

W. S. L.

Memorandum Date: May 7, 2008
Order Date: May 14, 2008

TO: Board of County Commissioners

DEPARTMENT: Public Works – Land Management Division

PRESENTED BY: Matt Laird, Land Management Division Manager

AGENDA ITEM TITLE: **IN THE MATTER OF AMENDING CHAPTER 60 OF THE LANE MANUAL TO REVISE PUBLIC WORKS DEPARTMENT/LAND MANAGEMENT DIVISION TECHNOLOGY ASSESSMENT CHARGES AND LONG-RANGE PLANNING SURCHARGE (LM 60.850), EFFECTIVE JULY 1, 2008.**

I. MOTION

ADOPT THE BOARD ORDER AMENDING CHAPTER 60 OF THE LANE MANUAL TO REVISE FEES FOR LAND MANAGEMENT DIVISION TECHNOLOGY FEE AND LONG RANGE PLANNING SURCHARGE (LM 60.850), EFFECTIVE JULY 1, 2008.

II. AGENDA ITEM SUMMARY

Land Management Division is fully funded through fees and operates within an enterprise fund with the exception of the surveyors services. As an enterprise fund/organization the division must provide services to the Lane County Community that can be paid for within the funding provided through fees. The Public Works Director and Land Management Division Manager have identified three long term projects that would enhance future services to citizens. The Board is being asked to review the proposals below and approve fee increases to fund them:

1. Periodic Review of the Comprehensive Plan and Amendments to Lane Code funded through a Long Range Planning Surcharge.
2. Land Management Permit Software upgrade funded through LMD Technology Fee
3. Digital File Imaging funded through LMD Technology Fee

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

Effective July 1, 2007, the Board of County Commissioners revised the Long Range Planning Surcharge from 7 ½ percent to 10 percent. Board Order 07-6-20-7.

The Lane County Finance and Audit Committee heard the proposal on April 10, 2008, and after reviewing the proposed fee increase, unanimously recommended that it be brought to the Board of Commissioners. In addition, on May 1, 2008, the Lane County Budget Committee reviewed the entire Public Works budget, including the "add packages" that would be funded by the proposed fee increases in the Land Management Division. The Budget Committee will include the add package and fee revenue in the budget once the proposed fee increases are approved by the Board.

B. Policy Issues

- Will the County impose additional long-range planning surcharge on LMD permits to fund one FTE responsible for periodic review of the comprehensive plan and revisions to Lane Code.
- Will the County impose additional Technology fees on LMD permits to fund new permit tracking software.
- Will the County impose additional Technology fees on LMD permits to fund the digital imaging project to convert all files into digital images that will become available online.

Oregon Revised Statute 197.175 and statutory/administrative rule changes require the County to complete periodic review of the County Comprehensive Plans and make amendments to those plans and Lane Code as necessary.

The current permit tracking software is reaching the end of its lifespan and will likely need to be updated within 5-8 years.

The digital backfile conversion project will increase public access to LMD records.

C. Board Goals

The services to be provided and improved by this Order are consistent with the County's Strategic Plan, particularly the first core strategy, Service Improvement.

- Adding one FTE to Long Range Planning for code revision and periodic review will promote continuous quality improvement by insuring County code is current as required by state statute.
- Updating the permits software is necessary to stay current with developing software technology. A large investment has been made to make the permit process efficient, reliable and readily available for assisting the public. It is good business practice to both maintain this service and improve the technology as necessary.
- The ability to digitally image files will make historical and current data available for public access online. It will also free up considerable floor space taken up by dozens of standing files holding millions of documents.

D. Financial and/or Resource Considerations

- This Order will increase the Long Range Planning surcharge on Land Management Division permit transactions from 10% to 13%. This will generate an estimated \$76,820 per year to add one FTE to the Long Range Planning program dedicated to Periodic Review of the Comprehensive Plan and Amendments to Lane Code.
- Upgrading the permit software could cost upwards of \$390,000. This Order would increase the Technology Assessment fee by \$20.00, generating approximately \$130,000 a year for approximately three years to fund the upgrade.
- Digital file imaging for file conversion to digital records is anticipated to cost \$500,000 and be completed over a 4 year period. This Order would increase the Technology Assessment fee by \$20.00 generating approximately \$130,000 a year for approximately four years to fund the conversion.
- The current Technology Assessment fee is \$10 per LMD transaction. The proposal above includes two temporary \$20 technology assessments. If both assessments are approved, the LMD technology assessment will be increased from \$10 to \$50 per transaction.

E. Analysis

- Currently there is no funding for periodic review of the Comprehensive Plan required by State Statute and the plans approximately every 5-8 years as well as legislative updates to the Lane Code. Furthermore, the land use planning sections of Lane Code have become increasingly complicated and should be updated and amended to make it more efficient and easier for citizens to use. It could be argued that all citizens of Lane County benefit from the land use planning program, however, those who participate in the land use process would surely benefit from an updated and streamlined Lane Code. No disruption of services would be expected by implementing this proposal.
- The current permit tracking software (Sierra/Permits Plus) became operational in 1998 and is reaching the end of its lifespan. Technical support for the program is becoming limited as vendors move toward newer versions of tracking software. It is estimated that within the next 5 -8 years, technical support will no longer be available for this product. LMD must plan for the eventual replacement of its permit software.
- The file conversion project would enable electronic storage of all existing land use planning, building, and sanitation records into a digital format. Once in digital format, the files would be placed on the Lane County website allowing citizens' access to research properties online. There are an estimated 2.5 million pages of records currently stored in the Land Management Division in dozens of file cabinets. The conversion would also free up significant floor space for future expansion as files could be appropriately archived and stored in the Public Works warehouse.

F. Alternatives/Options

Option A: Increase the Long Range Planning surcharge on Land Management Division permit transactions from 10% to 13%. This will generate enough revenue to add one FTE to the Long Range Planning program dedicated to updates and review of the Comprehensive Plan and amendments to Lane Code.

Option B: Temporarily increase the current Technology Assessment fee on Land Management Transactions from the existing \$10 to \$30, to generate enough revenue to fund the upgrade of permit tracking software.

Option C: Temporarily increase the Technology Assessment fee by \$20.00 on Land Management Division transactions to generate enough revenue to fund the Digital Image Backfile Conversion project of all LMD records.

Option D: Adopt options A, B, and C, increasing the Long Range Planning surcharge to 13% and increasing the Technology Fee to \$50 per transaction.

Option E: Adopt some combination of Options A, B, C, as determined by the Board.

Option F: Take no action. Leave the Long Range Planning Surcharge and Technology Assessment fee at their current rates.

IV. TIMING/IMPLEMENTATION

If the fee increase is approved by the Board, staff will implement and begin collecting the new fees effective July 1, 2008.

V. RECOMMENDATION

Staff recommends that the Board approve Option D , with fee changes noted in the Order. It is also recommended that July 1, 2008 be the effective date of these fee increases, so that they coincide with the start of the new fiscal year.

VI. FOLLOW-UP

If the fee increase is approved by the Board, staff will implement and begin collecting the new fees effective July 1, 2008.

VII. ATTACHMENTS

Board Order with Lane Manual changes

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF AMENDING CHAPTER 60 OF
THE LANE MANUAL TO REVISE PUBLIC WORKS
DEPARTMENT/LAND MANAGEMENT DIVISION
TECHNOLOGY ASSESSMENT CHARGES AND
LONG-RANGE PLANNING SURCHARGE (LM
60.850), EFFECTIVE JULY 1, 2008

The Board of County Commissioners of Lane County orders as follows:

Lane Manual Chapter 60 is hereby amended by removing, substituting, and adding the following section:

DELETE THIS SECTION

60.850
as located on page 60-61 through 60-62
(a total of 2 pages)

INSERT THIS SECTION

60.850
as located on page 60-61 through 60-62
(a total of 2 pages)


Said section is attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to revise the Public Works Department/Land Management Division technology assessment charge and long-range planning surcharge (LM 60.850), effective July 1, 2008.

Adopted this _____ day of _____ 2008.

Chair, Lane County Board of Commissioners

APPROVED AS TO FORM

Date 5-4-2008 Lane County


OFFICE OF LEGAL COUNSEL

Senior Accounting Clerk.....	\$ 60.00/hour
Senior Office Assistant.....	\$ 60.00/hour
Office Assistant 2/Accounting Clerk 2	\$ 55.00/hour

The rate used is dependent upon the position in the department required to perform the work. A minimum of one hour will be charged. At the assessor's sole discretion, price adjustments may be made downward in instances where it is anticipated that custom reports and/or the research and analysis they require will be reused.

- (9) CDs..... \$ 1.00 each

When used to provide the research requested (requires an hour minimum of one of the rates above).

(10) Payment. All charges assessed should be paid in cash or check upon delivery of the service or product. If a party requests a billing, the minimum amount charged will be \$5.00.

- (11) Postage. The cost of postage will be added to any mailing.

- (12) Copies of Payment Checks.

When research occurs to provide a party with a copy of their tax payment check \$ 10.00 each

- (13) Returned Check Fees.

The Department of Assessment and Taxation shall collect a fee from the maker of any check to Lane County, which is returned for non-payable funds in the maker's checking account. \$ 15.00 per check

- (14) Manufactured Structure Fees.

Convert manufactured structure to real property..... \$ 55.00

- (15) Farm Deferral Reapplication Fee.

Upon reapplication for a Farm Deferral, a fee of \$1.00 per \$1,000 of real market value, with a minimum fee of \$10 and a maximum fee of \$250.00.

- (16) Property Tax Exemption for Special Organizations – Late Filing Fee.

Any statement filed after December 31 of the assessment year for which the exemption is first desired, must be accompanied by a late fee of the greater of \$200, or one-tenth of one percent of the real market value of the property to which the statement pertains, as determined for the assessment year by the assessor for this purpose (per ORS 307.162(2)).

- (17) Veteran's Exemption – Late Filing Fee

Exemption applications received after the April 10 deadline of each year shall still be able to secure the exemption, if still qualified, by making application therefore to the county assessor not later than May 1 of the current year, accompanied by a late-filing fee (per ORS 307.260(b)). \$ 10.00

- (18) Regional Land Information Data (RLID) Extracts

For commercial customers, an up-to-date listing of Lane County property information updated and extracted quarterly (4 per year)..... \$ 450.00 per anum

One-time extract of Lane County information \$ 115.00 each time

(Revised by Order No. 01-9-5-12, Effective 9.5.01; 03-11-12-8, 11.12.03; 07-5-23-1, 7.1.07)

60.850 Land Management Division/Department of Public Works.

In addition to the fee schedules established in LM 60.850, 60.851, 60.852, 60.853, 60.854 and 60.855, the following policies and applicable charges are established:

- (1) Research Fees. In keeping with the provision of LM 60.838, when requests for information with regard to Land Management activities require, in the judgment of the Department Head, or his or her designee, research necessitating the use of staff with specialized or professional expertise, the actual hourly rate of the Land Management staff

assigned to provide the required research shall be the hourly rate times 2.42 and shall be charged. Charges will be computed on quarter-hours.

(2) Exceptions. The Director of the Department of Public Works, or his or her designee, may reduce the fee established in LM 60.850, 60.851, 60.852, 60.853, 60.854 and 60.855 when strict adherence to the fee schedule would cause inequity to exist among pending applications, when higher fees result from a staff processing error or when extraordinary circumstances cause strict application of the fee schedule to be inappropriate.

(3) Refunds. All, or a portion, of the fee accompanying an application may be refunded, if the applicant withdraws the application in advance of any field work or substantial staff review.

(4) GIS Output (maps, reports, etc.). A \$50 charge will be made for all maps generated from Land Management Division's geographic information systems.

(5) Investigation Fees.

(a) Investigation. Whenever any activity for which a permit is required pursuant to LM 60.851, and 60.855 has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such activity.

(b) Fee. An investigation fee, in addition to the permit fee, shall be collected, unless exempted as provided in LM 60.850(2), whether or not a permit is then or subsequently issued. The investigation fee shall be \$300. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of Lane Code and state law, nor from any penalty prescribed by law.

(c) In addition to investigation fees collected under LM 60.850(5)(b), an additional amount equal to the fees authorized for services under LM 60.852, and the appropriate double permit fees authorized by LC 10.900-16, 16.242(4), and the Oregon Structural Specialty Code shall be collected for Lane County services provided to enforce compliance with the regulations covered by those provisions in the event of unauthorized work, unless exempted as provided in LM 60.850(2).

(6) Land Management Division Technology Assessment. A \$50.00 charge will be added to all Land Management Division permit transactions for technology improvements.

(7) Permit Acceleration Fee. A \$75.00/hr. processing fee will be charged to individuals wishing to accelerate their Land Management Division Building or Planning Program permit processing. This work will be performed on an overtime basis only, and will not impact ordinary processing times. The option is available only when staff is available for overtime assignments.

(8) Administrative Fee. A 15% administrative fee will be added to all Land Management Division permit transactions.

(9) Long-Range Planning Surcharge. A 13.0% long-range planning surcharge will be added to all Land Management Division permit transactions. *(Revised by Order No. 99-6-15-1; Effective 7.1.99; 04-11-23-5, 11.23.04; 06-2-8-7, 7.1.06; 07-6-20-7, 7.1.07)*

60.851 Land Management Division/Public Works Department - Planning.

This section establishes fees for County services as listed.

For the purposes of this subsection:

BCC means the Board of Commissioners.

HO means the Hearings Officer.

PC means the Planning Commission.

PD means the Planning Director.

BO means the Building Official.

(1) Reproductions.

At right margin indicates changes
Bold indicates material being added
~~Strikethrough~~ indicates material being deleted

**LEGISLATIVE
FORMAT**

Lane Manual

60.850

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