

**City of Fayetteville Staff Review Form**

**2018-0624**

**Legistar File ID**

**11/20/2018**

City Council Meeting Date - Agenda Item Only  
N/A for Non-Agenda Item

Connie Edmonston

10/31/2018

PARKS & RECREATION (520)

**Submitted By**

**Submitted Date**

**Division / Department**

**Action Recommendation:**

Ordinance to amend Chapter 166.04 (B)(3)(l)(v) Park Land Dedication to change the number of years in which the park land dedication funds should be expended from three (3) to five (5).

**Budget Impact:**

Account Number	Fund
Project Number	Project Title
<b>Budgeted Item?</b> <u>NA</u>	<b>Current Budget</b> \$            -
	<b>Funds Obligated</b> \$            -
	<b>Current Balance</b> <span style="border: 1px solid gray; padding: 2px;">\$            -</span>
<b>Does item have a cost?</b> <u>No</u>	<b>Item Cost</b>
<b>Budget Adjustment Attached?</b> <u>No</u>	<b>Budget Adjustment</b>
	<b>Remaining Budget</b> <span style="border: 1px solid gray; padding: 2px;">\$            -</span>

V20180321

**Purchase Order Number:** \_\_\_\_\_

**Previous Ordinance or Resolution #** \_\_\_\_\_

**Change Order Number:** \_\_\_\_\_

**Approval Date:** \_\_\_\_\_

**Original Contract Number:** \_\_\_\_\_

**Comments:**



**MEETING OF NOVEMBER 20, 2018**

**TO:** Mayor and City Council  
**THRU:** Don Marr, Chief of Staff  
**FROM:** Connie Edmonston, Parks and Recreation Director  
**DATE:** October 31, 2018

**SUBJECT:** Ordinance to amend Chapter 166.04 (B)(3)(l)(v) Park Land Dedication to change the number of years in which the park land dedication funds should be expended from three (3) to five (5).

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**RECOMMENDATION:**

Ordinance to amend Chapter 166.04 (B)(3)(l)(v) Park Land Dedication to change the number of years in which the park land dedication funds should be expended from three (3) to five (5).

**BACKGROUND:**

The Park Land Dedication Ordinance, adopted January 20, 1981, requires residential developers to dedicate land for parks or pay a fee in lieu of land dedication. The city is divided into four park quadrants with College Avenue separating the east and west quadrants and Wedington/North Street/Mission Boulevard separating the north and south quadrants. Funds must be spent for acquisition or development of park land in the park quadrant in which it is collected. Currently, funds must be expended within three years of the last day of the calendar year in which it was received. For the past 36 years (1981 – 2017), over 290 acres and \$7,287,530 have been collected to develop parks within our city, helping maintain a higher quality of life for our citizens.

**DISCUSSION:**

Parks Staff recommends extending the years from three to five years in which to spend the funds. Other similar funds, such as tree escrow (seven years), have longer time periods to expend funds. State statute allows up to seven years. The three-year time frame has challenged staff for the following reasons:

1. To design, bid and build projects within three years is a very short time and staff has struggled to meet this timeline.
2. There have been situations in certain park quadrants where there were not enough funds for a significant project which resulted in a phased or piecemeal project. Additional time to collect funds would have prevented this issue and made the project more efficient and beneficial to the public.

3. The strict timeline has forced other approved projects to be delayed due to lack of personnel and inflexibility of the timeline. The extension to five years would allow staff to add these projects to the five-year plan and have appropriate time and better funding to plan, design, bid and construct these projects

**Current Ordinance Proposed Revision:** Chapter 166.04 (B)(3)(l)(v) *Fee-in-Lieu Allocation*. All money received under this subsection shall be deposited in an interest bearing account. Said money together with the interest, shall be expended within ~~three (3)~~ five (5) calendar years of the last date of the calendar year in which it was received for the acquisition and development of park land that services the subdivision for which a contribution in lieu of dedication has been made. If said money has not been expended within the ~~three (3) year period time allowed~~, said money, together with the interest thereon, shall be refunded to the developer who made the contribution.

**BUDGET/STAFF IMPACT:**

Adding two years to spend the funds would provide staff with a solid planning tool to utilize with our five-year Capital Improvement Plan and allow for better utilization of funds and overall planning of projects.

**Attachments:**

Ordinance Amendment