

AGENDA ITEM FOR ADMINISTRATIVE MEETING () Discussion only
(X) Action

FROM (DEPT/ DIVISION): County Counsel

SUBJECT: Community Service Fee

| | |
|--|---|
| <p>Background: As part of the SIP projects, the project developer pays a Community Service Fee, to be distributed as agreed to upon the county and the special districts within the tax code area of the project. The districts and the county have met to discuss the distribution of the Vadata CSF, and have tentatively agreed to divide the fee equally between tax code areas, and then within the tax code area by the property tax rate of each district. The County is electing to have its share divided among the special districts. The final decision on the distribution will be made by the Oregon Business Development Commission.</p> | <p>Requested Action: (1) Adopt Order No. BCC2018-49 for tax code area 08-03; (2) Adopt Order No. BCC2018-50 for tax code area 06-01</p> |
|--|---|

ATTACHMENTS: Proposed Orders

*****For Internal Use Only*****

Checkoffs:

- () Dept. Heard (copy)
- () Human Resources (copy)
- () Fiscal
- (X) Legal (copy)
- () (Other - List:)

To be notified of Meeting:

Needed at Meeting:

Scheduled for meeting on: June 20, 2018

Action taken:

Follow-up:

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

In the Matter of Allocation of)
Vadata Project Community Service) Order No. BCC2018-049
Fee for Tax Code Area 08-03)

WHEREAS pursuant to ORS 285C.609, Vadata, Inc. and Umatilla County, entered into an agreement that required, among other things, that Vadata, Inc. pay a Community Service Fee to Umatilla County as part of the approval of the application for the project for the Strategic Investment Program and eligibility for the property taxation exemption provided in ORS 307.123;

WHEREAS the project is located in two different tax code areas--06-01 and 08-03, and the special districts of all areas are in agreement to distribute the fee equally between the two areas, and with each entity receiving its share based on its property tax rate in that tax code area;

WHEREAS the six local special districts within the tax code area 08-03 of the project and Umatilla County entered into discussions regarding the distribution of the Community Service Fee for the Vadata Project in this code area; and

WHEREAS as agreed to by the local taxing entities the portion attributable to Umatilla County, Umatilla County Fire District #1, Umatilla Special Library District, West Umatilla Mosquito Control District, Umatilla-Morrow Radio District, Port of Umatilla and Hermiston Cemetery District, is requested to be distributed by Umatilla County as set out in this order; and

WHEREAS the deadline has passed for distribution determined by local agreement, and the Oregon Business Development Commission has the authority under ORS 285C.609(6)(b) to establish the distribution method for the Community Service Fee.

NOW THEREFORE the Board of Commissioners orders:

1. Umatilla County elects not to receive its share (50.2%) of the Community Service Fee for tax code area 08-03, and agrees to a distribution of its share among the six local special districts.
2. The one-half payment of the Community Service Fee for tax code area 08-03, is requested to be distributed by Umatilla County as follows:

| | |
|-----------------------------------|-----------|
| Umatilla County | -0-% |
| Umatilla County Fire District #1 | 63.95030% |
| Umatilla Special Library District | 13.45514% |
| W. Umatilla Mosquito Control | 7.38535% |
| Umatilla-Morrow Radio District | 6.21232% |
| Port of Umatilla | 5.62397% |
| Hermiston Cemetery District | 3.37292% |

3. Umatilla County requests that the Oregon Business Development Commission establish the distribution of the one-half of the Community Service Fee attributable to tax code area 08-03 as set out in paragraph 2 and as agreed to by the local taxing districts.

DATED this 20th day of June, 2018.

UMATILLA COUNTY BOARD OF COMMISSIONERS

George L. Murdock, Chair

William J. Elfering, Commissioner

W. Lawrence Givens, Commissioner

ATTEST:
OFFICE OF COUNTY RECORDS

Records Officer

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

In the Matter of Allocation of)
Vadata Project Community Service) Order No. BCC2018-050
Fee for Tax Code Area 06-01)

WHEREAS pursuant to ORS 285C.609, Vadata, Inc. and Umatilla County, entered into an agreement that required, among other things, that Vadata, Inc. pay a Community Service Fee to Umatilla County as part of the approval of the application for the project for the Strategic Investment Program and eligibility for the property taxation exemption provided in ORS 307.123;

WHEREAS the project is located in two different tax code areas--06-01 and 08-03, and the special districts of all areas are in agreement to distribute the fee equally between the two areas, and with each entity receiving its share based on its property tax rate in that tax code area;

WHEREAS the six local special districts within the tax code area 06-01 of the project and Umatilla County entered into discussions regarding the distribution of the Community Service Fee for the Vadata Project in this code area; and

WHEREAS as agreed to by the local taxing entities (excluding the City of Umatilla), the portion attributable to Umatilla County, Umatilla Rural Fire Protection District #5, Umatilla Special Library District, West Umatilla Mosquito Control District, Umatilla-Morrow Radio District, Port of Umatilla and Umatilla Hospital District, is requested to be distributed by Umatilla County as set out in this order; and

WHEREAS the deadline has passed for distribution determined by local agreement, and the Oregon Business Development Commission has the authority under ORS 285C.609(6)(b) to establish the distribution method for the Community Service Fee.

NOW THEREFORE the Board of Commissioners orders:

1. Umatilla County elects not to receive its share (35.5989%) of the Community Service Fee for tax code area 08-03, and agrees to a distribution of its share among the six local special districts and excluding the City of Umatilla.

2. The one-half payment of the Community Service Fee for tax code area 06-01, is requested to be distributed by Umatilla County as follows:

| | |
|--------------------------------------|----------|
| Umatilla County | -0-% |
| City of Umatilla | 36.4787% |
| Umatilla Rural Fire Protection Dist. | 24.1956% |
| Umatilla Hospital District | 13.7026% |
| Umatilla Special Library District | 10.4674 |
| West Umatilla Mosquito Control Dist. | 5.9476% |
| Umatilla-Morrow Radio District | 4.8329 |
| Port of Umatilla | 4.3752% |

3. Umatilla County requests that the Oregon Business Development Commission establish the distribution of the one-half of the Community Service Fee attributable to tax code area 06-01 as set out in paragraph 2 and as agreed to by Umatilla County and the special taxing districts.

DATED this 20th day of June, 2018.

UMATILLA COUNTY BOARD OF COMMISSIONERS

George L. Murdock, Chair

William J. Elfering, Commissioner

W. Lawrence Givens, Commissioner

ATTEST:
OFFICE OF COUNTY RECORDS

Records Officer