

Development Review Guidelines Appendix 11

Summary of ODOT's Process for Managing Negotiated Agreement Funds¹

Purpose of this paper: ODOT Region and District staff work with local governments and developers to ensure that new or expanding development mitigates their impacts to the State transportation system. This mitigation may take the form of a payment of funds which is roughly proportional to the development's transportation impact (i.e., an 'exaction'). These funds may be held by ODOT for a number of years until the needed improvement can be constructed. Consequently, there is a need to accurately track and report on these funds. The following process is recommended to accomplish this.

1. If these monies are to be received by an outside party, the region will initiate a miscellaneous contract and agreement (intergovernmental agreement). The region Local Agency Liaison or Agreement Specialist can provide direction on initiating an intergovernmental agreement. Note that a maximum of ten years is recommended to utilize the funds. If the funds are not used within ten years, the agreement should include a clause that requires refunding the money to the developer.
2. If monies are received by the region, they shall be forwarded promptly (ASAP!!) to:

Cash Receipts Technician
Financial Services Section
434 Transportation Building
Salem OR 97310

The check shall be accompanied with a copy of the miscellaneous contract and agreement. If the miscellaneous contract and agreement is not available, a cover letter with the following information should accompany the monies:

- a) Miscellaneous contract and agreement number (if available)
- b) County, highway, and milepost
- c) Local jurisdiction involved in the planning project
- d) File number for the land use decision and relevant condition of approval
- e) Description of future project
- f) Name and phone number of region contact

Delay in acquiring a miscellaneous contract and agreement number should not delay forwarding the check to Financial Services Section.

3. Cash Receipts Technician deposits money as deferred revenue.
4. Revenue Accountant codes check for entry and sets up revenue account to track money.

¹ Paper was developed in collaboration between Region 4 and the ODOT Finance Office, and reviewed and updated in February 2008.

5. Region Financial Coordinator shall run monthly report of exaction monies and provide to Region.
6. Region shall monitor report so that monies are optimally utilized.
7. If future project is in the STIP, Region shall alert Agreements of the key number so they may enter it into their database. Region shall also contact Program and Funding Services so they are aware of the funds to be used for said STIP project. Any subsequent agreements should reference these funds.
8. If future project is planned as a general service contract, region shall contact Financial Services Section, Accounting Operations, Revenue unit, billings desk for outside billing expenditure account.
9. If project is planned as a maintenance project, region shall contact Maintenance Management Services. Maintenance Management Services shall request an agreement table from Revenue unit, Billings desk.
10. If monies are not used within the required time, region shall send written request to Program and Funding Services for refund, identifying the revenue account in question.