



FREDERICK COUNTY COUNCIL

Local Government Fiscal and Policy Note

CONTACT INFORMATION AND GENERAL INSTRUCTIONS

Bill Number/Reference:	Bill No. 19-05
Bill Title:	Development Rights and Responsibilities Agreements
Local Government Agency:	Frederick County Finance Division
Prepared By:	Erin White
Title:	Deputy Director
Phone Number:	301-600-1193
E-Mail Address:	ewhite@frederickcountymd.gov
Due Date:	March 26, 2019
Date Submitted:	March 25, 2019

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Date:						
Please respond to the questions below. If you prefer to provide responses or additional information in a separate file or document, send the file or document in a separate e-mail to rcherney@frederickcountymd.gov with the bill number/reference in the subject line.						
1.	Describe the impact of this proposed legislation on your agency (operations, revenues, expenditures, etc). If there is no impact, <u>please explain why.</u>					
This legislation should have a positive fiscal impact on the County. This bill should increase County revenues as it prohibits Developers Rights and Responsibilities Agreements (DRRA) from altering applicant's obligations to pay County fees in effect at the time the fee payment is due. The legislation currently in effect allows fees to be frozen. This bill should also have a positive impact on County expenditures as it defines and requires enhanced public benefits to be provided by the applicant in exchange for the benefits provided to the applicant in the DRRA. This would require public infrastructure improvements or other public benefits features to be provided at the applicant's expense, above and beyond those that the applicant would otherwise be required to provide under applicable law during the course of the development of the property, including but not limited to, Adequate Public Facilities and Rezoning Ordinance requirements. The County would no longer need to provide an appropriation for these expenditures.						
2.	Please indicate whether the proposed legislation will affect small businesses in Frederick County, and if it will, please provide any information you may have which could be useful in determining the economic impact on small businesses.					
This legislation should not have a fiscal impact on small businesses in Frederick County.						
FISCAL IMPACT SUMMARY – SHOW (DECREASE) IN PARENTHESES						
<u>REVENUES</u>						
3.	Analysis of estimated increase (or decrease) in government revenues. Please estimate below any anticipated increase (or decrease) in revenues resulting from this legislation. Please be aware of any delayed effective dates in the bill or other factors that may cause revenue increases/decreases to begin in later years.					
<u>Source</u>		<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
TOTAL \$		\$	\$	\$	\$	\$
		Please explain how the above estimated increase(s) or decrease(s) were arrived at, including any calculations and/or assumptions made. Please also explain any variation if the revenue increase(s)/decrease(s) are not constant.				
This bill should increase County revenues as it prohibits Developers Rights and Responsibilities Agreements (DRRA) from altering applicant's obligations to pay County fees in effect at the time the fee payment is due. The legislation currently in effect allows fees to be frozen. Staff are unable to quantify the increase in revenues because of the difficulty in predicting the timing of DRRA's and developer projects.						

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<u>EXPENDITURES</u>						
4.	Analysis of estimated increase (or decrease) in government expenditures . Please estimate below any anticipated increase (or decrease) in expenditures resulting from this legislation. Please be aware of any delayed effective dates in the bill or other factors that may cause expenditure increases/decreases to begin in later years.					
<u>A. Salaries & Wages</u>		<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
FTE Employees - _____ # of positions						
Fringe Benefits						
TOTAL (Salaries, wages & benefits)		\$	\$	\$	\$	\$
N/A	Please provide an explanation of the need for the number and type of any personnel listed above, including (1) what specific provision(s) of the bill necessitate additional staff; (2) what the duties of each type employee will be; and (3) why existing personnel cannot absorb the additional work. Please also certify the wage/salary rate and % fringe rate (if differing rates apply) for each personnel classification.					
<u>B. Other Operating Expenses</u>		<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
Technical/Special Fees, Grants/Subsidies						
Communications-Phone, Postage						
Travel, Food, Auto, Fuel & Utilities						
Contractual Services						
Supplies						
Equipment-Replacement						
Equipment-Additional						
Land & Structures, Fixed Charges						
Other (Please Specify on Extra Page(s))						
TOTAL (Expenditures)		\$	\$	\$	\$	\$
	On the next page, please provide brief descriptions/breakdowns of the above "Other Operating Expenses."					
	Please explain below any additional calculations or assumptions made in estimating the "Other Operating Expenses" that will help us to understand the amounts and timing of the expenses.					
This bill should have a positive impact on County expenditures as it defines and requires enhanced public benefits to be provided by the applicant in exchange for the benefits provided to the applicant in the DRRA. This would require public infrastructure improvements or other public benefits features to be provided at the applicant's expense, above and beyond those that the applicant would otherwise be required to provide under applicable law during the course of the development of the property, including but not limited to, Adequate Public Facilities and Rezoning Ordinance requirements. The County would no longer need to provide an appropriation for these expenditures. Staff are unable to quantify the decrease in expenditures because of the difficulty in predicting the timing of DRRA's and developer projects.						

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4. (cont'd)

C. Operating Expense Descriptions/Breakdowns

Please provide below a short description of the specific purpose of each expense listed under 4B. If any amount(s) listed under 4B represent(s) a total of multiple expenses, provide a breakdown of the fiscal 2016 amount with a short description of each expense (for example, if \$2,500 is listed for Communications – Phone, Postage, a statement such as “\$1,500 for cellphone charges for two new inspectors and \$1,000 for postage for mailings to permittees to notify them of changes to inspection requirements.”)

Fiscal 2019 Expenditures

Technical/Special Fees, Grants & Subsidies description/breakdown	\$
Communications – Phone, Postage description/breakdown	\$
Travel, Food, Auto Operations, Fuel & Utilities description/breakdown	\$
Contractual Services description/breakdown	\$
Supplies description/breakdown	\$
Equipment-Replacement description/breakdown	\$
Equipment-Additional description/breakdown	\$
Land & Structures, Fixed Charges description/breakdown	\$
Other (Please Specify) description/breakdown	\$

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ADDITIONAL POLICY IMPLICATIONS/CONCERNS

**Please submit BY E-MAIL to: Ragen Cherney, Legislative Director/Chief of Staff
Frederick County Council • E-Mail: RCherney@FrederickCountyMD.gov**