

ARTICLE 4

BYLAW AMENDMENT/PARKING BENEFITS
DISTRICT EXPENDITURES

VOTED: That Title I, Article 11 “Program Budget,” previously deleted by vote the 2012 Annual Town Meeting, be and is hereby replaced in the entirety with the following new Article:

ARTICLE 11: Parking Benefit District Expenditures

A. Purpose and Definitions

The Purpose of this Article is to detail the Town of Arlington’s process for reviewing and endorsing expenditure requests for the operation of, and improvements to Parking Benefit Districts in Arlington as permitted by c. 40 §§ 22A and 22A ½.

For the purposes of this Article, “Parking Benefit Districts” shall be defined as set forth in G.L. c. 40 §22A ½.

The Parking Implementation and Governance Committee is a committee tasked with evaluating and making recommendations for parking and related administration and improvements in Arlington, including members of the Arlington business community.

B. Process for Review and Endorsement of Expenditures

1. Revenue Estimates. On or before February 1st of the current fiscal year, the Parking Implementation and Governance Committee, or other designee of the Board of Selectmen, shall provide a detailed estimate of the projected revenues and expenditures of each Parking Benefit District in Arlington for the ensuing fiscal year.
2. Operating Expenditures. All proposed operating expenditures for the ensuing fiscal year in each Parking Benefit District submitted by the Parking Implementation and Governance Committee or any other entity, shall be reviewed for report and recommended action or actions by the Finance Committee prior to submission for the endorsement of Town Meeting.
3. Capital Expenditures. All proposed capital expenditures for the ensuing fiscal year in each Parking Benefit District submitted by the Parking Implementation and Governance Committee or any other entity, shall be reviewed for report and

recommended action or actions by the Capital Planning Committee prior to submission for the endorsement of Town Meeting.

4. **Town Meeting Endorsement. Town Meeting shall have the opportunity for a non-binding vote to endorse the recommended action or actions of the Finance and/or Capital Planning Committees respectively relative to the expenditure of any Parking Benefits District revenue proposed by the Parking Implementation and Governance Committee, or any other entity.**

C. Construction and Severability

At all times this by-law shall be interpreted in a manner consistent with G.L. c. 40 §§ 22A and 22A 1/2. Should any section, paragraph or part of this chapter be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph, or part shall continue in full force and effect.

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COMMENT: 2017 Annual Town Meeting approved the acceptance of a provision of legislation from the Massachusetts Municipal Modernization Act which allows for the establishment of “Parking Benefit Districts” in which the Town may segregate its parking revenues for expenditure in designated geographic areas (for example, the areas with parking meters) for a wide range of operating and capital purposes. The enabling state law says that the funds can be expended without further approval by Town Meeting. However, both before the Finance Committee and Town Meeting, this Board and the Town Manager committed to developing a process by which any proposed expenditures of such segregated revenues would be submitted for review and endorsement by the Finance Committee, Capital Planning Committee, and Town Meeting in a similar fashion to Town CDBG distributions. This proposed bylaw codifies such a process to ensure sound, consistent review of Parking Benefit District proposals prior to expenditure.