a)   *Definitions.* In this section:

4                   (1)   *Fund* means the Transportation Services Improvement Fund  
5                               established in this Section.

6                   (2)   *Transportation Network Services* means “Transportation Network  
7                               Services” as defined in §10-101 of the Public Utilities Article of  
8                               the Maryland Code.

9           (b)   *Fund established.*

10                   (1)   There is a Transportation Services Improvement Fund [created to  
11                               improve the delivery of:

12                               (A)   accessible transportation services in the County;

13                               (B)   transportation for eligible senior citizens; and

14                               (C)   transportation for persons of limited income] [[to be used  
15                               for transportation purposes in the County]] created to  
16                               improve the delivery of:

17                               (A)   accessible transportation services in the County;

18                               (B)   transportation for eligible senior citizens; and

19                               (C)   transportation for persons of limited income.

20                   (2)   The Fund consists of:

21                               (A)   all revenue from the surcharge imposed on transportation  
22                               network services under this Section;

23                               (B)   all funds appropriated to it by the County Council; and

24                               (C)   all funds received by the Fund from any other public or  
25                               private entity.

26           (c)   *Per-ride surcharge.* There is a \$0.25 surcharge on Transportation  
27                               Network Services for each trip originating in the County. The surcharge

28 must be collected as provided in §10-406 of the Public Utilities Article of  
 29 the Maryland Code.

30 (d) [~~Uses~~] *Use of the Fund*. Disbursements from the Fund must only be used  
 31 [to] ~~[[for transportation purposes in the County.]]~~ to supplement, and  
 32 must not supplant, Fiscal Year 2019 expenditures appropriated in the  
 33 annual operating budget resolution to: [:

34 (1) offset the higher operational costs of accessible taxicab services  
 35 for owners and operators including, but not limited to:

36 (A) vehicle costs associated with purchasing and retrofitting an  
 37 accessible vehicle;

38 (B) costs associated with receiving training in providing  
 39 accessible transportation services; and

40 (C) additional time involved in providing accessible taxicab  
 41 services; or

42 (2) provide incentives for improving or expanding transportation  
 43 options for:

44 (A) eligible senior citizens; or

45 (B) persons of limited income.

46 (e) *Disbursements from the Fund*. The Executive must by regulation  
 47 establish the procedure for determining when and how to make  
 48 distributions from the Fund to taxicab owners and operators, including  
 49 setting eligibility standards, imposing conditions of reimbursement,  
 50 imposing a maximum amount of reimbursement, and considering timely  
 51 distribution of reimbursement to taxicab owners and operators.]

52 (1) offset the higher operational costs of accessible taxicab services  
 53 for owners and operators including, but not limited to:

54 (A) vehicle costs associated with purchasing and retrofitting an

- 55                           accessible vehicle;
- 56                           (B) costs associated with receiving training in providing
- 57                           accessible transportation services; and
- 58                           (C) additional time involved in providing accessible taxicab
- 59                           services; or
- 60                           (2) provide incentives or program enhancements to improve or expand
- 61                           transportation options for:
- 62                           (A) persons with disabilities;
- 63                           (B) eligible senior citizens; or
- 64                           (C) persons of limited income.
- 65                           (e) Disbursements from the Fund. The Executive must by regulation
- 66                           establish the procedure for determining when and how to make
- 67                           distributions from the Fund to taxicab owners and operators, including
- 68                           setting eligibility standards, imposing conditions of reimbursement,
- 69                           imposing a maximum amount of reimbursement, and considering timely
- 70                           distribution of reimbursement to taxicab owners and operators.

71                           **Sec. 2. Expedited Effective Date.**

72                           The Council declares that this legislation is necessary for the immediate

73                           protection of the public interest. This Act takes effect on the date on which it becomes

74                           law.



*Approved:*

/s/

10/18/18

Hans D. Riemer, President, County Council

Date

*Approved:*

/s/

10/25/18

Isiah Leggett, County Executive

Date

*This is a correct copy of Council action.*

/s/

10/30/18

Megan Davey Limarzi, Esq. Clerk of the Council

Date