Growth & Infrastructure Consortium

impact fees, capital planning and public finance

CONFERENCE PROGRAM

"Dolan @ 25: Reflections on Infrastructure Finance and Rough Proportionality"

25th Annual GIC Conference, October 23-25, 2019

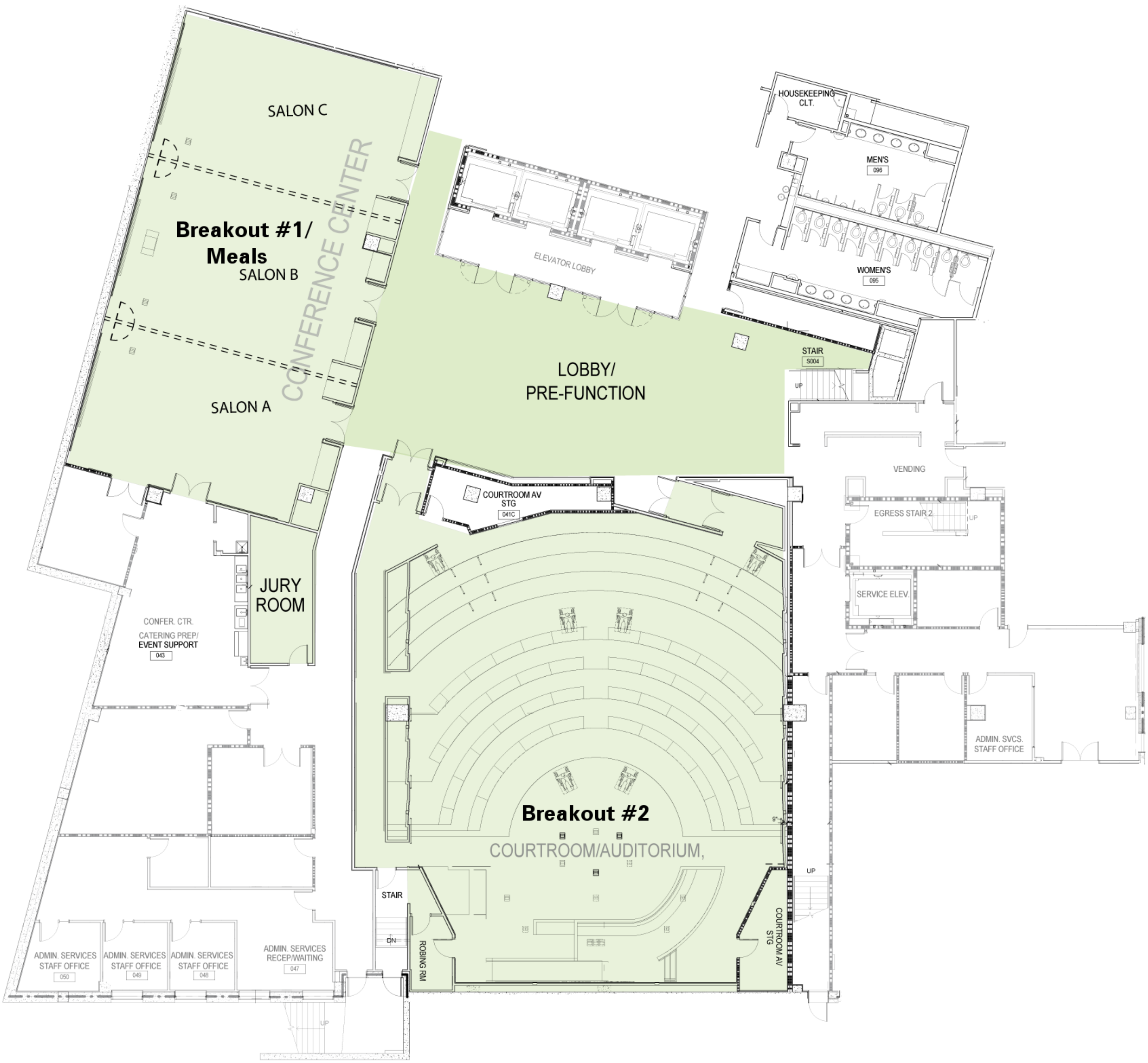
Knowles Conference Center at Georgia State University's College of Law
Ellis Hotel, 176 Peachtree St NW, Atlanta, GA 30303

Day/Time	Breakout #1 Conference Center	Breakout #2 Courtroom/Auditorium
Wednesday, October 23		
5:30 – 8:00 pm	Registration	
6:30 – 8:00 pm	Opening Reception (Ellis Hotel Patio)	
Thursday, October 24		
All Day	Registration	
7:30 – 9:00 am	Breakfast and Plenary Session - Legal Overview of Dolan and Its Progeny (1 hr.)	
9:15 – 9:45 am	Funding Options for Local Disaster Resilience	Options for Assessing Residential Impact Fees
10:00 – 10:30 am	Market Effects of Impact Fees on Development	Raising Impact Fees without Raising Eyebrows
10:45 – 11:15 am	Snack Break	
11:15 – 12:15 pm	Impact Fee Methodology Workshop	Tips, Tricks, and Tools for DIF Administration & CA Update
12:30 – 2:00 pm	Lunch and Plenary - Impact Fees Since the Great Recession (1 hr.)	
2:15 – 3:15 pm	Impact Fee Administration	Comprehensive Approach to Affordable Housing Mitigation
3:30 – 4:00 pm	Water Allotments and Impact Fees by Residential Lot Size	Case Law Update
4:15 – 4:45 pm	SDFs for North Carolina Utilities: Recent State Law Changes	Legal Techniques to Implement Green Infrastructure
6:00 – 8:00 pm	Dinner (Bar Mercado at 99-V Krog Street)	
Friday, October 25		
All Morning	Registration	
8:00 – 10:00 am	Breakfast, Annual Membership Meeting, Plenary - Reflections on the Practice under Nollan/Dolan (1 hr.)	
10:15 – 11:15 am	Impact Fee Administrators Round Table	Impact Fees and Affordable Housing
11:30 – 1:00 pm	Quantifying Multi-Modal Demand and Capacity	Ethics for Planner and Lawyers
1:15 – 2:45 pm	Lunch, Conference Wrap-Up & Closing Plenary - Transportation Funding Options (1 hr.)	
4:00 - ?????	Pub Crawl?	

Updated 10/17/2019

Room Layout
Knowles Conference Center

Georgia State University College of Law
85 Park Place NE, Atlanta, GA 30303



Directions from Ellis Hotel to Conference Center

SESSION DESCRIPTIONS

THURSDAY, OCTOBER 23

Thursday, 8:00 - 9:00 am (Breakfast Plenary)

Legal Overview of Dolan and Its Progeny

Panelists will provide conferees the legal context for considering Dolan v. Tigard twenty-five years after the opinion was issued by the U.S. Supreme Court. After an overview of the facts of the case and what the Court held, panelists will discuss how the case has been (or hasn't been) applied to impact fees over the last 25 years. Discussions will include the Supreme Court's 2013 Koontz v. St. Johns Water Management District case and what it said (or failed to say) about Dolan and impact fees.

Speakers: Tyson Smith (White & Smith), Dwight Merriam, Jim Nicholas (U. of FL emeritus)

Thursday, 9:15 – 9:45 am (Breakout 1)

Funding Options for Local Disaster Resilience

Weather-related catastrophes that were once considered 'historic' in magnitude are recurring years apart and in nearly the same locations. Whether facing threats from ferocious wildfires or repeated coastal and riverine inundations, cities and towns are recognizing that they can't afford to rebuild neighborhoods with a business-as-usual mindset. Increasingly, communities are realizing that they must transform roads, housing, public facilities and even their laws and planning documents to help citizens withstand disaster events that might have once been expected to occur only every 100, 200, or 500 years. Disaster resilience is emerging as a prudential, if not a legal, imperative. Local and state governments are taking steps to create communities that aim to increase their resilience to natural hazards. But reimagining and recreating a more resilient town, city, or county comes at a great cost -- both in terms of project funding and dedicated staff resources. Unfortunately, few communities have the money on hand to finance hazard mitigation and post-disaster resilience initiatives. And, although the federal government has provided billions to fund recent post-disaster resilience projects, that federal funding is notoriously slow to arrive, insufficient to complete key resilience initiatives, burdened by compliance with dozens of federal laws and regulations, and often hostage to national political gamesmanship. This session will explore how communities, particularly coastal and riverine communities, can plan and pay for the housing, community development, infrastructure, law, or planning projects necessary to address proven or anticipated natural hazards. The bad news is that very few state and local governments have made progress toward this end. The good news is that our existing toolbox of planning, land use and zoning tools (including impact fees, mitigation fees and other developer fee requirements) might provide the basic instruments that local and state governments need to begin developing infrastructure to address rising sea levels, rising temperatures, dwindling water supplies, and flooding riverine and coastal environments.

Speakers: John Travis Marshall (GSU), Donovan Finn (Stony Brook University)

Thursday, 9:15 – 9:45 am (Breakout 2)

Options for Assessing Residential Impact Fees

Residential impact fees have traditionally assessed per dwelling unit (non-utility) or by meter size (utility). Residential impact fee assessment categories are more commonly differentiated by land use type, constructed square feet, lot size, the number of bedrooms and bathrooms, fixture units, expected persons per household, vehicles owned, and/or irrigable area. During this session, Mr. Rheem will discuss this increasing trend using examples of differentiated assessment basis for residential land use types and/or development types.

Speaker: Andrew Rheem (Raftelis)

Thursday, 10:00 – 10:30 am (Breakout 1)

Market Effects of Impact Fees on Development

This session will address the following aspects of impact fees in the multi-county (3-4 county focus) Northeast Florida region:

1. Current overview of impact fee schedules in the region, including recent legislative and administrative changes to impact fee amounts and applicability;
2. Description of the stated funding intent of area impact fees, including those services to which impact fees are designed to improve, and the actual success and implementation of impact fee funding on the intended services;
3. Economic and market implications of impact fees from the developer perspective;
4. Problems with implementation of impact fee schedules on non-traditional development, i.e., micro-units, mixed-use and/or shared units; and,
5. Legal implications associated with potential challenges to impact fee legislation and administration.

Speakers: Patrick Krechowski (JimersonBirr. P.A); Jesse Spradley (NE FL Builders Assn.); Nate Day (H. Smith, Inc.)

Thursday, 10:00 – 10:30 am (Breakout 2)

Raising Impact Fees without Raising Eyebrows: Stakeholder Outreach Program

By some estimates, US population growth slowed in 2018 to the lowest rate in 80 years. However, individual cities across the country are experiencing a range of growth conditions with some cities struggling to keep and attract residents while others experience unprecedented development. Whether your city is growing or shrinking, the need for investment in infrastructure is a constant. Communicating to stakeholders about how this investment translates into necessary increases to rates and impact fees is critical for local government. Communicating about developing or changing impact fees can be a particular challenge because the audience (developers, building owners/managers, etc.) are not necessarily direct customers and do not always have a pre-existing relationship with the agencies assessing the fees. In this session, we will show how a proactive communication and outreach plan can help facilitate approval and acceptance of impact fees, building trusted relationships with stakeholders and preventing unnecessary and time-consuming legal battles. We will review best practices for strategic communications planning, outlining a step-by-step process for building support and understanding around the need for and/or changes to impact fees. To demonstrate the real-world application of these communication strategies, we will

share case studies that highlight elements of successful communication programs and illustrate how a lack of communication can negatively impact implementation.
Speaker: Samantha Villegas (Raftelis)

Thursday, 11:45 – 12:15 pm (Breakout 1)

Impact Fee Methodology Workshop
In this session, an impact fee consultant with a national practice explains his understanding of the basic legal principles governing impact fees and the types of methodologies that can be used to calculate fees consistent with those principles. It is divided into two parts, one covering the basic principles and types of methodologies, and the other devoted to unusual situations encountered in practice that require going back to first principles to come up with a defensible approach. About one-third of the time will be reserved for audience questions and comments.
Speaker: Clancy Mullen (Duncan Associates)

Thursday, 11:45 – 12:15 pm (Breakout 2)

Tips, Tools, and Tricks for Development Impact Fee Administration and California Update
This session will explore the intricacies of monitoring and administering a development impact fee program and provide some tips, tools, and tricks that have worked well in the City of Chula Vista and other rapidly growing cities. Some programs that will be discussed:

1. Establishment of developer trust accounts (to monitor and track credits)
2. Phased credit allocations (to avoid collecting fees only to reimburse later)
3. Developer credit allocation forms (to have documentation when issuing credits)
4. Audit of publicly financed developer constructed projects in house
5. Use of land secured financing to pay for infrastructure

Additionally, this session will cover some of the new legislation in California aimed at addressing the housing affordability crisis and how these may affect impact fee methodologies and administration.
Speakers: Alison Bouley (Harris and Assoc.); Connie Fife (Chula Vista, CA)

Thursday, 12:30 – 2:00 pm (Lunch & Plenary Session)

Impact Fees Since the Great Recession
As the housing boom of the 2000s approached its apex, local governments turned to impact fees to offset part of the burden this historic growth created on the need for new infrastructure. During the recession years of 2007-2009, many communities repealed or drastically reduced impact fees in hopes of spurring economic development. A dramatic reduction in impact fee revenues during this time and since has affected local government finance and capital planning efforts in a host of ways. A decade after the Great Recession, the world of public facility finance has not returned to a pre-Recession state of "normalcy." Our panelists will review the technical, economic, and practical state of affairs for local government impact fee practitioners "since the Great Recession."
Speakers: Tyson Smith (White & Smith); Amy Patterson (Collier Co., FL); Clancy Mullen (Duncan Associates); Nilgun Kamp (Tindale Oliver)

Thursday, 2:15 – 3:15 pm (Breakout 1)

Impact Fee Administration

This session provides an overview of issues involved in administering an impact fee system. Administrative issues covers a lot of topics, including the fee schedule itself (e.g., it's helpful to have the same land use categories for all the fees and detailed definitions of the land uses in the ordinance or administrative manual), classifying unusual land uses, alternative fee study guidelines, the fee collection process, accounting for the fees collected, programming expenditures on eligible improvements, negotiating credit agreements and establishing offset/reimbursement rules and procedures, etc.

Speakers: Elaine Barker (Manatee Co., FL); Jason Utley (Sarasota Co., FL)

Thursday, 2:15 – 3:15 pm (Breakout 2)

A Comprehensive Approach to Affordable Housing Mitigation

The consultants who prepared a recent affordable housing mitigation fee for Jackson Hole/Teton County, Wyoming describe how to structure such a fee in the most legally-defensible way. GSU law professor Julian Juergensmeyer describes the legal principles that appear to apply to all types of affordable housing mitigation, including requirements that a percentage of new units is affordable, fees in lieu of affordable housing, and linkage fees. Economist Jim Nicholas and planning consultant Craig Richardson describe how these principles were followed in structuring and calculating the mitigation fees.

Speakers: Craig Richardson (Clarion Assoc.); Jim Nicholas (U of FL); Julian Juergensmeyer (GSU)

Thursday, 3:30 – 4:00 pm (Breakout 1)

Water Allotments and Impact Fees by Residential Lot Size

The East Larimer County Water District (ELCO) in northern Colorado requires developers to dedicate water rights based on the type of building being constructed (single family residential, multi-family, mobile home, non-residential, etc.). In addition to a water rights dedication requirement, ELCO also requires a plant investment fee (PIF) to reimburse the District for a customer's share of the treatment and distribution infrastructure. In addition to analyzing water rights requirements, a range of impact fees were calculated for each building type (low, medium, high). This provided the District Board options to choose from for each type of development. This session will discuss the history of ELCO's PIF structure, the water consumption analysis that was performed, the interplay between the developers' desire to reduce the water dedication requirement and a customer's actual water requirement, and how the PIF fees were calculated.

Speaker: Andrew Rheem (Raftelis)

Thursday, 3:30 – 4:00 pm (Breakout 2)

Case Law Update

Tyson Smith will discuss judicial trends in growth-related infrastructure finance, including cases covered during prior updates that have been resolved on appeal. In addition, Mr. Smith will cover recent cases related to impact fees, exactions, adequate public facility programs, and local government authority in general, as it relates to infrastructure finance and regulation.

Speakers: Tyson Smith (White & Smith)

Thursday, 4:15 – 4:45 pm (Breakout 1)

SDFs for NC Utilities: Recent State Law Changes

The use of impact fees to fund water and wastewater utility infrastructure has grown in popularity in North Carolina in recent years, especially following a major change adding Article 8 to the N.C. General Statutes, which explicitly allows local governments to assess SDFs. Since Article 8 was ratified, an amendment was passed in October of 2018 that further qualified SDF calculation, collection, and administration. This presentation provides an overview of Article 8 and the challenges utilities and professionals faced while developing impact fees based on the new requirements. In striving to represent core principles (such as those established by the American Water Works Association and the Dolan case) more precisely, the new amendment has ironically broadened the requirements for implementing SDFs, which may make the requirements less meaningful for capturing the nuances of different utility operations.

Speaker: Vanessa Waller (Raftelis)

Thursday, 4:15 – 4:45 pm (Breakout 2)

Legal Techniques to Implement Green Infrastructure

This session will outline the legal toolkit for implementing green infrastructure. Tools include planning, regulatory and incentive-based tools, as well as government operations. Topics covered include stormwater, air quality, heat island effects, economic development, comprehensive plans, zoning and building codes, tax incentives, street design standards, capital planning, and facilities management.

Speaker: Dwight Merriam (attorney/planner)

FRIDAY, OCTOBER 25

Friday, 8:00 – 10:00 am (Breakfast, Membership Meeting, Plenary Session)

Reflections on the Practice Under Nollan/Dolan
Building on the previous session on what the courts have held Dolan to mean, our panelists will share their reality of how Dolan and "rough proportionality" are applied in the day-to-day practice. Questions to be discussed include how planners (represented by legal counsel or not) implement Dolan, what developers think Dolan says, whether "rough proportionality" is "reasonable," and – most important - whether Dolan has any anything to do with impact fees at all. Is this "much ado about nothing?"
Speakers: *Julian Juergensmeyer (GSU); Chris Nelson (U of AZ); Dwight Merriam (attorney); Tyson Smith (White & Smith); Clancy Mullen (Duncan Associates)*

Friday, 10:15 – 11:15 am (Breakout 1)

Impact Fee Administrator's Roundtable
This session proposes questions to the roundtable of impact fee administrators. Usually, responses take on their own tangents. However, potential questions could include:

- What is the biggest issue you are having with your impact fee program?
- How do you handle impact fee credits for developer constructed improvements? Do they go in your CIE/CIP? Is there a formal process for them to get permission to construct it?
- What if you do a credit deal with a developer for a project that is outside of your impact fee study? How do you handle that vs your CIP?
- Who here has undergone an audit? What was their biggest issue? Did you find yourself explaining what impact fees are and educating them before or after their audit results?
- How does your community handle impact fees between the cities and county?
- How does your community handle impact fees on Accessory Dwelling Unit's?

Speakers: *Elaine Barker (Manatee Co., FL); Jason Utley (Sarasota Co., FL)*

Friday, 10:15 – 11:15 am (Breakout 2)

Impact Fees and Affordable Housing
This session will discuss some of the recent affordable housing initiatives in Florida, especially as they relate to impact fees, in-lieu fees, and linkage fees. Recent proposed legislative changes will be reviewed. Case study examples of how some counties are addressing this issue will also be reviewed.
Speakers: *Nilgun Kamp (Tindale Oliver), Tyson Smith (White & Smith), Amy Patterson (Collier Co., FL)*

Friday, 11:30 – 1:00 pm (Breakout 1)

Quantifying Multi-Modal Demand and Capacity
Changes in policy and regulations arriving originally from Complete Street legislation, then evolution of street designs from organizations such as NACTO, and now even the more traditional AASHTO design guides have brought multimodal capacity and accommodating all users from a

fringe concept to mainstream transportation planning and design. Many urban areas seek to repurpose existing roadway space to create improved transit, walking, and bicycling facilities. Increased attention and awareness of climate change as well as policy efforts to decrease single occupancy vehicles and improve safety (e.g. Vision Zero) are further strengthening demand for non-auto dominated capacity and mobility solutions. Lastly, the recent emergence of micro mobility – dockless lightweight mobility vehicles (bikes, e-bikes, e-scooters, e-trikes, etc.) are adding greater utility to active travel modes. This panel attempts to:

- Provide the conference attendees with a status quo update on the recent transportation trends that have arrived in the last 12 to 18 months and what the next 24 months may bring.
- Summarize various approaches to funding multimodal capacity solutions through impact fees/mobility fees/linkage fees
- Explore ways to begin standardizing approaches to estimating and forecasting demand and what is the capacity for various multimodal mobility solutions.

Speakers: Jonathan Slason (RSG); Jonathan Paul (NUE Urban Concepts)

Friday, 11:30 – 1:00 pm (Breakout 2)

Ethics for Planners and Lawyers

Presented by land use attorneys Dwight Merriam, Esq. (FAICP) (CT & MA) and Byron Flagg, Esq. (LL.M., FL), this session will provide a basic review of the ethical rules and considerations that planners and attorneys face in the every-day practice of administering land use and development regulations or seeking development approvals for clients. The session will provide the 2019 GIC conference with a 1-hour presentation covering the AICP Code of Ethics and Professional Conduct for Planners and the ABA Rules of Professional Conduct and Ethics for Attorneys. Session attendees will be able to submit a certificate of their attendance at the session to their respective professional associations (State APA or State Bar Association) for ethics continuing education credits. In addition, the session intends to provide a setting for planners and attorneys to interact and understand each other's roles. The basic session outline will be as follows (subject to change):

I. Introduction
II. AICP Code of Ethics and Professional Conduct
III. ABA Code of Ethics and Professional Conduct
IV. News Issues, Stories, and Common Problems
V. Hypotheticals
VI. Questions/Audience Interaction

Speakers: Dwight Merriam (attorney/planner); Byron Flagg (attorney)

Friday, 1:15 – 2:45 pm (Lunch, Conference Wrap-up, Plenary Session)

Transportation Funding Options

This session will provide an overview of available funding sources for transportation capital and operating expenses in addition to fuel taxes. Case study examples of how some jurisdictions are addressing this issue will also be reviewed.

Speakers: Steve Tindale and Nilgun Kamp (Tindale Oliver)

SPEAKER BIOGRAPHIES

Elaine Barker, Manatee County, Bradenton, FL
Elaine has worked for Manatee County since 1989 in various positions. Starting in utilities, building, permitting, inspections, licensing, land use, zoning, floodplain management and for the last few years as the Impact Fee Coordinator. Elaine is a certified as a floodplain manager, zoning inspector and permit technician. She is working towards obtaining a bachelor's degree in Business Administration and Management.

Alison Bouley, PE, Senior Director, Harris and Associates, Irvine, CA
Alison is a Civil Engineer in the state of California and has 19 years' of experience in managing development impact fee programs from conception through implementation. She manages Harris Public Municipal Funding and Special District Finance group and has worked for multiple agencies throughout California. She has been involved in other forms of public financing including assessment districts, CFD's, utility undergrounding districts, and landscape and lighting districts. Alison has assisted in the planning and implementation of several large development projects. She also assists agencies in audits of developer-constructed infrastructure projects and credit and reimbursement agreements.

Nate Day, Vice President, H. Smith, Inc. (Residential Development), Jacksonville, FL
Nate Day has worked with H. Smith, Inc. for 13 years, focusing on all aspects of single-family residential development in the greater Jacksonville area. Since 2006, Nate has been involved in the development of over 1500 residential lots in a dozen neighborhoods across Duval, Clay, Nassau and St Johns County. In addition, Nate has served on Jacksonville's planning commission, chairing it for one term, and has served as a board member and executive member of the Northeast Florida Builders Association (NEFBA) for twelve years, chairing the governmental affairs committee and currently serving as the incoming President. Nate holds a Bachelor of Science in both electrical engineering and biomedical engineering from Duke University.

Connie Fife, MPP, Management Analyst, Development Services Department, City of Chula Vista, CA
Connie is a Management Analyst with the City of Chula Vista where she has been carrying out the day-to-day operations of all things related to Development Impact Fees. She calculates and assesses DIFs on all new construction, audits developer constructed public infrastructure projects, monitors developer credits, and updates DIF rates annually. Connie holds a Master's in Public Policy from Stanford University, with a focus on Urban Policy.

Donavan Finn, Assistant Professor, Stony Brook University School of Marine and Atmospheric Sciences, Stony Brook, NY
Dr. Finn teaches courses in the Sustainability Studies Program's Environmental Planning, Policy and Design major. Trained as an urban planner, Dr. Finn has worked as a community planner in East St. Louis, IL with the University of Illinois ESLARP center, and consulted with local governments in Illinois and Missouri on growth management and sustainable development policy while a research associate at the University of Illinois LEAM laboratory. His current research focuses primarily on sustainability and resiliency planning in the New York region and the role of public participation in effective planning outcomes. He also works regularly with non-profit organizations and local governments in New York City and Long Island on issues of sustainability, resilience, and public participation. Prior to Stony Brook, Dr. Finn taught courses in urban

planning, urban policy and sustainable design at Hunter College (City University of New York) and The New School in New York City.

Byron Flagg, Land Use Attorney, Miami, FL

Byron Flagg is a Florida land use and environmental attorney. He helps clients navigate through legal issues involving the use of land, water, and natural resources. Byron practices mainly in South Florida but works on matters throughout the State of Florida. He earned both his J.D. degree and LL.M. degree in Environmental Law & Land Use Law from the University of Florida focusing on local government law, Florida's "Community Planning Act" and Florida's growth management policies. He focuses on representing businesses, local governments, individuals, and non-profit organizations on matters including development projects, environmental permitting, comprehensive planning, coastal projects, sovereign submerged lands issues, FEMA floodplain issues, wetland issues, and conservation easements. Prior to entering private practice, Byron was an Assistant General Counsel for the St. Johns River Water Management District (a state agency that regulates water resources and wetland impacts across 18 counties) and is a former Florida assistant state prosecutor.

Julian Juergensmeyer, J.D., Professor of Law, Georgia State University, Atlanta, GA

With Professors Nicholas and Nelson, Professor Juergensmeyer is co-author of A Practitioners' Guide to Impact Fees; Impact Fees – Principles of Proportionate-Share Facility Financing; and A Guide to Impact Fees and Housing Affordability. Professor Juergensmeyer has also provided the legal rationale for adopting hundreds of impact fees nationally including serving as an expert witness for many. Julian is Professor of Law and Ben F. Johnson Jr. Chair in Law, Georgia State University, College of Law. He is also Adjunct Professor of City and Regional Planning, Georgia Institute of Technology, and Emeritus Affiliate Professor of Urban and Regional Planning, University of Florida. He has his law degree from Duke University.

Nilgün Kamp, AICP, Tindale Oliver, Tampa, FL

Ms. Kamp is the Director of Public Finance and Infrastructure Planning Group for Tindale Oliver and has more than 25 years of experience in public finance and infrastructure planning projects. Her experience includes impact fee, in-lieu fee, assessment, and user fee studies, financial projections, and economic impact analysis. In addition, she has managed various infrastructure planning studies, such as those for schools, fire/EMS stations, convention centers, stadiums, arenas, etc.

Patrick W. Krechowski, Esq., Jimerson Birr, P.A., Jacksonville, FL

Patrick W. Krechowski is a partner with Jimerson Birr in Jacksonville, FL. Patrick is Board Certified by The Florida Bar in City, County and Local Governmental Law and has been practicing for over 21 years. Patrick has represented state agencies, local governments and Fortune 500 Companies throughout his career in the areas of real estate, land use, environmental and government affairs. Patrick began his career with Florida's Attorney General's Office, has held positions at both the Florida Department of Environmental Protection and the St. Johns River Water Management District, and is the former City Attorney for the City of Neptune Beach. Patrick is also a published author, a frequent conference speaker and a former adjunct law professor.

John Travis Marshall, Assistant Professor of Law, Georgia State University, Atlanta, GA
Before entering the Ivory Tower, Professor Marshall was an in-the-trenches municipal attorney often tasked with defending impact fees, not to mention development permitting decisions of local government. Professor Marshall is co-editor of a forthcoming book with the modest title: How Cities Will Save the World.

Dwight H. Merriam, FAICP, Lawyer and Land Use Planner, Weatogue, CT
Dwight Merriam is a Fellow in the American College of Real Estate Lawyers, a Fellow and Past President and of the American Institute of Certified Planners, and Past Chair of the ABA Section of State and Local Government Law. He has published over 200 articles and 13 books, including co-editing the treatise Rathkopf's *The Law of Zoning and Planning*. UMass BA (cum laude), UNC MRP, and Yale JD.

Clancy Mullen, Principal, Duncan Associates, Austin, TX
Clancy has been the primary author of most of the firm's impact fee studies since joining Duncan Associates in 1989. In addition to over 300 studies for cities and counties from coast to coast, he has also prepared studies for the Florida Department of Community Affairs, the Hawaii Department of Education, the Louisiana Department of Transportation, the Maryland-National Capitol Park and Planning Commission, and the Minnesota Department of Agriculture. Prior to joining Duncan Associates, Clancy served as a zoning planner for the City of Austin, Texas. Clancy is a frequent conference speaker on impact fees, and is a founding and current member of the Board of Directors of the Growth & Infrastructure Consortium. He was a National Merit Scholar at Rice University and has a master's degree in community and regional planning from the University of Texas at Austin.

Arthur C. Nelson, Ph.D. FAcSS, FAICP, Professor, University of Arizona, Tucson, AZ
Chris Nelson is Professor of Urban Planning and Real Estate Development, University of Arizona, and Presidential Professor Emeritus, University of Utah. Professor Nelson has conducted pioneering research in public finance, development policy, smart growth, economic development, and metropolitan development patterns. He has written nearly 30 books and 150 refereed articles plus more than 300 other works. Prior to academia, Dr. Nelson managed his own West Coast consultancy in planning and management. In 2000, his professional planning, education, and research accomplishments were recognized with election to the College of Fellows of the American Institute of Certified Planners. In 2017, he became a Fellow of the Academy of Social Sciences (FAcSS) making him the only person to hold the highest distinction in both an academic field and a professional one. Dr. Nelson's current work focuses on how demographic economic forces along with shifts in housing preference will reshape America's metropolitan areas for the rest of this century.

James C. Nicholas, Professor Emeritus, University of Florida, Gainesville, FL
Jim was involved in the advent of impact fees in Florida in the 1970s and has been involved ever since. In addition to teaching and writing on the subject, Dr. Nicholas continues to consult to local governments in Florida and elsewhere on impact fee calculation and implementation issues. He is an expert in natural resource and land use management, Florida growth management legislation, urban land economics, urban and regional planning and environmental and urban problems. Jim is Professor Emeritus of Urban & Regional Planning and Affiliate Professor of Law, University of Florida, Gainesville, Florida, 1985 to 2012. He was 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. He has a Ph.D. in Economics from the University of Illinois.

Amy Patterson, Director, Capital Project Planning, Impact Fees and Program Management Division, Collier County, FL
Ms. Patterson has more than 19 years of experience in administering a large impact fee program including level of service analysis, credit agreements, alternative calculations, impact fee studies, and affordable housing and economic development incentives. In addition, Ms. Patterson oversees the Transportation Planning section; Coastal Zone Management, including all major inlet maintenance and dredging projects and beach re-nourishment; Stormwater Management, including both planning and capital construction; and the Pollution Control section.

Jonathan B. Paul, AICP, Principal, NUE Urban Concepts, Gainesville, FL
Jonathan has over 20 years of land use, transportation planning and impact/mobility fee experience. He has a Master's in Planning from the University of Florida and a Master's in Public Administration from the University of South Florida. Jonathan has over 10 years' experience administering the Impact Fee programs for Alachua and Sarasota Counties and has a continuing service contract with Sarasota to assist in administering and updating their 7 Impact Fees and Mobility Fee. He also has 10 years' experience managing the transportation concurrency programs in Hillsborough and Alachua Counties. Jonathan is the lead land use and transportation planner for the Celebration Pointe Transit Oriented Development in Gainesville. He has also completed a number of detailed traffic impact analysis for private developments and impact and mobility fee studies for local government. He is currently working with communities throughout Florida developing Mobility Plans and Mobility Fees.

Craig Richardson, Director, Clarion Associates, Chapel Hill, NC
Craig Richardson is a Director in the North Carolina office. A planner and attorney, he works principally in the areas of zoning, growth strategies, infrastructure finance, and affordable housing mitigation. In his 30-year career, he has successfully led numerous award-winning comprehensive development code updates for dozens of large and small cities and counties around the country; designed and drafted over 100 impact fee regulations in 12 states; designed and implemented comprehensive affordable housing mitigation programs for some of the nation's premier destination resort communities; and successfully led award-winning regional growth strategies. He is a frequent speaker at national, regional, and state planning conferences.

Andrew Rheem, Senior Manager, Raftelis Financial Consultants, Denver, CO
Rate and impact fee consultant since 2003. Andrew served as the project manager for a variety of impact fee related projects throughout Arizona, Colorado, Utah, and Montana and non-utility impact fee studies for communities throughout Arizona and Colorado. Andrew has managed utility financial plan, bond feasibility, cost of service and rate studies for municipalities throughout Arizona, Colorado, Texas, New Mexico, Utah and Montana. Andrew received a BBA in Finance from the University of Michigan. Andrew served as the 2018 Conference President and is a current GIC Board member.

Jonathan Slason, PE, Director of Future Mobility Planning, RSG, Burlington, VT
Jonathan Slason has extensive experience on alternative funding methods such as impact fees and multimodal transportation planning. He is a friend of the ABE10 Revenue and Finance TRB committee and participates in the national Growth and Infrastructure Consortium (formerly the National Impact Fee Roundtable). Jonathan has degrees in economics and civil engineering providing a valuable combination of skills to develop municipal impact fees. Recent impact fee projects include: St. Albans Impact Fees, City of Jacksonville (FL) Mobility Fees, a pilot for the first transportation improvement district for VTrans around Exit 12 Williston; Town of Essex Sidewalk Impact Fee, City of South Burlington Transportation Impact Fees (ongoing), City of South Burlington Public Facilities Impact Fees (ongoing), Town of Williston Transportation Impact Fees (ongoing), and City of Winooski Transportation Impact Fees (ongoing).

Tyson Smith, AICP, Esq, White & Smith Planning and Law Group, Charleston, SC
Tyson Smith is an attorney and planning consultant with White & Smith, where his practice includes impact fee development, adequate public facilities systems, military planning projects, and other land use areas. Mr. Smith speaks extensively and has published on these topics, as well.

Jessie Spradley, Government Affairs Director, NE FL Builders Association, Jacksonville, FL
Jessie Spradley is the Government Affairs Director for the Northeast Florida Builders Association, a position he has held since 2013. An advocate for affordable housing and property rights, Jessie works at the state and local level to ensure access to housing for all. Prior to joining NEFBA, Jessie spent six years with the Florida House of Representatives as an Aide to Representatives Charles McBurney. Outside of work, Jessie serves his community has a board member of the Jacksonville Small and Emerging Business (JSEB) Advisory Committee and is active in the St. Johns Riverkeepers, Jaycees, and Urban Land Institute. Jessie Spradley lives in Jacksonville Beach with his wife Nicole and son JD.

Steven A. Tindale, P.E., FAICP, President, Tindale Oliver, Tampa, FL
Steve is the President & Chief Executive Officer for Tindale Oliver. With almost 50 years of professional experience, his primary work over the last 30 years has involved public infrastructure plans and finance studies and their implementation. He also has written papers on fee methodologies and introduced new concepts. With his background as the Public Works Director for the City of Tampa, he has an in-depth understanding of operating budgets and capital infrastructure programs.

Jason Utley, Planner, Sarasota County Public Works, Sarasota, FL
Jason is a Planner with Sarasota County responsible for day-to-day impact fee administration and transportation planning. Jason is a graduate of the University of Tennessee specializing in geography. Mr. Utley has over 15 years planning and project management experience and has worked with the Southwest Florida Regional Planning Council and Manatee County.

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Sam is a communications and outreach strategist, with more than 25 years of experience conducting public outreach in the areas of water, energy and recycling. Sam has assisted water utilities with branding, reputation and crisis management, as well as the execution of communications strategies to ensure positive positioning for rate increases, acquisitions, capital projects and change management.

Vanessa Waller, Consultant, Raftelis Financial Consultants, Charlotte, NC

After completing my Master of Environmental Management degree in Water Management at Duke University, Ms. Waller joined Raftelis. She has completed utility rate models, bond feasibility studies, and system development fee studies since joining the firm about a year ago. Prior to joining Raftelis, Ms. Waller worked as a clean water supply intern for American Rivers, as a research and support assistant at the Duke River Center, and as a membership intern for the US Green Building Council. She has a Master of Environmental Management, Water Resources Management from Duke University and a B.A. in Environmental Studies from Principia College.