

**DRAFT CONFERENCE PROGRAM**  
**2008 National Impact Fee Roundtable**  
Gaylord Palms Resort, 6000 W. Osceola Parkway, Orlando, FL  
updated October 30, 2008

Day/Time	Dining Hall	Breakout Room #1	Breakout Room #2	Breakout Room #3
<b>Wednesday, Oct. 8</b>				
3-7 PM	Registration			
5-7 PM	Opening Reception			
<b>Thursday, Oct. 9</b>				
7AM-4PM	Registration			
7:30 AM-8:15 AM	Continental Breakfast			
8:15 AM-9:30 AM		Impact Fee Basics	TIDDs And TIFs: New Tasks For Fiscal Impact Analysis	Challenges for Parks Impact Fees: Portland OR Case
9:45 AM-11:00 AM		Beyond Fundamental Principles: Impact Fee Law State to State	The Lumpiness Problem: Reconciling Impact Fee Revenues and Expenditures	Basic Transportation Concepts and Trends for Impact Fees
11:15 AM-12:30 PM		Alternative Funding Mechanisms: Utility Districts & Beyond	Developer Credits: Implementation Issues	Should You Reduce Impact Fees In Response To The Housing Crisis?
12:30 PM-2:00 PM	Lunch Plenary Session - 2008 Case Law and Legislative Update			
2:15 PM-3:30 PM		Fiction, Fantasy, Fallacy or Fact?: Spotting Suspicious Studies	Alternative Impact Fee Calculations	Improvements-Based Transportation Impact Fees
3:30 PM-3:45 PM	Refreshments			
3:45 PM-5:00 PM	Administrators' Roundtable I	Interest Expense as a Cost Component in Impact Fees	Impact Fee Trends: Survey Results	
5:15 PM	Deadline for Voting in Board of Directors Election			
7:00 PM	Bus leaves for dinner			
8:00 PM	Dinner at Disney World Polynesian Resort (not included in base registration fee)			
<b>Friday, Oct. 10</b>				
All Morning	Registration			
7:30 AM-8:15 AM	Breakfast - Annual Membership Meeting			
8:15 AM-9:30 AM		Cutting Edge Methods: Using GIS, Density Variations	Common Questions and Concerns of Impact Fee Administrators	Elasticity and the Economic Effect of Impact Fees
9:45 AM-11:00 AM	Administrators' Roundtable II		Keeping Impact Fees Alive in Tough Times	Specific Plan Impact Fee Programs: The Sacramento Experience
11:15 AM - 12:30 PM		Dashing Myths: The Academic Evidence on Impacts of Impact Fees	Fiscal Impact Round Up: Trends In Fiscal Impact Analysis	Making Transportation Impact Fees 'Smarter'
12:30-2:30 PM	Lunch Plenary Session - Should Growth Pay It's Own Way?			

## Session Descriptions

**Thursday, October 9: 8:15 - 9:30 AM**

### **Impact Fee Basics**

We will review key principles of impact fee practice with focus on two general categories: (1) legal issues and bases for impact fee authority; and (2) methodological alternatives for accomplishing local government objectives and meeting legal tests. Tyson Smith will cover the legal issues, discussing fundamental authority issues and legal parameters. He also will review typical challenges to impact fee programs and suggest "Practice Points" for avoiding litigation. Several key cases that illustrate implementation "hot topics" will be reviewed. Carson Bise will discuss alternative means of calculating impact fees based on the needs of a particular local government, the data available to the local government, and local planning and CIP practices. Mr. Bise also will review several case studies to illustrate implementation techniques. Finally, as we get closer to the conference and know who is attending, we will ask a participant to join our panel. This person will be an administrator of impact fees, but one that can discuss what it was like starting off. We'd like our audience to hear about the potential pitfalls and challenges associated with the initial stages of the program.

Speakers: Tyson Smith, White & Smith (SC); Carson Bise, TischlerBise (MD); Mark Schiavone, Jefferson Co. WV

### **TIDDs And TIFs: New Tasks For Fiscal Impact Analysis and Impact Fees**

What are the public finance arguments that must be made to justify a TIDD? What types of people must be used to present the arguments for TIDD statutes and area designations?(Gomes)

How do you do a TIDD/TIF fiscal impact analysis: form, content, jurisdictions, cost/revenues? What are the points of the fiscal analysis that must be communicated? What is the cottage industry of forbidding TIDDs/TIFs in greenfields? How valid is it? (Burchell)

What are the TIDD inputs/outputs for bond modeling from fiscal impact analysis? What is the relationship between revenue capacity and bond capacity? How do we get there? (Aagaard)

Moderator: Robert W. Burchell, Ph.D., P.P., Rutgers University

Speakers: Jamie Gomes, Principal, Economic and Planning Systems, Sacramento, CA; Maik Aagaard, Managing Principal, Development Planning & Financing Group Inc., Winter Park, FL

### **Challenges for Parks Impact Fees: Portland OR Case Study**

Portland Parks recently completed a major update to its parks and recreation system development charges (SDCs) methodology. Portland presents a unique challenge for a Park SDC program in that it is not a city with available land for growth; yet by the year 2020 its population is predicted to increase 70,000 in addition to increased employment of 100,000. In addition, close to 50% of the population increase is projected to occur in the central city. This session will describe the approaches used to address these challenges, and will provide details of features included in the updated parks SDCs methodology and lessons learned. Some of the major features include:

- o Introduction of a Park SDC on non-residential (commercial, etc.) development to complement the existing residential fee.
- o Allocation of residential and non-residential park impact based on relative time availability and access to parks and recreation facilities.
- o Calculation of growth needs based on varying levels of service, depending on proposed density of future development, anticipated costs, and potential access to parks and recreation facilities.
- o Creation of a tiered fee structure (SDC rates in the Central City will be higher than the outlying areas) to better account for the higher costs of park development and land in that area.

Speakers: Don Ganer, Don Ganer & Associates (OR); Riley Whitcomb, Parks SDC Manager, Portland, OR

**Thursday, October 9: 9:45 -11:00 AM**

### **Beyond Fundamental Principles: Impact Fee Law State to State**

This advanced session takes last year's topic on fundamental principles a little further, and explores conflicts between the fundamental principles of impact fees and state statutes. One of the key questions not addressed last time is if much of case law derives from the need to distinguish a legal fee from an unauthorized tax, is case law really relevant when there is explicit impact fee authority? We basically argued last time that most statutes have undefined buzz phrases like reasonably related or proportionate share that can be used to shoehorn in the case law. But increasingly statutes are getting more specific, and sometimes the provisions conflict with the principles as we understand them.

In this session, we discuss examples of statutory provisions that appear to conflict with case law principles. We also try to address the general issue of how important case law is when explicit statutory language exists in conflict (e.g., are courts in "Dillon Rule" states more or less likely to look to case law than others)?

Speakers: Clancy Mullen, Duncan Associates (TX); Tyson Smith, White & Smith (SC)

### **The Lumpiness Problem: Reconciling Impact Fee Revenues and Expenditures**

This session would look at some of the critical issues associated with managing a capital improvement program that relies heavily on impact fee revenues. These include: projecting future impact fee and other revenues; programming existing and future impact fee funds; the role of rational sequencing of development to ensure viability of the impact fee portions of the CIP; and dealing with the 'lumpiness' problem of having to build large water and wastewater facilities prior to development and impact fee collection. This session will focus on the experience of Phoenix with regard to water, wastewater and water resources, and would rely heavily on the Sequencing and Financing Study being undertaken by CH2MHILL, but will also draw on other studies conducted by CH2MHILL and potentially other municipal experiences from Arizona and/or Florida (may get third speaker).

Speakers: Dave Green, CH2M-Hill (FL)

### **Basic Transportation Concepts and Current Trends**

In impact fee discussions one often hears references to the Institute of Transportation Engineer's publication Trip Generation, as well as Level of Service, traffic impact studies, traffic projections, road improvements, etc. However, there is often a lack of understanding of these important topics and how they relate to Impact Fees. This session will help explain these concepts and how they relate to the development of transportation impact fees. In addition, the session will discuss the recent trends in transportation costs and revenues, and the implications of the growing gap between costs and funding for transportation impact fee usage.

Speaker: Eric J. Tripi, P.E., ITERIS, Inc., Mount Pleasant, SC; Marlo Chavarria, Tindale-Oliver (FL)

**Thursday, October 9: 11:15 -12:30 PM**

### **Alternative Funding Mechanisms: Utility Districts & Beyond**

Given some of the recent proposed legislations that may reduce impact fee revenues significantly and the recent property tax legislations which limit and reduce ad valorem revenues, local governments in Florida are interested in alternative funding options. This session will discuss possible funding options as well as how impact fees may become a more efficient revenue source for fully charging new growth for its impact. In particular, Mike Siegel will describe the potential of utility districts. Impact fees have limited ability to address "sustainability" issues such as air and water quality, land preservation, energy diversification, and mobility. In contrast, public utility districts offer an ideal mechanism for communities to achieve many sustainability goals. In the near future, far-sighted communities will create solar utility districts, mobility utility districts, watershed utility districts. The speaker will highlight some recent examples and potential uses of utility districts, combined with other innovative planning, tax, and fee policies to as a way of implementing some sustainability initiatives.

Speakers: Mike Siegel, Public and Environmental Finance Associates (DC); Steve Tindale and Nilgun Kamp, Tindale-Oliver (FL); Susan Schoettle-Gumm (FL)

### **Developer Credits: Implementation Issues**

This session provides an overview of impact fee credits including state enabling acts, basic principles such as level of services and growth-related facilities, types of impact fee credits (dedication of land, financing/construction of facilities), and how impact fee credits are affected by Developer Rights and Responsibilities Agreements (DRRAs) and Adequate Public facilities ordinances (APFO). The session will also provide an update on case law relating to impact fee credits. The session will concentrate on impact fee credits relating to transportation, public schools, parks, future debt service and property taxes. It will provide several case studies on these "types" for Queen Anne's County, MD (age-restricted development/DRRA), Regional Transportation Commission, Washoe County, NV (automation of impact fee credits) and potentially for Reno and Sparks, NV. The program will also discuss how impact fee credits are applied (i.e., per lot basis, dwelling unit, type of dwelling unit, property tax, trip generation, EDU, non-residential floor area, impervious area). It will also discuss how impact fee credits can be managed through "development credit agreements" and how to ensure that an impact fee ordinance sets clear guidelines to determine the value of potential credits.

Speakers: Steven Kaii-Ziegler, Municipal & Financial Services Group and former County Planning Director for Queen Anne's County and Hartford County, MD; Karyn Keese, PBS&J (CA); Julie Masterpool and Marchon Miller, Regional Transportation Commission of Washoe County, NV

### **Should You Reduce Impact Fees In Response To The Housing Crisis?**

The current downturn in housing is putting pressure on local agencies to reduce their impact fees. Policy responses range from no action to temporary deferrals to permanent reductions. What should your agency do? Should revenue be reduced in the name of "economic development"? What about the impacts on capital improvement programs? Do fee reductions stimulate the housing market? This session will provide an understanding of the policy options, advantages, and disadvantages. Consultants from Florida and California will give their perspective advising diverse local agencies on this issue. An attorney will comment on the legal issues associated with temporary or permanent

fee reductions, including targeted reductions for specific types of development. Finally, a senior public manager will give an "in the trenches" perspective of dealing with elected officials on this politically-charged issue.  
Speakers: Lee Evett and Bob Spencer, Willdan Financial Services (FL & CA); Heather Encinosa, Nabors Giblin (FL); Ken Parker, Port Orange, FL

#### Thursday, October 9: 12:30 -2:00 PM Luncheon Session

##### **2008 Case Law and Legislative Update**

This session will discuss impact fee cases decided and legislation adopted over the last year, offering both the academic and the practical perspectives. There are 2007 and 2008 cases so far that address implementation and adoption issues that will be of interest to the Roundtable participants. Additionally, some states once again are considering the adoption of new legislation addressing impact fees, including two states from which many of our participants come: Florida and Arizona. These will be discussed as well. Dr. Nicholas, in particular, will discuss this year's efforts in Florida to reshape the impact fee landscape through state legislation and what the implications will be (or would have been) of implementing these types of changes in Florida and elsewhere.

Speakers: Tyson Smith, White & Smith, LLC (SC); Clancy Mullen, Duncan Associates (TX); Jim Nicholas, Professor Emeritus, University of Florida

#### Thursday, October 9: 2:15 -3:30 PM

##### **Fiction, Fantasy, Fallacy or Fact?: Spotting Suspicious Studies**

Planners and decision makers often rely on studies involving complex economic, fiscal, demographic and engineering issues to evaluate and implement public policy. Studies commissioned to evaluate, establish and calibrate impact fees are one such example. Impact fees and other development and regulatory decisions and policies can be controversial and can often generate studies with different and conflicting results. How can a planner or analyst separate the wheat from the chaff? Not only has Mr. Siegel has prepared such analyses for public, private and non-profit sector clients for 30 years, during that time he has had the opportunity to review, analyze, deconstruct, and correct flawed and erroneous studies prepared by others. He will take you through a deconstruction of three privately commissioned studies prepared by well credentialed researchers, and a consultant prepared Comprehensive Plan - each superficially reasonable - and demonstrate how to spot their key errors in methodology, flawed assumptions, and omissions of key factors. You will leave this session with an appreciation of how such studies can go wrong and how to recognize when they do.

o The first study, "Taxing Development: The Law and Economics of Traffic Impact Fees" (Powell, et.al., 2006) examines traffic impact fees in California and concludes that "the variation of fees between jurisdictions indicates that at least some cities are miscalculating or misusing traffic impact fees."

o The second study, "The Planning Penalty" (O'Toole, 2006), concludes that comprehensive planning results in a "planning penalty" amounting to as much as several hundred thousands of dollars (!) of the cost of housing, and that "more than 30 percent of the total value of homes in this country is attributable to prices inflated by planning induced housing shortages".

o The third study, "The Impact of the Proposed Gaming Resort and Spa On the Economy of Adams County, PA" (Fuller, 2005) is a 'multiplier' - based assessment of the economic impact of a large casino recently proposed to be located just outside Gettysburg, PA. This study concluded the casino would generate thousands of additional jobs elsewhere in the community for each job at the casino.

o The fourth study is the "Land Capacity and Demand" and related sections of the recently adopted Hanover County (VA) Comprehensive Plan prepared by Clarion Associates (2006).

Speaker: Mike Siegel, Public & Environmental Finance Associates (DC)

##### **Alternative Impact Fee Calculations**

Impact fee schedules and calculation methodologies should be constructed to address the majority of the proposed land uses and development scenarios a community might expect. But what happens when a proposed land use or development plan does not fit the fee schedule? Examples of this situation include:

- ? Unusual types of land uses.
- ? Land uses for which fees expressed in square footage are not appropriate.
- ? Ancillary buildings or structures such as clubhouses, parking garages, storage structures.
- ? Redevelopment of existing structures.
- ? Speculative or shell buildings.
- ? Independent traffic analyses.
- ? Impact fee analyses tailored to meet policy objectives.

This session will discuss the alternative impact fee calculations communities have at their disposal via several methods including the ITE Trip Generation Manual, impact fee study, impact fee calculation methodology, and local ordinance. This session seeks to weigh the pros and cons of alternative impact fee calculations in striking a balance between ensuring new development pays its proportionate share of infrastructure capacity costs while avoiding unintended consequences of allowing too many exceptions. The experiences of an impact fee consultant, impact fee administrators, and an attorney will serve as basis of this discussion. This session is envisioned to be an interactive combination of discussion and question and answer among the speakers and audience.

Speakers: Chris Cullinan, TischlerBise (MD); Mark Schiavone, Jefferson Co., WV; Susan Schoettle-Gumm, attorney (FL)

### **Improvements-Based Transportation Impact Fees**

This session will describe the steps necessary to implement an improvements-based transportation impact fee program. Improvements-based programs must meet specific requirements to match the development impacts to the specific improvements being funded. These requirements are typically met by use of travel models to track usage of the facilities. Examples will be provided to illustrate different methodologies. Other decisions to be made include whether to apply an average or marginal cost approach to allocating the growth portion of trips to the impact fee calculations. We will use examples in Washington State to show these different approaches. The session will then work through a step-by-step approach to calculating the improvements-based impact fee rate schedule and address typical policy and statutory issues. We will also illustrate how this approach can be applied to various travel modes. The session will conclude with case studies of improvements-based transportation impact fee programs, illustrating the advantages and challenges of this approach.

Speaker: Don Samdahl, Fehr & Peers/Mirai Associates (WA)

**Thursday, October 9: 3:45 - 5:00 PM**

### **Administrator's Roundtable I**

Going back to the original format of the Impact Fee Roundtable, administrators and/or others interested in the details of impact fee administration will meet in small groups of 8-10 and share their experiences, problems encountered and successes. This is one of two unstructured sessions devoted to administrators (and other interested parties) discussing administrative issues. (There will be no AICP credit for this session.) Each table will discuss common administrative issues, such as:

- Options when a proposed land use bears no resemblance to anything on your fee schedule.
- Pros and cons of collecting impact fees at building permit versus certificate of occupancy.
- How to account for credits for developer improvements or proportionate share payments.
- How to determine the net impact of a redevelopment project.

Moderator: Sandra Neminski, Seminole County, FL

### **Interest Expense as a Cost Component in Impact Fees**

Impact fees for utilities often include the cost of borrowing as a component of impact fees, but relatively few impact fees for "general government" public facilities include interest expense as a cost. This session will explore current and potential uses of interest expense in impact fees for transportation, parks, public safety, schools and other non-utility public facilities. Topics will include precedents, legislation, case law, allowable borrowing costs, methods of calculating interest costs in impact fees, credits for debt service payments, reasons interest expense has not been used, and an un-scientific poll of the session audience. The moderator will coordinate presentations by a large panel of 5 practitioners and 2 attorneys in advance in order to avoid duplication of material. Each panel member will have 5 minutes to present a specific experience, issue or point of view. After the presentations, the moderator will facilitate a 20-minute roundtable exchange among the panel members. The final 15 minutes will be devoted to Q&A with the audience.

Moderator: Randy Young, Henderson Young (WA)

Panelists: Carson Bise - TischlerBise (MD); Brian Martin - Fishkind & Associates (FL); Jim Nicholas - Emeritus Professor, U of FL; Susan Schoettle-Gumm - Susan Schoettle-Gumm PLLC (FL); Bob Spencer - Willdan Financial Services (CA); Greg Stewart - Nabors, Giblin & Nickerson (FL); Bob Wallace - Tindale-Oliver & Associates (FL)

### **Impact Fee Trends: Survey Results**

This session will review the results of impact fee surveys to highlight trends in impact fee practice. Are many communities reducing or eliminating impact fees in response to the downturn in the housing market and the economy in general? While there certainly are some that have, the extent of the phenomenon is not known. These and other trends can be gleaned from survey data. The session will review three recent surveys: (1) an ICMA survey suggesting that many communities are moving away from impact fees; (2) a content analysis of methods used for specific facilities commissioned by the National Apartment Association; and (3) Florida's 2006 survey of local governments. Clancy Mullen will parse the latest trends from his firm's on-going national impact fee survey.

Speaker: Clancy Mullen, Duncan Associates (TX)

**Friday, October 10: 8:15-9:30 AM**

**Cutting Edge Methods: Using GIS, Density Variations**

This session reviews two cutting-edge methodologies for use in impact fee analysis. The first compares the traditional approach to developing the demand component for school impact fees, student generation rates, using Census data with a new approach that uses Geographic Information Systems (GIS) property appraiser data and school district student data to develop student generation rates by land use. In the Volusia County School Impact Fee Study, GIS was used to link student addresses to parcels in the Property Appraiser database, enabling a more accurate student generation rate to be developed for each residential land use. The result was a more equitable impact fee for each land use. This session also will highlight the specific issues encountered during this GIS analysis and a discussion of other potential uses for GIS with regard to impact fee analysis.

This session will also discuss how different levels of population density in a given county affect the level of service provided, and as such, it may be necessary to vary impact fees by sub-areas. In rural areas, due to lower population levels, providing the same capital infrastructure tends to cost more per person. As such, to provide a more equitable impact fee schedule, it may be appropriate to charge different impact fee rates. This session will use recent Collier and St. Lucie County fire impact fee studies and other information to address the role of population levels, growth patterns, and geographic barriers on impact fees.

Speakers: Elisabeth Schuck and Amanda Haas, Tindale-Oliver (FL)

**Common Questions and Concerns of Impact Fee Administrators**

This session will be in roundtable format and will discuss some of the tools / approaches that can be useful to impact fee administrators. Discussion items will include how to develop an administrative procedures manual and what things it should include; available computer programs/applications that may be useful to administrators, the administration of Developer Contribution Agreements/credits, effective presentation materials for advisory boards and elected boards, dealing with the common questions of developers and customers, such as calculating credits for previous uses and changes of use, administration of impact fee deferrals, and day-to-day application of the adopted regulations, when it is appropriate to have independent studies, and other similar issues.

Moderator: Nilgun Kamp, Tindale-Oliver (FL)

Speakers: Amy Patterson & Paula Fleishman, Impact Fee Manager & Coordinator, Collier County, FL; Lea Ann Thomas, Asst. Co. Manager, Polk County, FL

**Elasticity and the Economic Effect of Impact Fees**

Pasco County recently modified its proposed transportation impact fees based on an economic analysis conducted by Fishkind & Associates, which looked at the elasticity and economic effect of the proposed impact fees. We believe that we are the first community in the State of Florida to conduct a formal economic analysis of impact fees prior to adoption of the fee. The proposed session would explain and discuss the results of Fishkind & Associates' analysis and the effect on Pasco County's transportation impact fee schedule and discuss the potential implications for other local government impact fees.

Speakers: David Goldstein, County Attorney, Pasco County, FL; Bipin Parikh, Assistant County Administrator for Development Services, Pasco County, FL; Brian Martin, Fishkind & Associates (FL)

**Friday, October 10: 9:45-11:00 AM**

**Administrators' Roundtable II**

Going back to the original format of the Impact Fee Roundtable, administrators and/or others interested in the details of impact fee administration will meet in small groups of 8-10 and share their experiences, problems encountered and successes. This is one of two unstructured sessions devoted to administrators (and other interested parties) discussing administrative issues. (There will be no AICP credit for this session.) Each table will discuss common administrative issues, such as:

- Options when a proposed land use bears no resemblance to anything on your fee schedule.
- Pros and cons of collecting impact fees at building permit versus certificate of occupancy.
- How to account for credits for developer improvements or proportionate share payments.
- How to determine the net impact of a redevelopment project.

Moderator: Katie Gregory, Development Agreement Coordinator, City of Peoria, AZ

**Specific Plan Impact Fee Programs: The Sacramento Experience**

In the County of Sacramento, Development Impact Fee (DIF) Programs have been implemented along with Specific Plans for new growth areas. Over the past 20 years the DIF Programs have changed from relatively simple programs where fees were collected and banked to build projects to more complicated programs closely tied to more complex Specific Plans. In the earlier years, the relationship with the Development Community regarding these programs was adversarial. More recently, the conditioning of development projects in these Specific Plans is more complicated

requiring developers to install improvements prior to certain development thresholds. With this conditioning, the development community has taken a much more active role in working with local agencies in developing these fee programs. This session will explore the evolution of these DIF Programs related to Specific Plans over the past 20 years, the relationship between the local jurisdiction, the developer and the consultant, the successes and failures, and future trends and issues. Following are several topics that could be explored:

- o Nexus issues
- o Land use base and contingencies
- o Opposition from and partnering with the Development Community
- o Frequency of program updates
- o Construction of improvements (Public Agency and Developer)
- o Improvement Thresholds and how they relate to the DIF Programs.
- o New fee categories (e.g., frontage lane, land acquisition components, etc.)
- o Inclusion of financing costs (when necessary)
- o Improved project delivery techniques (through project conditions and developer turnkey construction)
- o Improved reimbursement procedures.
- o Automatic annual inflation adjustment factors.

This session will begin with a brief speaker-led introduction of the key concepts followed by a panel discussion, using case studies, addressing the aforementioned questions and concerns. The panel will consist of a public financing consultant, a public sector infrastructure financing manager, and a private developer. Each will offer their insight and perspectives on the identified questions and concerns.

Speakers: Robert Davison, Sacramento County, CA; Jamie Gomes, Economic and Planning Systems (CA)

### **Keeping Impact Fees Alive in Tough Times**

Panel discussion exploring issues facing local governments, and impact fee administrators, due to economic downturns, slow development and legislative proposals to limit local government revenue authority. Impact fee administrators have a critical role in providing information and perspective to local and state elected officials that can help preserve impact fees as a revenue source. Topics to be covered by panel participants include legislative lobbying successes and failures, what worked and why, actions by local governments to reduce the "impact" of impact fees and any results from those actions, ways to help the public and local/state. elected officials understand the role of impact fees in local government finance, and what are reasonable and defensible actions to modify an impact fee system to "reduce" impacts and how do you get things back on track in the future?

Speaker: Susan Schoettle-Gumm, Attorney (FL); Amy Patterson, Impact Fee Manager, Collier County, FL; Jon Thaxton, Sarasota County, FL

## **Friday, October 10: 11:15-12:30 PM**

### **Dashing Myths: The Academic Evidence on Impacts of Impact Fees**

The academic evidence on the impacts of impact fees continues to support impact fees as a reasonable solution to growth management and economic development challenges. While early research using flawed statistical methodologies implied that under some situations impact fees would raise the price of housing by many multiples, rigorous research shows surprising outcomes. They may be cast in a Myth v. Reality in the following contexts:

- Myth: Impact fees raise the price of housing
- Myth: Impact fees adversely impact on lower-cost housing
- Myth: Impact fees reduce the supply of affordable housing
- Myth: Impact fees drive development to neighboring communities
- Myth: Impact fees stifle economic development
- Myth: Impact fees are costly and expensive to administer

Dr. Nelson updates last year's presentation with the most up-to-date research results. The presentation will review each of these myths and show research that dispels them.

Speaker: Chris Nelson (U of UT)

### **Fiscal Impact Round Up: Trends In Fiscal Impact Analysis**

Projecting state revenues when large scale developments impact the state. Is there a state of the art? What populations are in/out when calculating state impacts? (Burchell) The fiscal state of fiscal impact analysis - where is the profession going? What does it need to get there? Can fiscal impact practitioners survive? (Bise) Local fiscal impact models: standardizing models within a state: can we/do we need to get there? Is this an effort worth pursuing? (Fishkind) New tasks for fiscal impact analysis. Can fiscal impact analysis be used to calculate operating cost impact fees? If not, where is FIA going? (Nicholas) New fiscal modeling techniques and task assignments: using fiscal impact analysis to evaluate the financial feasibility of master plans. Has this idea fizzled? (Flora)

Moderator: Robert W. Burchell, Ph.D., P.P., Rutgers University (NJ)

Speakers: Carson Bise, TishlerBise (MD); James C. Nicholas, University of FL, Emeritus; Paul Flora, Hillsborough County Regional Planning (FL); Brian Martin, Fishkind & Associates (FL)

### **Making Transportation Impact Fees 'Smarter'**

This session will describe the state-of-the-practice of applying smart-growth principles to transportation impact fees. The session will discuss the typical streets-based impact fee approach using vehicle trip generation rates from ITE. We will then move to a presentation of approaches used to adjust trip rates to reflect smart-growth principles. One approach uses empirical data to document reductions in vehicle trip generation rates in mixed-use activity centers. Another approach is more complex, applying the various 'D's (e.g. density, diversity, design, etc) of development patterns to calculate changes in vehicle trips and vehicle-miles of travel (VMT). This technique can be applied either within the travel model or as a post-processing tool to adjust the modeled trip generation. The session will continue with a presentation of how to develop transportation impact fees using person trip rather than vehicle trip generation. This approach can allow greater inclusion of alternative modes into the impact fee equation. The session will also include a description of Kane County, Illinois' discount program for projects that meet specific Smart Growth criteria, including proximity of multiple land uses, walkability, density and access to mass transit. The session will conclude with a discussion of pros and cons of these approaches, based upon current state-of-the-practice.

Speakers: Don Samdahl, Fehr & Peers/Mirai Associates (WA); Deb Galardi, Galardi Consulting (WA); Karl Fry, P.E., Intersect, LLC (IL)

### **Friday, October 10: 1:00-2:30 PM Luncheon Session**

#### **Should Growth Pay Its Own Way?**

Where/when did the idea come that new growth should pay its own way? Is this a subtle form of residential snobbery or does it make sense? (Nelson) Where is fiscal impact analysis in the debate? Is fiscal impact analysis the toothless tiger? What can it really do? Who pays attention to it? Why even do it? (Burchell) Are impact fees the real villain? Why are they so acceptable to local governments? Is rational nexus a con or substitute for payments that should be made by the general population? (Nicholas) Where should the line be drawn on who pays? What costs?

Capital/operating? Where is the boundary of fairness? (Young)

Moderator: Robert W. Burchell, Ph.D., P.P., Rutgers University

Speakers: Chris Nelson, Ph.D., FAICP, U. of Utah; James C. Nicholas, Ph.D, U of FL; Randy Young, MURP, AICP, Henderson, Young & Co., Redmond, WA

## Speakers

Maik Aagaard, Managing Principal, Development Planning & Financing Group Inc., Winter Park, FL

Carson Bise, AICP, Vice-President, TischlerBise, Bethesda, MD

Carson Bise has eighteen years of professional experience in fiscal, economic and planning activities, and holds BS degrees in Geography and Political Science and an MBA in Economics. Mr. Bise has completed over 125 impact fees in 11 different states for the following infrastructure categories: parks and recreation, open space, police, fire, schools, water, sewer, roads, municipal power and general government facilities. Recognized as an expert, Mr. Bise sits on the Board of Directors for the National Impact Fee Roundtable and frequently gives lectures and conducts workshops on impact fees, infrastructure finance and fiscal impact analysis for various groups and organizations including the American Planning Association, the National Association of Homebuilders, National Impact Fee Roundtable and the Government Finance Officers Association. Mr. Bise has also authored numerous articles on infrastructure finance and fiscal impact analysis. His most recent publication is a chapter on fiscal impact analysis in the book *Planning and Urban Design Guidelines*, published by the American Planning Association. Mr. Bise was also the principal author of the fiscal impact analysis component for the Atlanta Regional Commission's Smart Growth Toolkit and is featured in the recently released AICP CD-ROM Training Package entitled, "The Economics of Density."

Robert Burchell, Professor, Rutgers University, New Brunswick, NJ

Robert W. Burchell, Distinguished Professor and Co-Director at the Center for Urban Policy Research, Rutgers University, is the author of 30 books and more than 50 articles. He is an expert on fiscal impact analysis, land-use development and regulation, and housing policy. Dr. Burchell has served as principal investigator on more than \$4 million in research spanning a thirty-year career at Rutgers. One of these efforts included the Impact Assessment of the New Jersey State Development and Redevelopment Plan, an encompassing study of the growth management program adopted by the New Jersey State Planning Commission in June 1992, an impact assessment done in 1992 and repeated in 2001 (in both cases a requirement for passage of the State Plan). Similar "costs of sprawl" studies have been done for the state of Maryland, the Lexington (KY) Metropolitan Area, the Delaware Estuary, the Southeast Michigan Council of Governments, and the South Carolina Advisory Commission on Intergovernmental Relations. Dr. Burchell's seminal work in the area of development patterns and infrastructure costs is a just completed research project for the National Academy of Sciences and the Transportation Cooperative Research Program resulting in *The Costs of Sprawl Revisited* and *The Costs of Sprawl-2000*. Dr. Burchell, also a licensed professional planner in New Jersey, is in demand as an expert witness nationally, and has served as a consultant to The Port Authority of New York and New Jersey, the U.S. Department of Housing and Urban Development, the U.S. Health and Human Resources Administration, the U.S. Office of Management and Budget, the Nuclear Regulatory Commission, and The Smith Richardson Foundation.

Marlo Chavarria, Senior Planner, Tindale-Oliver & Associates, Inc., Tampa, FL

Chris Cullinan, Principal, TischlerBise, Inc., Bethesda, MD

Christopher Cullinan is a Principal with TischlerBise, a fiscal, economic, and planning consulting firm based in Bethesda, Maryland. Mr. Cullinan has over ten years of public finance experience in both the public and private sectors. He has prepared impact fee studies for 35 Arizona communities over the past several years, as well as calculating impact fees for communities in Florida, Maryland, Montana, Ohio, Rhode Island, and South Carolina. Prior to joining TischlerBise, Mr. Cullinan served as Budget Director for the City of Charlottesville, Virginia. He holds a MPA in public finance from Indiana University – Bloomington.

Robert Davison, Manager of Special Districts, Sacramento County, CA

Mr. Robert Davison is the Manager of Special Districts for the County of Sacramento Municipal Services Agency where he currently manages the Infrastructure Finance Section. Mr. Davison has more than fifteen years of experience in the formation and administration of financing districts including Development Impact Fee Programs, Mello-Roos Community Facilities Districts, County Service Areas, and Special Assessment Districts. Mr. Davison has a Bachelor of Science Degree in Civil Engineering from California Polytechnic State University, San Luis Obispo, and a Masters Degree in Business Administration from California State University, Sacramento. He is also a registered Civil Engineer in the State of California and prior to his employment at Sacramento County worked as a design engineer for the Pacific Gas and Electric Company.

Heather Encinosa, Attorney at Law, Partner, Nabors, Gilblin and Nickerson, Tallahassee, FL

Ms Encinosa's area of practice centers on local government revenue issues with specific expertise with impact fees programs.

Lee Evett, Vice President, Willdan Financial Services, Orlando, FL

Mr. Evett has 34 year of public service as a city manager and currently provides economic and fiscal consulting services to local agencies throughout Florida.

Paula Fleishman, Impact Fee Coordinator, Collier County, FL

Paul Flora, Fiscal Analyst, Veritas Consulting, Tampa, FL

Karl Fry, Engineer, Intersect, LLC, Naperville, IL

Deborah Galardi, President, Galardi Consulting, Portland, OR

Deb Galardi is principal of Galardi Consulting, LLC located in Portland, Oregon. She has 20 years of experience in conducting impact fee and other studies related to infrastructure finance. She is leading a project for Portland Metro looking at new techniques for calculating SDC's. This research includes looking at smart growth applications. She has presented at numerous professional conferences.

Don Ganer, Don Ganer & Associates, Inc., Portland, OR

Since 1991, Don Ganer has worked with more than fifty-five local government organizations and special service districts in the Pacific Northwest to develop capital facilities plans, financing plans, impact fees and system development charges (SDCs), and maintenance and utility fees. Mr. Ganer has provided training on SDCs for Oregon attorneys and legal professionals, and has also served as a speaker on SDCs, facilities planning, development impacts, and related topics for the Oregon Association of County Engineers and Surveyors, Special Districts Association of Oregon, Oregon Municipal Finance Officer's Association, Association of Oregon Counties, and Oregon Recreation and Parks Association.

David Goldstein, Senior Assistant County Attorney, Pasco County, FL

David is an attorney and member of the Florida Bar who specializes in land use and capital infrastructure financing issues. He drafted the transportation impact fee ordinance that implemented the Pasco County, FL transportation impact fees.

Jamie Gomes, Principal, Economic & Planning Systems, Inc., Sacramento, CA

Mr. Jamie Gomes is an EPS Principal with over 10 years experience in urban land economics and finance. He has served as the project manager in completing comprehensive public facilities financing plans for specific plan projects throughout Northern California. These financing plans involve the identification and creation of funding mechanisms to finance the public infrastructure that is required for new development or redevelopment. Recent projects include the McClellan, North Natomas, Elverta, and Laguna Ridge financing plans. Mr. Gomes' public finance work has carried forward into project implementation. In this capacity, Mr. Gomes has prepared several development impact fee nexus studies and has been involved in the formation of numerous Mello-Roos Community Facility Districts (CFDs). Jamie has a Bachelor of Arts Degree in Economics from the University of California, Davis and a Masters Degree in Business Administration from California State University, Sacramento.

David Green, Senior Economist, CH2M-Hill, Deerfield Beach, FL

Katie Gregory, Development Agreement Coordinator, City of Peoria, AZ

Katie Gregory is the Development Agreement and Impact Fee Administrator for the City of Peoria, Arizona; she has held that position since 2005. She is responsible for the maintenance and tracking of all city development agreements, including repayment programs, public improvement repayments, land use development arrangements and incentives as well as directing and managing the city's Development Impact Fee Program. Prior to her work in Peoria's Budget Office, Katie held various positions in the field of Parks and Recreation Management for the cities of Peoria and Glendale, Arizona and Eugene, Oregon. Katie has a bachelor's degree in Psychology from Western Oregon University and a Masters Degree in Public Administration from Arizona State University.

Amanda Haas, Planner, Tindale-Oliver & Associates, Tampa, FL

Amanda Haas is a Planner for Tindale-Oliver & Associates, Inc. based out of Tampa, Florida. She is a graduate of the University of South Florida Masters in Economics program. During her coursework at USF, she worked for the City of St. Petersburg Economic Development Department. Since joining Tindale-Oliver, her experience in conducting impact fee studies includes a wide variety of impact fee program areas such as transportation, emergency medical services, parks, library, law enforcement, and fire rescue services. In addition, Ms. Haas has conducted trip characteristic studies and reviewed alternative roadway fee analyses. Ms. Haas has also participated in a variety of public finance projects involving the creation of alternative funding mechanisms and user fees.

J. Steven Kaii-Ziegler, AICP, Senior Manager, MFSG, Annapolis, MD

Steven has more than nineteen years of multi-disciplinary experience for local governments in the development and implementation of comprehensive plans, community/region plans, environmental planning (forest conservation act, critical areas, endangered species act) transportation, agricultural preservation, solid waste and water/sewer planning, public safety, water resource planning, zoning and subdivision codes, adequate public facilities ordinances, special studies including development rights and responsibilities agreements, fiscal impact analysis and impact fees. He has been a frequent speaker on planning issues at such venues as the APA National Conference, The Marc Steiner show on Maryland Public Radio, Business Beat on CNN, Maryland County Engineers Association Annual Conference and the Maryland Public Finance Officers Fall Conference. During the last fourteen years he has served as the Planning Director for Queen Anne's, Harford and Frederick Counties. He received his Bachelor of Science degree in Land Use Analysis and in Political Science from Eastern Michigan University and Master of Science in Human Resource Management as well as a Master of Science in Public Administration, both from Wilmington College where he was the Recipient of the Richard Campbell Ponsell award. He is a member of the American Planning Association (APA), American Institute of Certified Planners (AICP) and a graduate of the Leadership Maryland Class of 2005.

Nilgun Kamp, AICP, Tindale-Oliver & Associates, Tampa, FL

Nilgün is a Senior Project Manager with Tindale-Oliver & Associates, Inc., with over 14 years of experience in public facility financing and economic impact studies. She served as the project manager for a variety of impact fee projects including transportation, schools, libraries, fire/EMS, law enforcement, correctional facilities, solid waste, government buildings, and others. She also completed indexing and alternative funding studies as well as administrative manuals. Ms. Kamp holds a Master's degree in International Relations and Pacific Studies, from the University of California San Diego and a Master's degree in Economics from the University of South Florida.

Karyn Keese, PBS&J, Financing Services Manager, Encinitas, CA

Brian Martin, Fishkind & Associates, Orlando, FL

M.B.A. from the University of Central Florida with a concentration in Economics. Mr. Martin worked with Orange County, FL government as a Senior Fiscal Analyst before joining Fishkind & Associates in 2004. While at Fishkind, he has been involved in many fiscal and economic impact assessments. In addition, he worked with the Florida Association of Counties on the recent property tax reform legislation that swept the State of Florida and is up for vote on a public referendum in January 2008. Also, Mr. Martin is involved in arranging TIF agreements between CRA's and CDD's throughout FL. He has performed impact fee studies for schools, parks, police, and public buildings for economic development. In addition, he has reviewed many other studies that have been challenged. Most recently (and the focus of his presentation) he has been studying the possible adverse effects of impact fees in Pasco and Lake County, looking at the long-term effects of less ad Valorem revenues and sales taxes due to decreased development.

Julie Masterpool, PE, Regional Transportation Commission (RTC) of Washoe County, NV

Julie is a Registered Professional Engineer with the Regional Transportation Commission (RTC) of Washoe County located in Reno, Nevada. Julie graduated from Texas A & M University in College Station, in December of 1980 with a Bachelor of Science in Civil Engineering and is a Licensed Civil Engineer in Nevada and California. Julie began her career with a private consulting firm in Southern California before transitioning to the public sector, working for Port Hueneme Naval Training Center and the Nevada Department of Transportation. Julie has worked for the RTC for the past 8 years in the Traffic Section focusing on traffic management improvement projects and the Regional Road Impact Fee Program for Washoe County.

Marchon Miller, Project Manager, Regional Transportation Commission (RTC) of Washoe County, NV

Marchon graduated from the University of Nevada, Reno with a BA in Civil Engineering. After graduation, she went to work directly for the Nevada Department of Engineering where she worked for 12 1/2 years in various departments including, right of way, maintenance, hydrology and design where she was in charge of her own squad. After NDOT, she went to work for the Regional Transportation Commission of Washoe County. Marchon was in charge of safety programs within RTC and in the community. After 4 years of working in the safety portion of RTC, Marchon was given the responsibility of keeping the data and credit books for all the RTC impact fees and with managing CCFEA's (developer projects). Within the last two years, Marchon has worked with the RTC's IS department to automate their Regional Road Impact Fee System. She has worked with RTC for almost 10 years.

Clancy Mullen, Director of Infrastructure Finance, Duncan Associates, Austin, TX

Mr. Mullen has been the primary author of most of the firm's impact fee studies since joining Duncan Associates in 1989. He is a contributing author of *Growth Management Principles and Practices* and the upcoming new edition of the *Practitioner's Guide to Development Impact Fees*. Mr. Mullen holds a Masters of Science degree in Community and Regional Planning from the University of Texas at Austin.

Chris Nelson, FAICP, Professor, University of Utah, Salt Lake City, UT

Arthur C. Nelson is Presidential Professor and Director of Metropolitan Research, Department of City and Metropolitan Planning, College of Architecture + Planning at the University of Utah. For the past 20 years, Dr. Nelson has conducted pioneering research in land use planning, growth management, public facility finance, and urban development policy. He has made notable contributions to the areas of development impact fees, farmland and forestland preservation, urban containment, the preservation of small town character in the face of urbanization, and more recently the effect of metropolitan governance structures on metropolitan economic development. Recently, he served the Housing and Urban Development Department for a year as an expert on smart growth in the Clinton and Bush Administrations. His research and practice has led to the publication of eight books and more than 150 scholarly and professional publications worldwide.

Sandra Neminski, Concurrency and Impact Fee Coordinator, Seminole County, FL

James Nicholas, Professor Emeritus, University of Florida, Gainesville, FL

Professor Emeritus of Urban & Regional Planning and Affiliate Professor of Law, University of Florida, Gainesville, Florida, 1985 to present; Associate Director, Environmental and Land Use Law Program, College of Law, 1999 to 2006. Co-Director of Growth Management Studies, College of Law, University of Florida, 1985 - 1992. Professor of Economics, Florida Atlantic University, Boca Raton, Florida, and Associate and Acting Director, Joint Center for Environmental and Urban Problems of Florida Atlantic and Florida International Universities, 1969 - 1985. .Ph.D in Economics from University of Illinois.

Bipin Parikh, Assistant County Administrator for Development Services, Pasco County, FL

Ken Parker, City Manager, Port Orange, FL

Mr. Parker is a city manager with 25 years in one city. Port Orange has experienced the housing crisis while updating and expanding its impact fee program.

Amy Patterson, Impact Fee Coordinator, Collier County, FL

Donald Samdahl, Principal, Fehr & Peers/Mirai Associates, Kirkland, WA

Prepared 15 transportation impact fee programs in Washington State, including the first such program for the City of Bellevue. Don specializes in transportation engineering and planning, research training and policy planning. During the past five years, he has directed more than 15 multi-modal transportation corridor studies, comprehensive local agency transportation plans, and innovative growth management studies. Don recently managed the I-405 Corridor Program, which produced a 30-year vision for this complex transportation corridor. Don is the 2005 recipient of the Outstanding Service Award presented by the Washington section of the Institute of Transportation Engineers. Education: MS, Civil Engineering/Transportation, Northwestern University; BS, Civil Engineering, Purdue University.

Mark Schiavone, Impact Fee Coordinator, Jefferson County, WV

Susan Schoettle-Gumm, Attorney, Sarasota, FL

Attorney in Sarasota, Florida with over 15 years experience with impact fees, special assessments and other local government funding mechanisms. Her legal career began with Freilich, Leitner & Carlisle, Kansas City, Missouri, and included creating and updating impact fee systems in many different states. She then served as an Assistant County Attorney for Sarasota County, Florida for ten years and provided legal services related to impact fees and many other local government revenue sources. With a degree in landscape architecture and experience working for a consulting engineering firm, as a legal consultant, and as an in-house local government attorney, she has a unique understanding of the legal, technical and practical issues related to impact fee systems.

Elisabeth Schuck, AICP, Tindale-Oliver & Associates, Inc., Tampa, FL

Elisabeth joined Tindale-Oliver after graduating from Stetson University with a degree in Environmental Science with an emphasis in planning. Since joining TOA, she has been involved in numerous impact fee studies in a variety of service areas, including parks, fire, library, law enforcement, government buildings, emergency medical services, and schools. In addition, Elisabeth has been responsible for reviewing independent transportation impact fee studies, as well as developing impact fee calculators and administrative procedures manuals.

Michael Siegel, President, Public and Environmental Finance Associates, Washington, DC

Mr. Siegel has over 30 years of public and private sector experience in preparing and analyzing economic and fiscal analyses related to development finance, project finance, fiscal impact analysis and land use. Previous positions include regional impact specialist for the Colorado West Area Council of Governments, Director of the Office of Commercial Revitalization for the State of Maryland, and Assistant Director of the Research Center of the Government Finance Officer's Association. In the early 1990's, Mr. Siegel formed Public and Environmental Finance Associates. (PEFA). His clients include State and local governments, land owners and public interest groups. PEFA specializes in fiscal impact analysis, utility rate setting, demand forecasting and needs analysis. In the 1990's, he was commissioned by the U.S. Environmental Protection Agency to develop rate setting software for small and medium size water and wastewater utilities. This software has been utilized by over 500 small and mid-size utility systems throughout the U.S.

Tyson Smith, AICP, Esq., White & Smith, LLC, Charleston, SC

Mr. Smith is a land use consultant and attorney specializing in impact fees, concurrency/APFOs, and other "facilities-based" planning and growth management techniques. Mr. Smith specializes in impact fee program development, including ordinances, administrative manuals, forms, and staff training. In addition, Mr. Smith provides litigation support in impact fee court challenges. Mr. Smith's most recent publication on impact fees is "Development Impact Fees 2006: A Year in Review," *Planning & Environmental Law* (APA), with J. Juergensmeyer.

Robert Spencer, Principal, Willdan Financial Services, Oakland, CA

Mr. Robert D. Spencer is a principal consultant with Willdan Financial Services in Oakland, California. He is an economist with extensive experience assisting public agencies developing infrastructure financing and public services funding programs. With 20 years of experience he is a leading expert in California on development impact fee programs. Mr. Spencer has a Masters Degree in Public Policy from the Kennedy School of Government at Harvard University.

Greg Stewart, Attorney, Nabors Giblin & Nickerson, Tallahassee, FL

Mr. Stewart heads the Litigation and Appellate Law practice of and is a shareholder in the law firm of Nabors, Giblin & Nickerson, P.A., of Tallahassee, Florida. He is a 1975 graduate of the University of Florida College of Law. He is a Martindale-Hubbell AV-rated lawyer and has been selected as one of the "Best Lawyers in America" in the field of municipal law. Mr. Stewart represents numerous cities and counties within the State of Florida in the areas of employment, land use, finance and intergovernmental litigation. He has litigated numerous cases within the State of Florida as to the validity of impact fees, special assessments and other local government revenue sources. Mr. Stewart has also been active in advising Florida local governments on the adoption and implementation of impact fees and other revenue sources. He has lectured extensively on numerous aspects of local government litigation including tax and finance and land use issues.

Lea Ann Thomas, Assistant County Manager, Polk County; FL

Lea Ann Thomas has administered or overseen the impact fee program in Polk County, Florida since its inception in October 1989. Her experience ranges from initially setting up procedures, forms, and administrative rulings to meeting with 15 municipalities, the impact fee advisory committee and rate consultants, to setting up procedures with staff to determine credits, ordinance changes, fiscal year budgets, refund procedures and even overseeing audits and determining the legality of expenditures. She brings the local government practitioner's experience from initial inception as an analyst to the viewpoint from the county manager's office.

Steve Tindale, PE, AICP, President, Tindale-Oliver & Associates, Tampa, FL

Mr. Tindale's primary work activities over the last 20 years have involved impact fee studies and implementation of impact fee ordinances. He has been involved in the development of impact fees for schools, parks and recreation, fire/EMS, law enforcement, libraries, solid waste, government buildings and transportation. His involvement includes impact fee studies for local governments throughout Florida and nationally, including Albuquerque, New Mexico, and Gwinnet and DeKalb counties in Georgia. Mr. Tindale introduced the concepts of "marginal costs" and "value added" to impact fee analysis. This was accomplished through the use of extensive database and spreadsheet analysis allowing sophisticated calculations to be made for complete systems and system improvements. Furthermore, in 1991, Mr. Tindale was awarded "Most Outstanding Paper" from the Planning Council of the Institute of Transportation Engineers for a paper entitled "Impact Fees-Issues, Concepts, and Approaches." He presented a paper entitled "Smart Growth" at the Impact Fee Symposium in Atlanta and is a regular speaker at the Impact Fee Roundtable.

Eric J. Tripi, P.E., PTOE, Director of Operations in South Carolina, Iteris, Inc., Mt. Pleasant, SC

Mr. Tripi specializes in traffic impact studies, traffic signals (design, timing, warrants, and optimization), intersection and interchange analysis/design, and traffic operations. Prior to joining Iteris, Mr. Tripi worked as Director of Traffic Engineering in South Carolina for Wilbur Smith Associates. He was responsible for project management, technical analysis, marketing, and business development for the traffic engineering practice. Mr. Tripi received a B.S. degree in Civil Engineering from Michigan State University and an M.S. degree in Civil Engineering from the University of Nebraska–Lincoln. He is a registered Professional Engineer in several states and is a certified Professional Traffic Operations Engineer. Mr. Tripi is also an adjunct professor at The Citadel in Charleston, SC, where he teaches Traffic and Transportation Engineering to undergraduates.

Robert Wallace, PE, AICP, Vice-President, Tindale-Oliver & Associates, Tampa, FL

Mr. Wallace has implemented impact fees both as a public employee and also as a private sector employee. In 1985, he implemented my first impact fee while serving as Director of Public Works for the City of Tampa. Over the last 18 years, as a private sector consultant, he has been the Senior Consultant, Project Manager or Principal-In-Charge of over 90 impact fee studies and 45 implementing ordinances. These impact fee studies have included transportation, parks and recreation, fire, emergency medical services, law enforcement, correctional facilities, libraries, schools and solid waste.

Riley Whitcomb, Parks and Recreation, Portland, Oregon

Riley has directed the Park System Development Charge program for the City of Portland since mid-2002. The "Park SDC" is a public funding mechanism created to capture revenue to help fund park needs created by population and employment growth. In 2004, he spearheaded an effort that gained Council approval to increase the potential revenue recovery from \$46 million to \$125 million over the 20-year life of the program. In March 2008, following a 27 month process, Portland City Council unanimously approved an ordinance to significantly increase the residential park SDC and implement a non-residential Park SDC. The program changes, to be implemented starting January 2009, will effectively increase the impact recovery rate from 25% to 75%. The revenue generated from this program through the year 2020 is projected to be over \$300 million to be used for land acquisition and capital improvements.

Randy Young, Principal, Henderson Young & Company, Redmond, WA

Randy Young is a senior partner with Henderson, Young and Company, based in Redmond, Washington. He has spent his entire career serving the public sector. He was on the staff of local and state agencies in California, and since 1973 he has been a consultant for cities, counties and other public agencies throughout the United States. Randy has prepared over 145 impact fee studies, and he has pioneered several methods for preparing impact fees.