

**SB 5527 A BUDGET REPORT and MEASURE SUMMARY**

**Carrier:** Sen. Frederick

**Joint Committee On Ways and Means**

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**Action Date:** 06/09/17

**Action:** Do pass with amendments. (Printed A-Eng.)

**Senate Vote**

**Yeas:** 12 - DeBoer, Devlin, Frederick, Girod, Hansell, Johnson, Manning Jr, Monroe, Roblan, Steiner Hayward, Thomsen, Winters

**House Vote**

**Yeas:** 7 - Gomberg, Holvey, Huffman, Nathanson, Rayfield, Smith Warner, Williamson

**Nays:** 3 - McLane, Stark, Whisnant

**Exc:** 1 - Smith G

**Prepared By:** Cathleen Connolly, Department of Administrative Services

**Reviewed By:** Matt Stayner, Legislative Fiscal Office

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**Department of Land Conservation and Development  
2017-19**

## **Budget Summary\***

|                       | 2015-17 Legislatively<br>Approved Budget <sup>(1)</sup> | 2017-19 Current Service<br>Level | 2017-19 Committee<br>Recommendation | Committee Change from 2015-17 Leg.<br>Approved |             |
|-----------------------|---|----------------------------------|-------------------------------------|--|-------------|
|                       |   |                                  |                                     | \$ Change                                      | % Change    |
| General Fund          | \$ 13,593,528   | \$ 13,507,085                    | \$ 13,347,618                       | \$ (245,910)                                   | (1.8%)      |
| Other Funds Limited   | \$ 725,419  | \$ 561,874                       | \$ 1,645,542                        | \$ 920,123                                     | 126.8%      |
| Federal Funds Limited | \$ 6,396,794  | \$ 6,629,806                     | \$ 6,530,660                        | \$ 133,866                                     | 2.1%        |
| <b>Total</b>          | <b>\$ 20,715,741</b>                                    | <b>\$ 20,698,765</b>             | <b>\$ 21,523,820</b>                | <b>\$ 808,079</b>                              | <b>3.9%</b> |

## **Position Summary**

|                                      |       |       |       |      |
|--------------------------------------|-------|-------|-------|------|
| Authorized Positions                 | 58    | 56    | 58    | 0    |
| Full-time Equivalent (FTE) positions | 56.57 | 54.90 | 56.90 | 0.33 |

<sup>(1)</sup> Includes adjustments through December 2016

\* Excludes Capital Construction expenditures

## **Summary of Revenue Changes**

The budget for the Department of Land Conservation and Development (DLCD) is supported by General Fund, Other Funds, and Federal Funds. General Fund supports land use program activities and grants to local governments. The agency receives Other Funds for specific activities or functions such as transportation growth management activities. Federal Funds are received from the National Oceanic and Atmospheric Administration (NOAA) for coastal zone management activities and the Federal Emergency Management Agency (FEMA) for floodplain management activities.

## **Summary of Natural Resource Subcommittee Action**

The department is the administrative arm of the Land Conservation and Development Commission (LCDC). DLCD staff assists the commission in adopting standard land use goals, ensuring compliance of local land use plans with the goals, coordinating state and local planning and managing the coastal zone program. Oregon's land use planning system is based on a set of 19 statewide goals that express the state's policies on land use and related topics such as citizen involvement, housing and natural resources.

The Subcommittee approved a total funds budget of \$21,523,820 and 56.90 full time equivalent positions (FTE). This is a 3.9 percent increase from the adjusted 2015-17 Legislatively Approved Budget. The budget includes \$13,347,618 General Fund, \$1,645,542 Other Funds expenditure limitation and \$6,530,660 Federal Funds expenditure limitation. The budget provides limitation adjustments for anticipated federal grant

revenues and pass-through grant funding from the Oregon Office of Emergency Management (OEM). General Fund reductions are included in the budget to align expenditures with the Joint Ways and Means Committee Co-Chairs budget framework. Funding for local grants is set at \$1,583,617 General Fund, a 3.7 percent increase over the 2015-17 Legislatively Approved Budget.

#### Planning Program

The Planning Program responsibilities include periodic local plan review, technical assistance, support to the Land Conservation and Development Commission, coastal zone management, transportation growth management, landowner notifications and all other planning activities, except for grants. The Subcommittee approved a budget of \$19,940,203 million total funds and 58 positions (56.90 FTE).

The Subcommittee on Natural Resources recommended the following packages:

Package 104 Natural Hazards Mitigation Planning. This package provides Other Funds and Federal Funds limitation and required staffing for several natural hazard-planning activities. The package includes an increase of \$100,000 Federal Funds limitation for RiskMAP work, which is funded from an annual grant from the Federal Emergency Management Agency (FEMA). No positions are requested and the grant does not require match funding. This portion of the package is ongoing, but the remaining portions of the package are one-time only.

The package also includes a transfer of federal Pre-Disaster Mitigation (PDM) grant funding from OEM, which is the designated agency to receive federal PDM grants funds. The funding is received by DLCD as Other Funds. The funding supports hazard mitigation planning by local governments and an update to the statewide natural hazard mitigation plan, which is due for re-approval in 2020. This one-time funding supports three limited duration positions (3.00 FTE).

Additionally, an increase in Federal Funds limitation of \$229,804 is included for additional anticipated federal grant funding from FEMA to assist local governments to comply with the Endangered Species Act in local floodplain regulations. The funding supports a limited duration position providing direct technical assistance and managing contracted professional services for local governments.

Package 801, LFO Analyst Adjustments. The package makes General Fund reductions in the agency's budget as identified in the Joint Ways and Means Co-Chair budget framework. The individual reductions are \$41,314 reduction in funding for temporary employees; \$33,600 increase in anticipated vacancy savings; and \$74,024 unspecified reduction in Services and Supplies.

Package 812, Vacant Position Elimination. This package eliminates two long-term vacant positions (2.00 FTE) in the Ocean and Coastal Planning program. The Planner 4 and the Natural Resources Specialist 4 positions have been vacant due to the reduction in the Coastal Zone Management Section 306 grant from NOAA. The reduction in federal grant funding is associated with deficiencies in the state's Nonpoint Pollution Control Program.

### Grant Program

The Grant Program provides General Fund grants to cities and counties to help with comprehensive plan development, plan amendments and periodic review. The Subcommittee approved a budget of \$1,583,617 total funds. This program is entirely General Fund and has no FTE.

The Subcommittee on Natural Resources did not recommend any packages for this program.

### **Summary of Performance Measure Action**

See attached Legislatively Adopted 2017-19 Key Performance Measures form.

## DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Department of Land Conservation and Development  
Cathleen Connolly -- 503-373-0083

| DESCRIPTION   | GENERAL FUND         | LOTTERY FUNDS | OTHER FUNDS         |             | FEDERAL FUNDS       |             | TOTAL ALL FUNDS   | POS       | FTE          |
|---|----------------------|---------------|---------------------|-------------|---------------------|-------------|-------------------|-----------|--------------|
|   |                      |               | LIMITED             | NONLIMITED  | LIMITED             | NONLIMITED  |                   |           |              |
| 2015-17 Legislatively Approved Budget at Dec 2016 * | \$ 13,593,528        | \$ -          | \$ 725,419          | \$ -        | \$ 6,396,794        | \$ -        | 20,715,741        | 58        | 56.57        |
| 2017-19 Current Service Level (CSL)*                | \$ 13,507,085        | \$ -          | \$ 561,874          | \$ -        | \$ 6,629,806        | \$ -        | 20,698,765        | 56        | 54.90        |
| <b>SUBCOMMITTEE ADJUSTMENTS (from CSL)</b>          |                      |               |                     |             |                     |             |                   |           |              |
| <b>SCR 001 - Planning Program</b>                   |                      |               |                     |             |                     |             |                   |           |              |
| Package 104: Natural Hazards Mitigation Planning    |                      |               |                     |             |                     |             |                   |           |              |
| Personal Services                                   | \$ -                 | \$ -          | \$ 553,002          | \$ -        | \$ 166,478          | \$ -        | 719,480           | 4         | 4.00         |
| Services and Supplies                               | \$ -                 | \$ -          | \$ 530,666          | \$ -        | \$ 163,326          | \$ -        | 693,992           |           |              |
| Package 801: LFO Analyst Adjustments                |                      |               |                     |             |                     |             |                   |           |              |
| Personal Services                                   | \$ (74,914)          | \$ -          | \$ -                | \$ -        | \$ -                | \$ -        | (74,914)          | 0         | 0.00         |
| Services and Supplies                               | \$ (74,024)          | \$ -          | \$ -                | \$ -        | \$ -                | \$ -        | (74,024)          |           |              |
| Package 812: Vacant Position Elimination            |                      |               |                     |             |                     |             |                   |           |              |
| Personal Services                                   | \$ (10,529)          | \$ -          | \$ -                | \$ -        | \$ (428,950)        | \$ -        | (439,479)         | (2)       | (2.00)       |
| <b>TOTAL ADJUSTMENTS</b>                            | <b>\$ (159,467)</b>  | <b>\$ -</b>   | <b>\$ 1,083,668</b> | <b>\$ -</b> | <b>\$ (99,146)</b>  | <b>\$ -</b> | <b>825,055</b>    | <b>2</b>  | <b>2.00</b>  |
| <b>SUBCOMMITTEE RECOMMENDATION *</b>                | <b>\$ 13,347,618</b> | <b>\$ -</b>   | <b>\$ 1,645,542</b> | <b>\$ -</b> | <b>\$ 6,530,660</b> | <b>\$ -</b> | <b>21,523,820</b> | <b>58</b> | <b>56.90</b> |
|   |                      |               |                     |             |                     |             |                   |           |              |
| % Change from 2015-17 Leg Approved Budget           | -1.8%                | 0.0%          | 126.8%              | 0.0%        | 2.1%                | 0.0%        | 3.9%              | 0.0%      | 0.6%         |
| % Change from 2017-19 Current Service Level         | -1.2%                | 0.0%          | 192.9%              | 0.0%        | -1.5%               | 0.0%        | 4.0%              | 3.6%      | 3.6%         |

\*Excludes Capital Construction Expenditures

# Legislatively Approved 2017 - 2019 Key Performance Measures

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Agency: Land Conservation and Development Department

**Mission Statement:**

To help communities and citizens plan for, protect and improve the built and natural systems that provide a high quality of life. In partnership with citizens and local governments, we foster sustainable and vibrant communities and protect our natural resources legacy.

| Legislatively Approved KPMs  | Metrics                     | Agency Request        | Last Reported Result | Target 2018 | Target 2019 |
|--|-----------------------------|-----------------------|----------------------|-------------|-------------|
| 1. EMPLOYMENT LAND SUPPLY - Percent of cities that have an adequate supply of land for industrial and other employment needs to implement their local economic development plan.   |                             | Approved              | 28%                  | 75%         | 75%         |
| 2. HOUSING LAND SUPPLY - Percent of cities that have an adequate supply of buildable residential land to meet housing needs.   |                             | Approved              | 79%                  | 90%         | 90%         |
| 3. PUBLIC FACILITIES PLANS - Percent of cities that have updated the local plan to include reasonable cost estimates and funding plans for sewer and water systems.  |                             | Approved              | 83%                  | 80%         | 80%         |
| 5. TRANSIT SUPPORTIVE LAND USE - Percent of urban areas with a population greater than 25,000 that have adopted transit supportive land use regulations.   |                             | Approved              | 86%                  | 91%         | 91%         |
| 6. TRANSPORTATION FACILITIES - Percent of urban areas that have updated the local plan to include reasonable cost estimates and funding plans for transportation facilities.   |                             | Approved              | 91%                  | 92%         | 92%         |
| 9. URBAN GROWTH BOUNDARY EXPANSION - Percent of land added to urban growth boundaries that is not farm or forest land.   |                             | Approved              | 92%                  | 55%         | 55%         |
| 10. GRANT AWARDS - Percent of local grants awarded to local governments within two months after receiving application.   |                             | Approved              | 73%                  | 100%        | 100%        |
| 11. CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.           | Timeliness                  | Approved              | 89.82%               | 83%         | 83%         |
|  | Accuracy                    |                       | 88.56%               | 83%         | 83%         |
|  | Availability of Information |                       | 82.31%               | 83%         | 83%         |
|  | Overall                     |                       | 88.17%               | 83%         | 83%         |
|  | Helpfulness                 |                       | 89.94%               | 83%         | 83%         |
|  | Expertise                   |                       | 95.83%               | 83%         | 83%         |
| 12. BEST PRACTICES - Percent of total best practices met by the Board.   |                             | Approved              | 100%                 | 100%        | 100%        |
| 13. FARM LAND - Percent of farm land zoned for exclusive farm use in 1987 that retains that zoning. Accounts for the conversion of EFU lands resulting from expansion of urban growth boundaries and changes in zoning.                              |                             | Approved              | No Data              | 90%         | 90%         |
| 14. FOREST LAND - Percent of forest land zoned for forest or mixed farm/forest use in 1987 that remains zoned for those uses. Accounts for the conversion of forest lands resulting from expansion of urban growth boundaries and changes in zoning. |                             | Approved              | No Data              | 90%         | 90%         |
| 4. CERTIFIED INDUSTRIAL SITES - Number of industrial sites certified as "project-ready" added each fiscal year.  |                             | Legislatively Deleted | 1                    | 5           | 0           |

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| Legislatively Approved KPMs  | Metrics | Agency Request        | Last Reported Result | Target 2018 | Target 2019 |
|--|---------|-----------------------|----------------------|-------------|-------------|
| 7. FARM LAND - Percent of farm land outside urban growth boundaries zoned for exclusive farm use in 1987 that retains that zoning.                           |         | Legislatively Deleted | 99.80%               | 99.73%      | 99.73%      |
| 8. FOREST LAND - Percent of forest land outside urban growth boundaries zoned in 1987 for forest or mixed farm/forest use that remains zoned for those uses. |         | Legislatively Deleted | 99.93%               | 99.87%      | 99.87%      |

**LFO Recommendation:**

The Legislative Fiscal Office recommends the adoption of the Key Performance Measures as presented.

The elimination of KPM #4 acknowledges that the measure is reliant more on external factors than on the internal performance of the agency. KPM numbers seven and eight are being replaced with KPM numbers 13 and 14. These essentially continue to measure the same thing, but in the future will hold constant the number of acres in 1987 instead of only counting those acres outside of urban growth boundaries so that the total loss of acres can be displayed.

**SubCommittee Action:**

The Natural Resources subcommittee approved the Key Performance Measures and targets as recommended by LFO