

TESTIMONY

Agenda Item 1133

PARKS AND RECREATION SYSTEM DEVELOPMENT CHARGE CODE AMENDMENT

IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

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left Maggie		
✓ Shedrick J. Wilkins	945 NW Natto Pkwy, Apt 134 Portland, OR	wilkinsshedrick@ yahoo.com
✓ Debbie Aiona	League of Women Voters	



Date: September 13, 2018

To: Parks Commissioner Nick Fish  
Portland City Council Members  
PPR Interim Director Kia Selley

From: Portland Parks Board

Re: Parks Board Support for Proposed Changes to Chapter 17.13 Parks and Recreation System Development Charge; Implementation Recommendations

*Board Members*

*Patricia Frobes, Chair*

*Kendall Clawson, Vice Chair*

*Paul Agrimis*

*Tonya Booker*

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*Joseph O'Leary*

*Jim Owens*

*Gladys Ruiz*

*Paddy Tillett*

*Bonnie Gee Yosick*

*Jeff Anderson, Ex-Officio*

Dear Mayor Wheeler and Commissioners Fish, Saltzman, Fritz and Eudaly:

We write to express the support of the Portland Parks Board for the proposed changes to Chapter 17.13 Parks and Recreation System Development Charge. The proposed changes will simplify the code, resolve inconsistencies and increase transparency with respect to requests for SDC credits.

While the Board recommends the code changes should be adopted as proposed, we also believe that the process for allocating SDC funds and granting credits could be improved to increase transparency, accountability and efficiency. In that regard, the Board recommends that the Director of Portland Parks and Recreation deliver a report in the fall of each year to the Council and the Board on the SDC program, including a summary of the previous fiscal year's revenues, exemptions, SDC credits, and expenditures. The report should describe rationale for program decisions and include consideration of how the SDC program aligns with the Bureau's applicable strategic plans.

In addition, to increase decision-making efficiency and encourage a holistic approach with respect to the allocation of all capital improvement funds available to PP&R, the Board also recommends that a committee that includes 2 Parks Board representatives make recommendations as to the prioritization of Parks & Recreation capital projects, including SDC eligible projects.

Thank you for your consideration.

Respectfully submitted,

Chair, Pat Frobes and the Portland Parks Board

*Sustaining a healthy park and recreation system to make Portland a great place to live, work, and play.*



**Moore-Love, Karla**

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**From:** Debbie Aiona <debbieaiona@fastmail.com>  
**Sent:** Tuesday, October 30, 2018 10:59 AM  
**To:** Wheeler, Mayor; Commissioner Eudaly; Commissioner Fish; Commissioner Fritz; Commissioner Saltzman  
**Cc:** Chisek, Kyle; Duhamel, Jamey; Lofgren, Todd; Nieves, Cristina; Grumm, Matt; Council Clerk – Testimony; Doreen Binder; Shelley Lorenzen  
**Subject:** Wed. City Council - League of Women Voters memo: Parks SDC code revisions (1133)  
**Attachments:** LWV SDC code revisions 10-18.pdf

Dear Mayor Wheeler and Commissioners,

Please find attached the League of Women Voters' memo on the Parks SDC code revisions. We have significant concerns we urge you to address tomorrow.

Sincerely,

Debbie Aiona



# The League of Women Voters of Portland

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**DATE:** October 31, 2018

**TO:** Mayor Wheeler, Commissioners Eudaly, Fish, Fritz, and Saltzman

**FROM:** League of Women Voters of Portland  
Doreen Binder, president  
Debbie Aiona and Shelley Lorenzen, Action Committee

**RE:** Parks Bureau System Development Charge Code Revisions  
(Agenda item 1133)

The League of Women Voters of Portland has been actively involved in the Parks System Development Charge (SDC) program since its inception. We offered input on the original ordinance and serve on the Credit Review Committee and the periodic SDC Methodology Update Task Force. For the most part the League supports the proposed code amendments, but we have significant concerns.

The League strongly objects to eliminating the public’s right to appeal SDC credits granted by the Parks Bureau Director or Commissioner-in-Charge (17.13.120 B –existing code). This right provides an important safeguard that should be maintained. The proposed code allows only the developer applying for a credit to appeal the decision.

Lead staff in the code revision effort explained to us that there is concern members of the public might use the right to appeal as a way to slow development. There has been, however, only one appeal during the 20 years the Parks SDC program has been in place. The League filed that appeal in a case in which we believed an SDC credit was granted inappropriately. We took the appeal to the City Hearings Officer and then Circuit Court. After the applicant requested settlement discussions, our appeal was resolved with a \$50,000 donation from the developer to the Parks Foundation. Clearly, with only one appeal in 20 years this proposal to deny the public the right to appeal is unnecessary.

Furthermore, the League opposes changing the party authorized to hear SDC credit appeals from the City Hearings Officer to City Council. Given the interactions City Council members sometimes have with developers, the Hearings Officer will be seen by the public as a more neutral party and should continue to hear these appeals.

The League appreciates the proposed code language outlining the Credit Review Committee process. Several years ago we expressed concerns about the inappropriate role city staff and the applicant played in the process. Since then we have participated in a committee meeting that followed the vastly improved process. We fully support including it in the revised code. We also support the updated list of types and specific examples of organizations eligible to serve on the Credit Review Committee.

In conclusion, the League believes it is essential that the public continue to have the right to appeal decisions as significant as those granting Parks SDC credits. This might be a different discussion if the existing right to appeal was being abused, but it is not. The city should stay true to maintaining the critical checks and balances we rely on to ensure credible and accountable decision making by our leaders.