

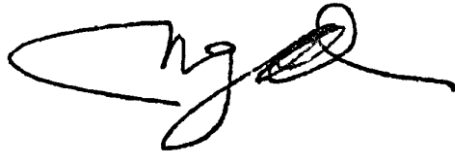
Government of the District of Columbia
Office of the Chief Financial Officer



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi
Chief Financial Officer 

DATE: November 27, 2012

SUBJECT: Revised Fiscal Impact Statement – “Department of Parks and Recreation Fee-based Use Permit Authority Amendment Act of 2012”

REFERENCE: Bill 19-758– Draft Committee Print shared with the Office of Revenue Analysis on November 26, 2012

This fiscal impact statement incorporates changes to the bill in the draft Committee Print, and replaces the statement issued by the Office of the Chief Financial Officer on April 2, 2012.

Conclusion

Funds are sufficient in the FY 2013 through FY 2016 budget and financial plan to implement the bill.

Background

The bill amends current law¹ to allow the Department of Parks and Recreation (DPR) to issue use permits and collect fees for “fee-based activities” on property under the jurisdiction or control of the agency.² These activities are defined as an activity, event, class, program, operation, service, or product for the benefit, enjoyment, education, amusement, or convenience of the public. The bill authorizes DPR to issue permits to third party vendors to provide fee-based activities, provided the permit does not adversely affect enjoyment of a space by other members of the public and is not entered solely for revenue generation purposes. Additionally, the bill requires that the Mayor promulgate rules regarding issuance of the use permits within 180 days of the bill’s enactment.

¹ The Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-301 *et seq.*)

² This also includes property for which DPR is identified as the District user agency by the Department of General Services.

The Honorable Phil Mendelson

Revised FIS: Bill 19-758, "Department of Parks and Recreation Fee-based Use Permit Authority Amendment Act of 2012," Draft Committee Print shared with the Office of Revenue Analysis on November 26, 2012

The bill also establishes several requirements related to nutrition at DPR facilities. First, it requires that all food and beverages³ offered by DPR or its representatives, or advertised on DPR property, meet certain nutritional standards.⁴ Second, it directs DPR to maximize participation of eligible children in federal nutrition programs and train an employee at each facility on connecting residents to nutrition support programs. Lastly, DPR must ensure that its participation in federal nutrition programs are not affected by other foods offered at its facilities.

Financial Plan Impact

Funds are sufficient in the FY 2013 through FY 2016 budget and financial plan to implement the bill. Authorizing DPR to allow vendors to issue permits and collect fees for fee-based activities would not have an impact on the proposed FY 2013 through FY 2016 budget and financial plan. Once implemented, the program could generate revenues for DPR, but without any specific plans, the potential revenue cannot be estimated at this time. The nutrition provisions of the bill require that DPR manage use permit issuances such that the standards are met. However, DPR has indicated this can be done with its current resources and expertise.

³ Exemptions from this requirement are allowed for fee-based permitted vendors, fund raisers, farmers' market stands where at least one-half of the items offered are fresh fruit or vegetables, food for consumption by DPR employees, and any event such as a festival (if exempted in writing by the DPR Director.)

⁴ The bill states the requirements of the United States Department of Agriculture's HealthierUS School Challenge Program, or the Alliance for Healthier Generation, must be followed.