

W. a. b.

Memorandum Date: January 14, 2010
Resolution and Order Date: February 3, 2010

TO: Board of County Commissioners
DEPARTMENT: Public Works
PRESENTED BY: Todd Winter, Parks
AGENDA ITEM TITLE: ORDER/In the Matter of Setting a Public Hearing for the Five Year Parks System Development Charge (SDC) Methodology and Rate Review and Update

I. MOTION

To Approve the Order to Set a Public Hearing Date of May 5, 2010 at 1:30 p.m.; For the Five Year Parks System Development Charge (SDC) Methodology and Rate Review and Update.

II. AGENDA ITEM SUMMARY

To decide whether or not to approve the Order to set a public hearing, for the Five Year Parks SDC Methodology and Rate Review and Update.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

The Lane County Parks and Recreation System Development Charge Methodology Report and the SDC Capital Improvement Plan (CIP), dated September 4, 2001, were adopted by the Board of County Commissioners on March 13, 2002.

The current Parks SDC methodology was created and implemented by the Board after a public hearing in 2004. Lane Code 4.655 requires a periodic review of the Parks SDC every five years.

Lane County Parks and Recreation System Development Charge (SDC) is collected to fund a portion of parks capital improvements in response to new development and the subsequent increase in demand for park facilities and services. Guidance for the collection and use of SDC's is articulated in ORS 223.297 through 223.314 and Lane Code 4.600 through 4.670. Projects eligible for SDC funds are listed in the Parks and Recreation CIP.

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

**) IN THE MATTER OF SETTING A PUBLIC
) HEARING FOR THE FIVE YEAR PARKS SYSTEM
) DEVELOPMENT CHARGE (SDC)
) METHODOLOGY AND RATE REVIEW
) AND UPDATE**

WHEREAS, the Lane County Parks and Recreation System Development Charge (SDC) Methodology Report and the SDC Capital Improvement Plan (CIP), dated September 4, 2001, were adopted by the Board of County Commissioners on March 13, 2002; and

WHEREAS, guidance for collection and use of SDC's is articulated in ORS 223.297 through 223.314 and Lane Code 4.600 through 4.670; and

WHEREAS, specifically Lane Code 4.655 requires a periodic review of the Parks SDC every five years; and

WHEREAS, the Board of County Commissioners directed staff to proceed with the Parks SDC update study occurred in 2006-2007 at the Finance and Audit Committee; and

WHEREAS, the FCS Group was hired in August 2008 to conduct the update study; and

WHEREAS, on October 27, 2009 the Board of County Commissioners directed staff to move forward with holding a public hearing on the five year review and update for the Parks SDC methodology and rate; and

NOW THEREFORE, it is hereby ordered that a public hearing be set for May 5, 2010 at 1:30 p.m. in Harris Hall, at the Lane County Courthouse, 125 East 8th Avenue, Eugene, Oregon, to formally consider the five year Parks SDC methodology and rate review and update; and further, it is hereby

ORDERED, that a legal notice of the public hearing be posted or published in accordance with 294.160; and further, it is hereby

ORDERED, that the Parks Division Manager for the Lane County Parks Division submit the final report from FCS Group.

Inquiries regarding the five year parks SDC methodology and rate review and update may be directed to W. Todd Winter, Lane County Parks Division Manager, Lane County Parks Main Office, 3050 N. Delta Hwy., Eugene, OR 97408, telephone 541-682-2000.

ADOPTED this _____ day of _____, 2010.

APPROVED AS TO FORM

Chair, Lane County Board of Commissioners

Date 4/26/10 Lane County

ORDER In the Matter of Setting a Public Hearing for the Five Year Parks System
Development Charge (SDC) Methodology and Rate Review and Update
OFFICE OF LEGAL COUNSEL

The Board discussions and direction to proceed with the parks SDC update study occurred in 2006-2007 at the Finance and Audit Committee. FCS Group was hired in August 2008 to conduct the update study.

The Board held a work session on May 20, 2009 to obtain a status report on the SDC study. At that meeting, staff was asked to contact the cities of Eugene and Springfield to explore SDC options. Staff did meet with both Eugene and Springfield.

On October 27, 2009, staff reported back to the Board on the findings from FCS Group's updated study of the Parks SDCs and meetings with Eugene and Springfield. The Board directed staff to move forward with holding a public hearing for the five year review and update for the Parks SDC methodology and rate.

B. Policy Issues

Parks SDC review and update is a provision of the current plan and presents no policy issue for the Board.

C. Board Goals

County strategy and goals pertaining to the Parks SDC are:

- County list of strategies from the Strategic Plan D-D2 – Identify and recover user fees and charges.
- Strategic Plan – Goal 7 – Protect the public assets by maintaining, replacing or upgrading the County's investments in systems and capital infrastructure.

D. Financial and/or Resource Considerations

The Parks SDC rate is currently \$404. The study resulted in a decrease rate of \$378 due to the number of developed and undeveloped park acres has been more accurately calculated since the SDC was implemented. At the new rate, annual revenue from the Parks SDC would bring in an estimated \$45,000.

E. Analysis

Staff worked with FCS Group to provide a review and update of the current Parks SDC Methodology. The updated study by FCS Group found that some parks were listed as 100% developed when in fact those particular parks are not 100% developed. By more accurately calculating developed and undeveloped park acres, the Parks Division will be able to utilize SDC funds to implement projects on Capital Improvement Plan list in parks that would be ineligible if the calculations are not adjusted. Also, by more accurately calculating the number of developed and undeveloped park acres, the SDC rate will be more accurate for applying to future new residential development within unincorporated Lane County.

Both adjustments are within the Board of County Commissioners preview to amend or adopt per Lane Code 4.655 (2) and (3).

F. Alternatives/Options

1. Approve Order to set a public hearing to review and update the five year Parks SDC methodology and rate.
2. Deny all or any portion of the Order to set a public hearing to review and update the five year Parks SDC methodology and rate.
3. Postpone further action until a future date.

IV. TIMING/IMPLEMENTATION

Timing in this matter is important as to updating the SDC rate and number of developed and undeveloped park acres has been more accurately calculated since the Parks SDC was implemented.

V. RECOMMENDATION

It is recommended that the Board of County Commissioners approve Option 1. This will approve the Order to set a public hearing date for the Five Year Parks SDC Methodology and Rate review and update.

VI. FOLLOW-UP

Upon approval of the Order to set a public hearing, the Parks Division will carry out the necessary steps under ORS 294.160 to provide public notice of the hearing. Subsequently, a final report from FCS Group will be made available to the public to review during the 90 day notice before the public hearing. The final report will be submitted at the hearing by the Parks Division Manager. If the Board is in support of the updated review and rate, a Final Order will be prepared for their approval.

VII. ATTACHMENTS

Board Order