Table of Contents

For

Audit Advisory Board Meeting

Letters, Handout's, and Attachments

Page 1-2……Email from Don Herz to StarTran Advisory Board with attached letter from Michael Justus to StarTran Advisory Board

Page 3-7……Email from Mitch Paine Requesting Extension on Deadline

Page 8…….Letter from Michael Justus to StarTran Advisory Board Declining Extension Request

Page 9-10……Letter from Kim Phelps to Michael Justus and Audit Advisory Board regarding input on StarTran RFP

Page 11…….City of Lincoln, Engineering services Statement of Revenues, Expenditures, and Changes in Fund Balances for Five Year History

Page 12…….City of Lincoln, Engineering Services Balance Sheet and Five Year History

Page 13-29….Handout of Chapter 27.82 Relating to Impact Fees

Page 30-45…..Handout of Impact Fees: 101

Jamie Phillips

From: Don R. Herz
Sent: Thursday, April 07, 2011 12:27 PM
To: 'bbrasch@centerforpeopleinneed.org'; 'debby@centerllc.com'; 'John@JohnBaylorTestPrep.com'; 'kphelps1@unl.edu'; 'kgeorge@woodsaitken.com'; 'speilaw@inebraska.com'; Mitch Paine
Cc: Larry D. Worth; Marcee Brownlee; Vince Mejer; Robert L. Walla; Scott J. Tharnish; Rick D. Hoppe; Peggy Tharnish; Jamie Phillips; Barbara Arendt; Gerry Finnegan; Jason Christenson; Jim Mastera; Mike Justus; Todd Blome
Subject: StarTran review
Attachments: Transmittal Letter.pdf; StarTran Draft RFP.pdf

Dear StarTran Advisory Board Members,

Attached is a letter from Mike Justus, Chair of the City Audit Advisory Board, and a draft Request For Proposal (RFP).

You can send any comments or questions to me and I will ensure that they are forwarded to the Audit Board. Please note Mike's request for any input by April 19th.

Thank you for your assistance.

Don Herz
Finance Director
City of Lincoln
555 South 10th Street, Room 103
Lincoln, NE 68508
Office: 402-441-7411
Cell: 402-440-6070
Fax: 402-441-8325
Email: dherz@lincoln.ne.gov

Original

COPY

CITY OF LINCOLN
NEBRASKA

Finance Department
Don Herz, Director
555 South 10th Street
Suite 103
Lincoln, Nebraska 68508

402-441-7411
fax: 402-441-8325

MAYOR CHRIS BEUTLER

lincoln.ne.gov

LINCOLN
The Community of Opportunity

April 7, 2011

Star Tran Advisory Board
710 J Street
Lincoln, NE 68508

Dear Chairperson Phelps and members of the Board:

The City Council has asked the Audit Advisory Board to conduct an assessment of Star Tran's service delivery model and efficiency. As a part of that assessment, we are requesting the following from the Advisory Board:

1. The marketing plan currently in use by Star Tran. If there is NOT a comprehensive plan, we would appreciate a high level overview of the Board and management's strategies.
2. The Council asked that we determine, "the characteristics and needs of the Star Tran's clients." As a part of that process could you identify the information related to Star Tran users currently available and used by the Board? Additionally, what survey tools are currently in place and used on a regular basis? Is there an overall plan for gathering client information?
3. Attached is the current RFP being developed. We would appreciate your thoughts, additions, deletions and corrections to the document.

As you are aware, one of reasons for the Council request is to save money during the budget process. Since time is of the essence, we would appreciate the courtesy of a response by April 19, 2011.

Thank you in advance for your input. We look forward to your response.

Sincerely,

Michael Justus
Chairperson City Audit Advisory Board

Cc: Larry Worth, Transit Manager
Don Herz, Finance Director

Jamie Phillips

From: Mike [mdjustus@aol.com]
Sent: Tuesday, April 12, 2011 1:41 PM
To: Don R. Herz; Jamie Phillips
Subject: Fwd: StarTran review

Don,
can you poll the Committee. Since we can't impact the budget, I am fine with this two weeks. But lets see what the group wants to do.

-----Original Message-----
From: Mitch Paine <MPaine@lincoln.ne.gov>
To: Don R. Herz <dherz@lincoln.ne.gov>; Mike Justus <mdjustus@aol.com>
Cc: Larry D. Worth <lworth@lincoln.ne.gov>; Marcee Brownlee <mbrownlee@lincoln.ne.gov>; Vince Mejer <vmejer@lincoln.ne.gov>; Robert L.Walla <rwalla@lincoln.ne.gov>; Scott J. Tharnish <stharnish@lincoln.ne.gov>; Rick D. Hoppe <RHoppe@lincoln.ne.gov>; PeggyTharnish <ptharnish@lincoln.ne.gov>; Jamie Phillips <jphillips@lincoln.ne.gov>; Barbara Arendt <barbara@inebraska.com>; GerryFinnegan <FIN1201@aol.com>; Jason Christenson <Jason.christenson@twomen.com>; Jim Mastera <jim@masterahome.com>; Todd Blome <tblome@bmgcpas.com>; 'bbrasch@centerforpeopleinneed.org' <bbrasch@centerforpeopleinneed.org>; 'debby@centerllc.com' <debby@centerllc.com>; 'John@JohnBaylorTestPrep.com' <John@JohnBaylorTestPrep.com>; 'kphelps1@unl.edu' <kphelps1@unl.edu>; 'kgeorge@woodsaitken.com' <kgeorge@woodsaitken.com>; 'speilaw@inebraska.com' <speilaw@inebraska.com>
Sent: Tue, Apr 12, 2011 10:32 am
Subject: RE: StarTran review

Don and Mike,
I would request that the StarTran Advisory Board be given until May 3rd to respond as we have a Board meeting on April 28th.

Since this is a big issue on the table for us, I would request that we have an appropriate amount of time to discuss this at our April 28th Board meeting.

Thank you,
Mitch

Mitch Paine
Sustainability Associate
City of Lincoln Mayor's Office
555 S. 10th Street
Lincoln, NE 68508
office: (402) 441-8270
cell: (402) 430-7942
mpaine@lincoln.ne.gov

CLEANER GREENER LINCOLN
MAYOR CHRIS BEUTLER

Response to RFP relating to StarTran efficiencies

Mitch Paine, member StarTran Advisory Board

1.2 "The major objectives of these Analyses are to:" – major objectives of the deliverables or the process of conducting these analyses?

1.2.2 What is meant by "plan for current and future revenue stability"? Does this mean, "given current and future revenue stability, how does StarTran operate most efficiently?" Is the assumption here that there will be future revenue stability?

2.1.1 "It is our mission [...]" should be "It is StarTran's mission [...]"

2.3 Should mention in here that StarTran plays a role in transporting UNL students. Might mention the relationship between StarTran and the University Transit services. Adds another layer of activity that is both important to StarTran and the University community.

2.4.8 Add this section to say, "StarTran Advisory Board is made up of 7 individuals appointed by the Mayor and approved by City Council serves a role in examining and making decisions and advising on routes and fares to the Transit Manager."

3.2.3 Should include a final detailed report presented to the StarTran Advisory Board as well.

5.2 "Define an appropriate marketing approach." What does this mean? I sense underlying assumptions that don't reflect objectivity. These assumptions might include a broad generalization that the marketing system does not work. There is no basis for this broad generalization and assumption implied in this section.

6 "Determine if StarTran is serving its clients effectively and efficiently." What is a "client"? StarTran is a public agency within the city of Lincoln – its clients are EVERY Lincoln resident.

6.2 Add a section that includes an economic impact analysis on having a bus system in Lincoln. How does StarTran add economic value to the city? Is it best serving the economic development priorities of the city and could it more effectively serve those?

7 "Review StarTrans [...]" should read "Review StarTran's [...]"

8 How is "Transit Authority" defined? Multiple variations and models of a "transit authority" that could be considered and the RFP does not indicate whether a particular model should be examined or all possible models.

8.1 What does the noun "us" refer to?

9 This is not appropriate to include in an RFP. This would be appropriate for the discussion stage and the actual analysis stage, but not to be included in an RFP. Does not add any "evaluation requirements," simply states views of "various City and private citizens." These "recommendations" are directly pertinent to the StarTran Advisory Board and were not generated nor reviewed by the StarTran Advisory Board.

9.1 What does the term "City" refer to in the sentence, "Following is a list of recommendations that various City and private citizens have developed:"? I would clarify the term "City" and amend to read, "Following is a list of recommendations that a few City and private citizens have developed, without asking for public input or the input of a variety of community groups:"

10.5 Include "StarTran Advisory Board" in the list of duties and responsibilities set out in the LMC.

11 StarTran Advisory Board needs to be a part of the Review team.

General comments:

- No analysis is included of external factors that affect the efficiency and effectiveness of StarTran.
- Should a qualifying factor of determining the contractor be "knowledge of transit agencies, transit planning, and transit management?" The RFP is unclear about the entity that is intended to conduct this analysis. Is the intent that the entity be accounting-based, audit-based, or transit-planning-based?
- No mention of the TDP anywhere. I would like to see something that acknowledges the existence of the TDP and builds upon the research already conducted.
- No discussion of public input processes.
- Overall objectivity of the RFP is in question.

COPY

Finance Department
Don Herz, Director
555 South 10th Street
Suite 103
Lincoln, Nebraska 68508

402-441-7411
fax: 402-441-8325

MAYOR CHRIS BEUTLER

lincoln.ne.gov

LINCOLN
The Community of Opportunity

April 14, 2011

Star Tran Advisory Board
710 J Street
Lincoln, NE 68508

Dear Chairperson Phelps and members of the Board:

We received the email request from Mitch Paine to extend the deadline from April 19th to May 3rd for receiving comments from the StarTran Advisory Board. The Audit Advisory Board was polled to determine if the extension was appropriate. The Board has decided to decline extending the timeline.

The City Council has expressed to us directly their concern that this process not be extended anymore than was absolutely necessary. The information we requested in our April 7th letter regarding marketing and survey tools should be part of existing documents the Board and management use regularly. If it is not, it likely does not exist and there is no need to extend the timeline.

We have already received comments on the RFP and look forward to any other comments the members would like to make.

Sincerely,

Michael Justus
Chairperson City Audit Advisory Board

cc: Larry Worth, Transit Manager
Don Herz, Finance Director

CITY OF LINCOLN
NEBRASKA
MAYOR CHRIS BEUTLER
lincoln.ne.gov

StarTran
Public Works and Utilities Department
710 "J" Street
Lincoln, Nebraska 68508
402-441-7185
fax: 402-441-7055

April 18, 2011

Michael Justus
Chairperson
City Audit Advisory Board
c/o City of Lincoln Finance Department
555 So. 10th Street, Suite 103
Lincoln, NE 68508

Dear Chairperson Justus and Members of the City Audit Advisory Board:

I am providing the following in response to your April 7, 2011 request for Star Tran Advisory Board input related to the Star Tran assessment RFP and related information:

- A copy of the most recent StarTran marketing plan, covering the current fiscal year ending August 31, 2011.

- The most recent general StarTran rider survey, conducted in 2007 as a part of the City of Lincoln's Transit Development Plan. The Center for People in Need conducts an annual survey of its clientele, many of whom are patrons of StarTran. Results of their surveys are published in the Face of Poverty Today Reports available at the following website: http://centerforpeopleinneed.org/faces/agency-surveys

- The following Advisory Board member comments and observations about the draft Request for Proposals furnished to the Board earlier this month.

General RFP Concerns and Suggestions

One Board member expressed a concern that the RFP doesn't address the possibility of a private-public venture. The RFP should specifically include language that directs those who perform the audit to look at how making the bus system private (with a city subsidy) would save money.

Another Board member felt that Section 9 includes recommendations from certain members of the Advisory Board, but not all Advisory Board member opinions were solicited or included in Section 9: Additional Evaluation Requirements. It is highly recommended that all members of the Advisory Board have an opportunity to voice suggestions and areas for improvement prior to the finalization of this RFP.

I am also including a copy of the comments Don Herz received directly from Mitch Paine, a member of the StarTran Advisory Board.

LINCOLN
The Community of Opportunity

On behalf of the Advisory Board, I would like to request your assistance in providing a final draft of the RFP to each member prior to its distribution, with an opportunity for final comments. This will help to assure that the final product reflects a collaborative effort by our respective Boards.

Let me know if you have any questions.

Sincerely,

Kim Phelps by Fajt

Kim A. Phelps
Chair, StarTran Advisory Board

cc Beatty Brasch
John Baylor
Kory George
Debby Brehm
Stephen Speicher
Larry Worth, Transit Manager
Don Herz, Finance Director

Enclosures (StarTran Marketing Plan 2010-2011, TDP Excerpt: Rider Survey Results, Mitch Paine RFP Comments)

CITY OF LINCOLN, NEBRASKA
STATEMENT OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCES
ENGINEERING SERVICES
FIVE YEAR HISTORY

	2010	2009	2008	2007	2006
Operating Revenues					
Permits & Fees	294,312	765,438	1,153,740	1,013,162	923,169
Intergovernmental Income	2,823	6,388	15,210	15,178	13,293
Finance Charges/Late Fees		8,116	23,105	146	
Rental Income	12,521	7,069			
Reimbursement For Services	254,053	552,385	731,742	1,012,257	846,740
Miscellaneous Sales	110,072	165,091	170,208	84,427	96,542
Private Sector Share of Projects	66,137	62,385	53,856	65,918	
Water/Wastewater Share of Projects	84,809	145,064	99,997	109,129	69,503
Miscellaneous Commissions/Claims	232	10	25,008	49,538	797
Intragovernmental Revenue	5,841,480	4,822,562	4,843,199	4,039,079	4,306,647
General Fund Reimbursement	203,410	233,725	409,990	195,795	341,580
Total Revenues	6,869,849	6,768,233	7,526,055	6,584,629	6,598,271
Operating Expenses					
Salaries & Fringes	5,747,693	5,779,376	6,014,194	6,052,668	5,868,749
Other Operating Supplies	24,698	19,387	26,064	33,566	50,727
Repair & Maintenance Supplies	3,426	2,787	2,917	5,275	6,721
Small Tools & Minor Equipment	6,198	7,642	6,068	5,412	6,862
Miscellaneous Contractual Services	267,779	256,056	239,289	291,000	411,171
Travel & Mileage	157,888	135,106	160,792	180,557	194,582
Printing & Copying	12,629	13,073	15,328	23,471	25,321
Insurance	21,510	23,994	22,279	16,728	14,711
Utilities	85,691	90,551	73,343	87,575	86,590
Equipment Maintenance	69,612	71,061	57,578	79,116	85,314
Rentals	221,194	204,452	215,727	196,018	173,046
Other Miscellaneous Services	162,646	197,717	177,371	213,318	143,850
Capital Outlay	47,237	80,144	208,077	138,009	18,517
Depreciation	31,236	33,520	65,345	60,165	61,549
Total Operating Expenses	6,859,437	6,914,866	7,284,372	7,382,878	7,147,710
Operating Income (Loss)	10,412	(146,633)	241,683	(798,249)	(549,439)
Nonoperating Revenues (Expenses)					
Investment Earnings	8,156	14,264	6,531	8,959	12,440
Gain (Loss) On Disposal of Assets	(14,923)	(429)	2,050	751	1,399
Grants				154,628	183,740
Total Nonoperating Revenues (Expense	(6,767)	13,835	8,581	164,338	197,579
Income (Loss) Before Contributions and Transfers	3,645	(132,798)	250,264	(633,911)	(351,860)
Transfers In (Out)	829	(10,000)	372,726	366,382	49,391
Change in Net Assets	4,474	(142,798)	622,990	(267,529)	(302,469)
Net Assets (Deficits) - Beginning	(335,509)	(192,711)	(815,701)	(548,172)	(245,703)
Net Assets (Deficits) - Ending	$ (331,035)	(335,509)	(192,711)	(815,701)	(548,172)

CITY OF LINCOLN, NEBRASKA
ENGINEERING SERVICES BALANCE SHEET
FIVE YEAR HISTORY

		2010	2009	2008	2007	2006
ASSETS						
Current Assets:						
Cash and Cash Equivalents	$	136,297	71,773	146,994	21,407	46,453
Investments		364,804	170,251	475,350	77,111	226,185
Receivables, (Net of Allowance for Uncollectibles)						
Accounts		82,721	231,047	261,865	359,157	28,786
Accrued Interest		3,587	1,861	275	155	2,045
Due from Other Funds		47,087	16,665	43,682	8,560	38,692
Due from Other Governments		649	2,364	5,291	8,137	97,150
Prepaid Expenses		63,170	40,847	39,138		
Total Current Assets		698,315	534,808	972,595	474,527	439,311
Noncurrent Assets:						
Capital Assets:						
Land						
Buildings						
Improvement Other Than Buildings		693,733	693,733	693,733	693,733	693,733
Machinery and Equipment		412,960	467,491	474,757	477,130	450,176
Less Accumulated Depreciation		(988,852)	(997,224)	(977,495)	(914,524)	(873,466)
Total Capital Assets, Net		117,841	164,000	190,995	256,339	270,443
Total Assets		816,156	698,808	1,163,590	730,866	709,754
LIABILITIES						
Current Liabilities:						
Accounts Payable		26,878	11,006	13,370	6,194	73,864
Accrued Liabilities		165,941	141,696	310,205	262,343	111,178
Accrued Compensated Absences		331,528	317,439	315,300	347,644	321,896
Due to Other Funds		30,636	16,552	16,862	13,608	17,787
Due to Other Governments		882	92	295	121	92
Unearned Revenue		144,509	129,554	332,455	595,059	559,522
Total Current Liabilities		700,374	616,339	988,487	1,224,969	1,084,339
Noncurrent Liabilities:						
Accrued Compensated Absences		386,202	395,978	358,569	321,598	173,587
Accrued Liabilities		60,615	22,000	9,245		
Total Noncurrent Liabilities		446,817	417,978	367,814	321,598	173,587
Total Liabilities		1,147,191	1,034,317	1,356,301	1,546,567	1,257,926
NET ASSETS						
Invested in Capital Assets		117,841	164,000	190,995	256,339	270,443
Unrestricted		(448,876)	(499,509)	(383,706)	(1,072,040)	(818,615)
Total Net Assets (Deficits)	$	(331,035)	(335,509)	(192,711)	(815,701)	(548,172)

Chapter 27.82

IMPACT FEES

Sections:

27.82.010	**Short Title, Authority and Applicability.**
27.82.020	**Legislative Findings and Purpose.**
27.82.030	**Intent.**
27.82.040	**Definitions.**
27.82.050	**Imposition of Impact Fees.**
27.82.060	**Exemptions From Impact Fees.**
27.82.070	**Impact Fee Funds.**
27.82.080	**Refunds of Impact Fees Paid.**
27.82.090	**Post-Ordinance Developer Agreements Regarding Impact Fee Facilities.**
27.82.100	**Developer Reimbursement for Pre-Ordinance Participation in Financing or Construction of Impact Fee Facilities.**
27.82.110	**Miscellaneous Provisions.**
Appendix 1	**Downtown/Antelope Valley Arterial Street Fee Exclusion Area Map**
Appendix 2	**Water Distribution Impact Fee Benefit Areas Map**
Appendix 3	**Arterial Street Impact Fee Benefit Areas Map**
Appendix 4	**Neighborhood Park & Trail Impact Fee Benefit Areas Map**

27.82.010 Short Title, Authority and Applicability.

(a) This ordinance may be known and cited as the "Impact Fee Ordinance," and is referred to herein as "this ordinance."

(b) This ordinance is enacted pursuant to the authority granted to the City by the Constitution of the State of Nebraska, the Nebraska revised statutes, and the City's home rule charter.

(c) The provisions of this ordinance shall apply to all of the territory within the corporate limits of the City. (Ord. 18113 §1; January 13, 2003).

27.82.020 Legislative Findings and Purpose.

The City Council of Lincoln, Nebraska finds that:

(a) Both population and employment within the City are growing, and are creating demands for new residential and nonresidential development.

(b) New development within the City is creating additional demand and need for public facilities, including water and wastewater systems, arterial streets, and neighborhood parks and trails. The Comprehensive Plan's land use assumptions indicate that new development will continue and will place ever increasing demands on the City to provide such facilities.

(c) The protection of the health, safety, and general welfare of the citizens of the City requires that the public facilities of the City be expanded to meet the demand of new development for public facilities.

(d) Under the City's current laws, taxes, fees, utility charges, and other forms of revenue generated from new development do not generate sufficient funds to provide those public facilities required to serve the new development.

(e) It is only proper that those property owners who benefit by the expansion of public facilities for new development should bear their proportionate share of the cost of that expansion.

(f) The creation of an equitable impact fee system would enable the City to impose a more proportionate share of the costs of required improvements to the water and wastewater systems, arterial streets, and neighborhood parks and trails on those developments that create the need for them.

(g) All types of development that are not explicitly exempted from the provisions of this ordinance will generate demand for the types of facilities for which impact fees are being imposed pursuant to this ordinance.

(h) The Lincoln Impact Fee Study prepared by Duncan Associates dated October 2002 sets forth reasonable methodologies and analyses for determining the impacts of various types of development on the City's public facilities, and for determining the cost of acquiring land and the cost of acquiring or constructing facilities and equipment necessary to serve new development.

(i) The assumptions and service standards referenced in the Lincoln Impact Fee Study are those used by the City in evaluating the need to expand or construct public facilities.

(j) The impact fees described in this ordinance are based on the Lincoln Impact Fee Study, and do not exceed the costs of acquiring additional land and the costs of acquiring or constructing additional facilities or equipment required to serve the new developments that will pay the fees.

(k) The types of improvements to each type of public facility considered in the Lincoln Impact Fee Study will benefit all new development in the City, and it is therefore appropriate to treat the entire City as a single service area for purposes of calculating the impact fees for each type of facility. However, the service area may be divided into multiple benefit areas in order to show a greater link between fees paid and benefit received.

(l) It is in the public interest and consistent with the Comprehensive Plan and other public policies of the City to promote the construction and preservation of Low Income Housing and therefore impact fees should be waived in whole or part for such development.

(m) The City recognizes that new development in certain areas of the City was previously approved and regulated on a case-by-case basis by agreements between the City and the developer wherein the City and the developer made individualized determinations of the projected impact full development and operation of the property would have on the City's arterial streets, water or wastewater facilities, and neighborhood parks and trails and agreed upon the necessary improvements to be paid for and/or constructed by the developer as said developer's proportionate share of the cost of providing public facilities for the proposed development. Therefore, the City finds that impact fees should be categorically waived for those specific types of impact fee facility improvements which were paid for or constructed by such developers under said agreements.

(n) There is both a rational nexus and a rough proportionality as required by *Nollan v. California Costal Commission*, 483 U.S. 825 (1987) and *Dolan v. City of Tigard*, 512 U.S. 374 (1994) between the development impacts created by each type of development covered by this ordinance and the impact fees that such development will be required to pay.

(o) There is a reasonable relationship or nexus as required by *Simpson v. City of North Platte,* 206 Neb. 240, 292 N.W.2d 297 (1980) between the development impacts created by each type of development covered by this ordinance and the impact fees that such development will be required to pay.

(p) This ordinance creates a system by which impact fees paid by new developments will be used to expand or improve the type of public facility for which the fee was paid, so that the new development that pays each fee will receive a corresponding benefit within a reasonable period of time after the fee is paid.

(q) This ordinance creates a system under which impact fees will not be used to cure existing deficiencies in public facilities; nor used for their maintenance and operation.

(r) The City recognizes that under Nebraska law the power of eminent domain is superior to the zoning power and that the City, under its zoning authority, is not permitted to prevent or place limitations upon a public use of property in the furtherance of which a governmental entity has been granted condemnation power by the State Legislature. Therefore, the City finds that impact fees cannot be collected for governmental projects for the construction of which the agency in question has the power to condemn or appropriate lands by eminent domain.

(s) Under the legislative findings in the Nebraska Housing Agency Act (*Neb. Rev. Stat.* §§ 71-1572 to 71-15,168 (2000 Cum. Supp.) the Nebraska Legislature declares that there exists in this state a shortage of residential housing that is decent, safe, sanitary, and affordable to persons of low and moderate income which cannot be remedied by the ordinary functioning of private enterprise alone; that the provision of such affordable housing is a public purpose which can best be carried out by affording local housing agencies the necessary powers to enable them to carry out their purposes. Under the Act, a local housing agency is declared to be a political subdivision of the State and is granted the power to condemn property for the purpose of providing affordable housing subject to local planning, zoning, and building codes. The Housing Authority of the City of Lincoln was established by the City in 1946 and is a local housing agency under the Act and as such is subject to the City's zoning regulations. However, the Act encourages intergovernmental cooperation between the Housing Authority of the City of Lincoln and the City and specifically authorizes the City to grant exceptions from its zoning regulations in order to facilitate development in furtherance of the purposes of the Act. The Act further authorizes the City of Lincoln incur the entire expense of any public improvements made by the City for the purpose of aiding and cooperating with the Housing Authority of the City of Lincoln's provision of affordable housing pursuant to the Act. Therefore, in consideration of the State's policy that the City cooperate with the Housing Authority of the City of Lincoln in order to promote and facilitate the Housing Authority of the City of Lincoln's construction of decent, safe and sanitary housing which is affordable to persons of low and moderate income, all impact fees should be waived for such development.

(t) Due to the shortfall of funds necessary to address the community's existing and future public infrastructure needs, the Mayor has created the Mayor's Infrastructure Finance Committee ("Committee") to develop a comprehensive financial package in addition to impact fees that ensures maintenance of the City's existing public infrastructure and the delivery of future public infrastructure to facilitate community growth. The Committee is responsible for preparing an integrated package of recommendations for the Mayor and City Council that combines the work product of three work groups: infrastructure cost savings/efficiencies, financial options and state legislation, operating under the Committee's direction as outlined in the Mayor's Infrastructure Finance Committee: Charge to the Committee dated October 3, 2002, as the same may be amended from time to time ("Charge to the Committee"). The Charge to the Committee calls for the Committee's overall work to be completed no later than June 1, 2003. (Ord. 18113 §2; January 13, 2003).

27.82.030 Intent.

(a) The intent of this ordinance is to ensure that adequate water and wastewater systems, arterial streets, and parks and trails are available to serve new growth and development in the City of Lincoln and to regulate the use and development of land so as to ensure that new growth and development bears its proportionate share of the cost of improvements to the City's water and wastewater systems, arterial streets, and neighborhood parks and trails needed to serve such new growth and development; to ensure that the proportionate share for each type of public facility does not exceed the cost of providing that type of public facility to the new development that paid the fee; and to ensure that funds collected from new developments are actually used to construct public facilities that benefit such new developments.

(b) It is not the intent of this ordinance to collect any money from any new development in excess of the actual amount necessary to offset demands generated by that new development for the type of public facility for which the fee was paid.

(c) It is not the intent of this ordinance that any monies collected from any impact fee and deposited in an impact fee account ever be co-mingled with monies from a different impact fee account or ever be used for a type of public facility different from that for which the fee was paid.

(d) It is the intent of this ordinance to base water and wastewater impact fees on the typical usage in a new building or other facility. Extinguishing of fires is not a part of typical usage; maintaining pressure and flow to serve fire-fighting needs is a part of the system overhead that is calculated into system costs in general and should not be charged to a particular site or location. To allow adequate fire flow to sprinklers and internal hydrants at some large and at-risk properties, it may be necessary for fire protection purposes to install a larger water meter than would be necessary to meet day-to-day needs of that facility. In those cases, it is the policy of the City that the impact fee for water and wastewater should be based on the meter size needed by that facility for its typical usage, without regard to fire-flow. (Ord. 18113 §3; January 13, 2003).

27.82.040 Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

Building permit. The City permit required to erect, construct, enlarge, alter, repair, remove, convert, or demolish any building, structure, swimming pool, or parking lot pursuant to the Lincoln Building Code.

Connection. The physical tie-in of a private water or wastewater service or system to the City's public water or wastewater system.

Cost of construction. All design costs, construction costs, engineering fees, testing expenses, inspection fees, and related miscellaneous costs.

Developer. Any person or legal entity undertaking development.

Development. Any construction expansion or conversion of a building, structure or use which creates additional demand for Impact Fee Facilities, any change in use of a building or structure which creates additional demand for Impact Fee Facilities, or any change in the use of land, which creates additional demand for Impact Fee Facilities, or any connection to the City's public water or wastewater system which creates additional demand for Impact Fee Facilities.

Downtown/Antelope Valley Exclusion Area. The area established and shown on the Downtown/Antelope Valley Exclusion Area Map.

Duplex. Shall have the same meaning as two-family dwelling, as defined in section 27.03.200.

Encumber. To legally obligate by contract or otherwise commit to use by appropriation or other official act of the City.

Fee payor. That person or entity who pays an impact fee.

Gross Floor Area. The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts.

Impact Fee Administrator. The person or persons designated by the City to be responsible for administering this ordinance.

Impact Fee Facility. One or more elements of the City's water and wastewater systems, arterial streets, and neighborhood parks and trails included in the calculations of the impact fees in the Impact Fee Study.

Impact Fee Facility Improvement. Planning, engineering design, construction inspection, on-site construction, off-site construction, equipment purchases, and financing costs including the issuance of bonds or other obligations of indebtedness associated with new or expanded facilities, buildings, and equipment that expand the capacity of an Impact Fee Facility and that have an average useful life of at least fifteen (15) years, but not including maintenance, operations, or improvements that do not expand capacity. An Impact Fee Facility Improvement shall also include land acquisition for water storage reservoirs, water pumping stations, wastewater trunk lines, and neighborhood parks.

Lincoln Impact Fee Study or Impact Fee Study. The Lincoln Impact Fee Study prepared by Duncan Associates dated October 2002.

Low-to-Moderate-Income Area. An area determined by the United States Department of Housing and Urban Development (HUD) to be a low-to-moderate-income area based upon census data.

Low-to-Moderate-Income Owner-Occupied Housing. An owner-occupied unit which is sold to or built by a household whose adjusted gross income is 80% or less of the area median income adjusted for household size.

Low-to-Moderate Income Rental Housing. A tenant-occupied unit which is rented to a household whose adjusted gross income is 80% or less of the area median income adjusted for household size and which is rent restricted under local, state or federal regulations, to households whose adjusted gross income is 80% or less of the area median income adjusted for household size, and which restrictions through means of a land use restriction agreement or similar legal document runs with the property for an initial period of at least fifteen years.

Mobile home. Shall be defined as in Section 27.03.430.

Mobile home court. The use of land for sites for mobile homes not located on individual platted lots.

Multi-family. Shall have the same meaning as multiple dwelling, as defined in Section 27.03.210, except that it excludes townhouses.

Neighborhood Park and Trail Impact Fee Exclusion Area. The area established and shown on the Neighborhood Park and Trail Impact Fee Benefit Areas Map as the Existing Neighborhood Park and Trail Impact Fee Exclusion Area.

Person shall include a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer, or employee of any of them.

Present Value. The current value of past, present, or future payments, contributions or dedications of goods, materials, construction or money, taking into account when appropriate depreciation and inflation.

Qualified Professional. A professional engineer, surveyor, financial analyst or planner providing services within the scope of his license, education, or experience.

Single-family detached. A single-family dwelling, as defined in Section 27.03.190, that is not attached to any other dwelling by any means and that is the only dwelling unit on the lot. This term shall include a mobile home located on a separately platted lot.

Site-related improvements. All site specific improvements primarily planned, designed, or built to provide necessary access and service to the proposed development, including all site driveways and local and collector streets leading only to the proposed development; all traffic control devices that primarily give access to the development; acceleration/deceleration lanes and left-turn and right-turn lanes to allow turning movements into or out of the development from site driveways and local and collector streets.

Tap. The act of connecting to a public water main or public wastewater collector.

Tap fee. The permit fee required pursuant to Lincoln Municipal Code Section 17.10.040 to cover the City's cost in making the tap and of furnishing the required supply connection, water meter with meter stops, and meter couplings, and other required meter apparatus.

Townhouse. Shall have the same meaning as townhouse, as defined in Section 27.03.630. (Ord. 18324 §1; March 15, 2004; prior Ord. 18113 §4; January 13, 2003).

27.82.050 Imposition of Impact Fees.

(a) Requirement. On and after June 2, 2003 and the adoption of impact fee schedules by resolution of the City Council, any person who applies for a building permit for a development or who applies for any other permit for a development where a building permit is not required, or who seeks to engage in a development for which no permit is required, shall pay a water system impact fee, water distribution impact fee, wastewater impact fee, arterial street impact fee, and neighborhood park and trail impact fee unless the type of development described in the permit or to be engaged in is specifically exempted, waived or subsidized by this ordinance, or unless the type of development described in the permit or to be engaged in is not located in an impact fee benefit district for the above-described impact fees.

(b) Payment of Impact Fees. A person applying for any of the permits for a development listed in subsection (a) above shall pay each impact fee required by this ordinance to the Impact Fee Administrator prior to the issuance of any such permit. If the issuance of a permit is not required for the development (e.g. golf course, park, change of use, etc), then the person seeking to engage in the development shall pay each impact fee required by this ordinance prior to the occurrence of any one of the following events, whichever occurs first:

(1) Completion of any connection to the City's water and wastewater systems; or

(2) The date when any part of the development opens for business or goes into use.

No such permits shall be issued, no such connections shall be made, and no such other development shall be opened for business or allowed to go into use until each impact fee require by this ordinance has been paid.

All impact fees paid by a person pursuant to this ordinance shall be promptly deposited in the appropriate impact fee accounts described in Section 27.82.070.

(c) Calculation of Impact Fees from Impact Fee Schedules.

(1) Unless the person applying for any of the permits for a development listed in subsection (a) above or the person seeking to engage in a development for which no permit is required requests that the City determine the amount of such fee pursuant to an independent fee calculation study, the Impact Fee Administrator shall determine the amount of each required impact fee through the use of impact fee schedules adopted by the City Council.

(2) If the type of development or meter size that a permit is applied for or the type of development to be engaged in for which no permit is required is not listed in a schedule, then the Impact Fee Administrator shall use the fee applicable to the most nearly comparable type, land use, or meter size in such schedule. In the case of arterial street impact fees, decisions about what use is most nearly comparable shall be guided by the most recent edition of "Trip Generation" and the companion "Trip Generation Manual" prepared by the Institute of Transportation Engineers, or if such publications are no longer available, then by a similar publication.

(3) If the type of development or meter size that a permit is applied for or the type of development to be engaged in for which no permit is required includes a mix of those uses or meter sizes listed in a schedule, then the fee shall be determined by adding up the fees that would be payable for each use or meter size if it was a free-standing use pursuant to such schedule.

(4) If a person is applying for a permit to allow a change of use or meter size or for the expansion, redevelopment, or modification of an existing development, the fee shall be based on the net increase in the fee for the new use or meter size as compared to the previous use, provided that the previous use was in operation within fifteen years prior to the first building permit for the redevelopment.

(5) If no use was in operation on the site within the last fifteen years, the redevelopment shall be treated the same as a new development.

(6) If the proposed change of use, meter size, expansion, redevelopment, or modification results in a net decrease in the fee for the new use or development as compared to the previous use, meter size, or development, there shall be no refund of or credit for impact fees previously paid.

(7) In the case of a demolition or termination of an existing use or structure, the impact fee for future redevelopment of that site shall be based upon the net increase in the impact fee for the new or proposed land use as compared to the previous use. Credit for the prior use shall not be transferable to another location, except that if the old location was acquired by the City for use for an Impact Fee Facility and will not be redeveloped, the City will receive a credit against future impact fees equal to the impact fee that would have been assessed against the relocated use which may be transferred by the City to a community redevelopment project in another location within the same benefit area..

(8) In the case of a relocation of a use, an impact fee shall be assessed to the relocated use at its new location. Credits from the old location shall not be transferable to the new location. Future redevelopment of the old location from which the use was removed will receive a credit against the impact fee assessed equal to the impact fee that would have been assessed against the relocated use.

(d) Calculating Fees Through an Independent Fee Calculation Study.

(1) General Provisions. If in the judgment of the Impact Fee Administrator there is no comparable type, land use or meter size in such fee schedules which can be used to accurately

describe the impacts resulting from any proposed development, the person applying for a permit for such development or the person seeking to engage in such development for which no permit is required shall provide to the Administrator for the Administrator's review and evaluation an independent fee calculation prepared at City expense by a qualified professional in the preparation of an impact fee analysis. In addition, if such person elects not to have the impact fee determined according to the impact fee schedules, such person may request that the Impact Fee Administrator determine the amount of a required impact fee for the proposed development by reference to an independent fee calculation study prepared at such person's cost by a qualified professional in the preparation of such analysis. Any such study shall be based on the same service standards and unit costs for facilities used in the Impact Fee Study, and shall document the methodologies and assumptions used. Any independent fee calculation study submitted by such person may be accepted, rejected, or accepted with modifications by the impact Fee Administrator as the basis for calculating an impact fee. If such study is accepted or accepted with modifications as a more accurate measure of the demand for Impact Fee Facilities created by the proposed development than the applicable impact fee shown in the appropriate impact fee schedules, then the impact fee due under this ordinance shall be calculated according to such study.

(2) Additional Requirements for Arterial Street Impact Fee Studies. In addition to those requirements listed in subsection (d)(1) above, any independent fee calculation study submitted by a person for purposes of calculating an arterial street impact fee shall show the traffic engineering and economic methodologies and assumptions used, including but not limited to the following forms of documentation:

(i) Such studies must include documentation of trip generation rates, trip lengths, the percentage of trips from the site that represent net additions to current trips from the site (if any), the percentage of trips that are new trips as opposed to pass-by or diverted-link trips, and any other trip data for the proposed land use.

(ii) Such studies must include documentation of any special factors that such person believes will reduce the traffic volumes otherwise attributable to the proposed land uses. (Ord. 18113 §5; January 13, 2003).

27.82.060 Exemptions From Impact Fees.

(a) Exemptions From All Impact Fees. The following types of development shall be exempted from payment of all impact fees otherwise due pursuant to this ordinance:

(1) Replacement of a destroyed or partially destroyed residential building or structure with a new building or structure of the same use, and with the same number of residential units, provided that the rebuilding or replacement occurs no later than fifteen years after the demolition or removal of the previous structure.

(2) Replacement of a destroyed or partially destroyed nonresidential building or structure with a new building or structure of the same gross floor area and use, provided that the rebuilding or replacement occurs no later than fifteen years after the demolition or removal of the previous structure.

(3) Installation or replacement of a mobile home on a lot or site where all impact fees for such lot or site have previously been paid pursuant to this ordinance or where a mobile home legally existed on such lot or site on or prior to June 2, 2003.

(4) Room additions, remodeling, rehabilitation or other improvements to an existing structure, provided that there is no increase in the number of dwelling units for residential use or in the amount of gross square footage for nonresidential use.

(5) Construction pursuant to a building permit based upon a complete application filed with the City prior to June 2, 2003, provided the construction proceeds according to the terms of the building permit. If said building permit application expires, application for a new building permit shall be treated the same as a new development. A building permit application shall not be deemed to be complete until the application, together with all required attachments, information, or other accompanying documents, are filed with the City.

(6) Low-to-Moderate Income Owner-Occupied Housing; provided that:

(i) The housing unit has an initial purchase price that does not exceed the FHA mortgage limit for the Lincoln Area as determined by the United States Department of Housing and Urban Development (HUD);

(ii) The housing unit is the principal residence of an owner whose household has an adjusted gross income which is 80% or less of the area median income adjusted for household size; and

(iii) Neither the owner nor any member of the owner's household whose combined adjusted gross income is 80% or less of the area median income adjusted for household size has purchased housing which qualified for a Low-Income Owner-Occupied Housing exemption within the immediately preceding five years.

An Owner-Occupied unit which is sold to a household whose adjusted gross income is 60% or less of the area median income adjusted for a household size shall be entitled to a 100% exemption from all Impact Fees.

An Owner-Occupied unit which is sold to a household whose adjusted gross income is more than 60% but is 80% or less of the area median income adjusted for household size shall be entitled to a 50% exemption from all Impact Fees.

(7) Low-to-Moderate Income Rental Housing located outside of a low or moderate income area.

(i) A Tenant-Occupied unit which is restricted to rental to a household whose adjusted gross income is 60% or less of the area median income adjusted for household size shall be entitled to a 100% exemption from all Impact Fees.

(ii) A Tenant-Occupied unit which is restricted to rental to a household whose adjusted gross income is 80% or less of the area median income adjusted for household size shall be entitled to a 50% exemption from all Impact Fees.

(8) Development or construction by any governmental entity for which the governmental entity has the statutory power of eminent domain shall not pay any impact fees since these entities are exempt from local zoning.

(9) Development or construction by the Housing Authority of the City of Lincoln pursuant to the Nebraska Housing Agency Act.

(b) Exemptions From Specific Impact Fees. The following types of projects shall be exempted from the following types of impact fees:

(1) Development, pursuant to a written agreement or other approval between the City and a developer which was entered into prior to June 1, 2002, and which specifically included or required the participation by the developer in the financing or construction of the Impact Fee Facilities for the approved development shall be exempt from the impact fee charged for those specific types of Impact Fee Facilities the developer agreed to finance or construct in whole or in part. The Impact Fee Administrator shall determine in writing whether or not any other agreement or other approval qualifies for an exemption. The Impact Fee Administrator shall maintain a record

of the agreements or other approvals that qualify for category exemptions. A copy of said record shall be filed in the Office of the City Clerk.

Notwithstanding the above, the exemption shall not apply to any amendment, modification, or change to the approved development to allow a change of use, an increase in meter size, an increase in the amount of gross square footage for nonresidential use, or an increase in the number of dwelling units for residential use that increases the impact on the Impact Fee Facility in question. In such case, the fee shall be based on the net increase in the fee for the new use, meter size, gross square footage for nonresidential use or number of dwelling units for residential use as compared to the previous use, meter size, gross square footage for nonresidential use and number of dwelling units for residential use.

(2) Where the Bureau of Fire Prevention requires that a water meter be increased in size above that required for the ordinary usage of a building or other facility for the purposes of maintaining fireflow to internal lines, the water and wastewater fees for that building or other facility shall be based on the meter size that would be required without regard to the fireflow requirements.

(3) Any separate water meter connected only to an irrigation system and not to any building or other facility designed for human occupancy shall not be included in the calculation of the wastewater impact fee.

(4) Other types of development shall be exempted from payment of specific impact fees otherwise due pursuant to this ordinance if the person applying for a permit for such development or the person seeking to engage in such development for which no permit is required can demonstrate that the proposed land use and development will produce no additional demand for a specific Impact Fee Facility beyond what was generated from such site prior to the proposed development, using an average cost (not marginal cost) methodology. The fact that a proposed development has direct access to, or is located close to, an existing facility of the type covered by an impact fee, shall not by itself be evidence that the proposed development will have no impact on the need for Impact Fee Facilities of the type covered by the impact fee.

(c) Request for Exemption Required. If a permit is required for the proposed development, any such claim for exemption must be made no later than the date of the application for the permit for the proposed development except that a claim of exemption for Low-to-Moderate Income Owner-Occupied Housing must be made no later than ten days following execution of the purchase contract. If the issuance of a permit is not required for the development, then any such claim for exemption must be made no later than the occurrence of any one of the following events, whichever occurs first:

(1) Completion of any connection to the City's water and wastewater systems; or

(2) The date when any part of the development opens for business or goes into use.

Any claim for exemption not made at or before that time provided above shall be deemed waived.

(d) Determination of Validity. The Impact Fee Administrator shall determine the validity of any claim for exemption pursuant to the criteria set forth in this ordinance.

(e) Funding of Exemptions. The proportionate share of any Impact Fee Facility or Impact Fee Facility Improvement cost directly related to the exemptions granted pursuant to Subsection (a)(6), (7), and (8) above shall be funded from a revenue source other than impact fees. (Ord. 18324 §2; March 15, 2004: prior Ord. 18283 §1A; December 8, 2003: Ord. 18113 §6; January 13, 2003).

27.82.070 Impact Fee Funds.

(a) Creation of Benefit Districts. Impact fees shall be spent only within the benefit district in which they were collected, except that (1) water system impact fees, water distribution impact fees, and wastewater impact fees may be spent for water system impact fee facility improvements, water distribution impact fee facility improvements, and wastewater impact fee facility improvements, respectively, outside the corporate limits of the City which benefit the district in which they were collected; and (2) any arterial street used as a boundary between two arterial street benefit districts shall be considered as included within both benefit districts and may be improved with fees collected in either benefit district. The following benefit districts are hereby created:

(1) Water System Impact Fee Benefit District shall be the area served by the Lincoln water system;

(2) Water Distribution Benefit District Nos. 1 through 7, inclusive, shall be the respective incorporated areas of the City established and shown on the Water Distribution Impact Fee Benefit Areas Map as Water Distribution Benefit Area Nos. 1 through 7, inclusive.

(3) Wastewater Impact Fee Benefit District shall be the area served by the Lincoln Wastewater System;

(4) Arterial Street Impact Fee Benefit District Nos. 1 through 7, inclusive, shall be the respective incorporated areas of the City established and shown on the Arterial Street Impact Fee Benefit Areas Map as Arterial Street Benefit Area Nos. 1 through 7, inclusive, except for that portion of the Downtown/Antelope Valley Exclusion Area located within any of areas.

(5) Neighborhood Park and Trail Impact Fee Benefit District Nos. 1 through 7, inclusive, shall be the respective incorporated areas of the City established and shown on the Neighborhood Park and Trail Impact Fee Benefit Areas Map as Neighborhood Park and Trail Benefit Area Nos. 1 through 7, inclusive, except for that portion of the Neighborhood Park and Trail Impact Fee Exclusion Area located within said areas.

(b) Creation of Impact Fee Fund. An Impact Fee Fund is hereby created and shall include a separate impact fee account for each impact fee benefit district as an interest bearing account distinct from the General Fund of the City:

(c) Monies in an Impact Fee Account. Each impact fee account shall contain only those impact fees collected pursuant to this ordinance for the types of Impact Fee Facilities reflected in the title of the account plus any interest which may accrue from time to time on such amounts.

(d) Use of Monies in an Impact Fee Account. The monies in each impact fee account shall be used only:

(1) To acquire or construct Impact Fee Facilities or Impact Fee Facility Improvements of the type reflected in the title of the account and in the location specified in Section 27.82.070(a); or

(2) As described in Section 27.82.080 (Refunds) or as described in Section 27.82.090 (Post-Ordinance Agreements), or as described in Section 27.82.100 (Pre-Ordinance Reimbursements), or

(3) To retire bonds, or other obligations of indebtedness issued to fund the construction of Impact Fee Facility Improvements.

(4) To pay consultant fees to update the impact fees.

(5) To pay the expenses of collecting the fee and administering this ordinance, except that no more than two percent (2%) of the impact fees collected may be used to compensate the City for such expenses. In the case of refunds of impact fees under Section 27.82.080, or reimbursements under Sections 27.82.090 and 27.82.100, the City shall be entitled to retain up to two percent (2%)

of the impact fee payments made by the applicant or the reimbursement due the applicant as payment for the expenses of processing the refund or reimbursement request. (Ord. 18283 §1B; December 8, 2003: prior Ord. 18113 §7; January 13, 2003).

27.82.080 Refunds of Impact Fees Paid.

(a) Passage of Time. Any monies in any impact fee account that have not been spent or encumbered within eight years after the date on which such fee was paid shall, upon application to the Impact Fee Administrator by the fee payor, be returned to such person with interest since the date of payment at the rate earned by the City on the fees. Fees shall be deemed to be spent on the basis that the first fee collected shall be the first fee spent. Within six months of the end of the eight-year period from the date on which the unspent impact fee was paid, the Impact Fee Administrator shall notify the fee payor of eligibility for a refund at the address listed with the Impact Fee Administrator. In order to receive such refund, the fee payor shall be required to submit an application for such refund within twelve months after the expiration of such eight-year period. Any monies in an impact fee account for which no application for a refund has been timely made shall be retained by the City and expended on the type of Impact Fee Facilities reflected in the title of the account without further limitation as to time of expenditure.

(b) Expiration of Permit. If a person has paid an impact fee required by this ordinance and has obtained a building permit or any other permit for a development or extensions thereto, and the permit or extension for which the fee was paid later expires without the possibility of further extension, and the development activity for which the impact fee was imposed did not occur and no impact has resulted, then such fee payor shall be entitled to a refund of the fee paid, with interest. In order to be eligible to receive such refund, such fee payor shall be required to submit an application for such refund within six months after the expiration of the permit or extension for which the fee was paid.

(c) Approval of Low-to-Moderate Income Owner-Occupied Housing Exemption. If, after an impact fee has been paid pursuant to this ordinance for a development which subsequently qualifies for a Low-to-Moderate Owner-Occupied Housing Exemption pursuant to Section 27.82.060(a)(6), then such purchaser shall be entitled to a reimbursement of the fee paid, without interest. In order to be eligible to receive such reimbursement, such purchaser shall be required to submit an application for such exemption and reimbursement no later than ten days following the execution of the purchase contract.

(d) No Refund for Altered Development. After an impact fee has been paid pursuant to this ordinance, no refund of any part of such fee shall be made if the development for which the fee was paid is later demolished, destroyed, or is altered, reconstructed, or reconfigured so as to reduce the size of the development, the number of units in the development, or the amount of traffic generated by the development.

(e) Notice to Fee Payor. At the time of payment of any impact fee under this ordinance, the Impact Fee Administrator shall provide the person paying such fee with written notice of those circumstances under which refunds of such fees will be made. Failure to deliver such written notice shall not invalidate any collection of any impact fee under this ordinance. (Ord. 18324 §3; March 15, 2004: prior Ord. 18283 §1C; December 8, 2003: Ord. 18113 §8; January 13, 2003).

27.82.090 Post-Ordinance Developer Agreements Regarding Impact Fee Facilities.

(a) General Provision. On and after June 2, 2003, where a proposed development includes or requires the construction of Impact Fee Facilities in connection with such development, the City and developer may agree in writing to have the developer participate in the financing or construction of part or all of such Impact Fee Facilities.

Such agreement may provide for future cash reimbursements to the developer for the developer's participation in the financing or construction of the Impact Fee Facilities consistent with the following requirements:

(1) Reimbursement for each type of Impact Fee Facility financed or constructed by the developer may be paid with interest at the rate earned by the City or its impact fee fund account.

(2) No reimbursement shall be paid from impact fees received for a different type of Impact Fee Facility or against any other monies due to the City from such development and any reimbursement to be paid from impact fees shall not constitute general liability of the City nor shall impact fees paid in one Benefit District be used to reimburse for construction of Impact Fee Facilities in another Benefit District..

(3) The reimbursement shall be calculated and documented as follows:

(i) The value of land dedicated or donated for water storage reservoirs, water pumping stations, wastewater trunk lines, and neighborhood parks shall, at such person's option, be valued at (a) 100% of the most recent assessed value for such land as shown in the records of the County Assessor, or (b) the land's fair market value based on its appraised land value on the date of transfer of ownership to the City, as determined by a certified appraiser who was selected and paid for by such person, and who used generally accepted appraisal techniques. If the City disagrees with the appraised value, the Impact Fee Administrator may engage another appraiser at the City's expense, and the value shall be an amount equal to the average of the two appraisals. If either party rejects the average of the two appraisals, a third appraisal shall be obtained, with the cost of such third appraisal being shared equally by such person and the City. The third appraiser shall be selected by the first two appraisers, and the third appraisal shall be binding on both parties.

(ii) If only a portion of a parcel of land is dedicated or donated for the uses described in 3(i) above, the value of such land shall, at such person's option, be valued at (a) 100% of the land's assessed value for such land based upon the most recent assessed value for the parent parcel as shown in the records of the County Assessor, or (b) the land's fair market value based on the appraised land value of the parent parcel on the date of transfer of ownership to the City, as determined by a certified appraiser who was selected and paid for by such person, and who used generally accepted appraisal techniques. If the City disagrees with the appraised value, the Impact Fee Administrator may engage another appraiser at the City's expense, and the value shall be an amount equal to the average of the two appraisals. If either party rejects the average of the two appraisals, a third appraisal shall be obtained, with the cost of such third appraisal being shared equally by such person and the City. The third appraiser shall be selected by the first two appraisers, and the third appraisal shall be binding on both parties.

(iii) The value of Impact Fee Facilities constructed by the developer shall be based upon the actual cost of construction as verified by receipts submitted by the developer.

(4) The reimbursement shall only be paid to the developer who participated in the financing or construction of part or all of the Impact Fee Facilities or the developer's legal successor in interest with an express right or entitlement to any reimbursement which has been expressly transferred or assigned to the successor in interest.

(5) In the absence of an express transfer or assignment of the right or entitlement to the reimbursement, the right or entitlement shall be deemed "not to run with the land." (Ord. 18113 §9; January 13, 2003).

27.82.100 Developer Reimbursement for Pre-Ordinance Participation in Financing or Construction of Impact Fee Facilities.

(a) General Provisions. On and after June 2, 2003, where a pre-ordinance development not subject to an exemption from impact fees pursuant to Section 27.82.060(b)(1) included or required the participation by the developer in the financing or construction of Impact Fee Facilities, said developer or the developer's legal successor in interest with the right or entitlement to a reimbursement which has been expressly transferred or assigned to the successor in interest will be entitled to a cash reimbursement for the present value of land dedicated or donated for water storage reservoirs, water pumping stations, wastewater trunk lines and neighborhood parks and/or the present value of the Impact Fee Facilities constructed by said developer as provided in (b) below.

(b) Reimbursement shall be calculated as follows:

(1) No reimbursement shall be provided under this section for dedications, contributions, payments or construction made more than fifteen (15) years prior to June 2, 2003.

(2) The present value of land dedicated or donated shall, at such person's option, be valued at (a) 100% of the most recent assessed value for such land as shown in the records of the County Assessor, or (b) the land's present fair market value based on its appraised land value on the date of transfer of ownership to the City, as determined by a certified appraiser who was selected and paid for by such person, and who used generally accepted appraisal techniques. If the City disagrees with the appraised value, the Impact Fee Administrator may engage another appraiser at the City's expense, and the value shall be an amount equal to the average of the two appraisals. If either party rejects the average of the two appraisals, a third appraisal shall be obtained, with the cost of such third appraisal being shared equally by such person and the City. The third appraiser shall be selected by the first two appraisers, and the third appraisal shall be binding on both parties.

(3) If only a portion of a parcel of land is dedicated or donated, the present value of such land shall, at such person's option, be valued at (a) 100% of the land's assessed value for such land based upon the most recent assessed value for the parent parcel as shown in the records of the County Assessor, or (b) the land's present fair market value based on the appraised land value of the parent parcel on the date of transfer of ownership to the City, as determined by a certified appraiser who was selected and paid for by such person, and who used generally accepted appraisal techniques. If the City disagrees with the appraised value, the Impact Fee Administrator may engage another appraiser at the City's expense, and the value shall be an amount equal to the average of the two appraisals. If either party rejects the average of the two appraisals, a third appraisal shall be obtained, with the cost of such third appraisal being shared equally by such person and the City. The third appraiser shall be selected by the first two appraisers, and the third appraisal shall be binding on both parties.

(4) The amount of the reimbursement for a contribution payment or construction made to an Impact Fee Facility prior to the effective date of the ordinance shall be the present value of the contribution payment or the cost of construction, less the total amount of impact fees for the same type of Impact Fee Facility that would have been due and payable for development already undertaken within the whole development had that development been subject to the impact fees imposed pursuant to Section 27.82.050.

(c) Procedure. No reimbursement shall be provided unless the developer who participated in the financing or construction of the Impact Fee Facilities or the developer's legal successor in interest makes application on forms provided by the City for the reimbursement within one year following the effective date of this ordinance or such developer's claim for the reimbursement shall be deemed waived. The application for reimbursement must contain a statement under oath of the facts that qualify such developer or the developer's legal successor in interest to receive a reimbursement, and must be accompanied by documents evidencing the developer, at the request and demand of the City, dedicated specific parcels of land for specific Impact Fee Facilities, or contributed to the cost of constructing specific Impact Fee Facilities, or constructed specific Impact Fee Facilities in accordance with all applicable state or city design and construction standards.

(d) Payment of the Reimbursement. Reimbursements for each type of Impact Fee Facility shall be paid from and shall not exceed the impact fees which become due and payable under this ordinance within the development for that same type of Impact Fee Facility or against any other monies due to the City from such development and the reimbursement shall not constitute a general liability of the City. (Ord. 18113 §10; January 13, 2003).

27.82.110 Miscellaneous Provisions.

(a) Interest. Interest earned on monies in any impact fee account shall be considered part of such account, and shall be subject to the same restrictions on use applicable to the impact fees deposited in such account.

(b) First-In/First-Out Accounting. Monies in each impact fee account shall be considered to be spent in the order collected, on a first-in/first-out basis.

(c) No Operation or Maintenance. No monies from any impact fee account shall be spent for periodic or routine operation or maintenance of any facility of any type.

(d) No Restriction on Development Conditions. Nothing in this ordinance shall restrict the City from requiring a person to construct reasonable project improvements required to serve such person's project, whether or not such improvements are of a type for which reimbursements are available under Section 27.82.090.

(e) Records. The Impact Fee Administrator shall maintain accurate records of the impact fees paid, including the name and address of the person paying such fees, the project for which the fees were paid, the date of payment of each fee, the amounts received in payment for each fee, and any other matters that the Impact Fee Administrator deems appropriate or necessary to the accurate accounting of such fees, and such records shall be available for review by the public during City business hours.

(f) Assignment of Impact Fee Account Monies. The approved Capital Improvement Program which includes any Impact Fee Facilities scheduled for construction shall assign monies to fund in whole or in part such Impact Fee Facilities from the Impact Fee Fund Account of the type for which the fees in that account were paid. Any monies, including any accrued interest, not assigned to specific projects within such capital improvements program and not expended pursuant to Section 27.82.080 (Refunds) or 27.82.090 (Reimbursements) shall be retained in the same impact fee account until the next fiscal year.

(g) Mistake or Misrepresentation. If an impact fee has been calculated and paid based on a mistake or misrepresentation, it shall be recalculated. Any amounts overpaid by a person shall be refunded by the City to such person within thirty days after the City's acceptance of the recalculated amount, with interest since the date of such overpayment at the rate earned by the City on the funds. Any amounts underpaid by such person shall be paid to the City within thirty days after the Impact

Fee Administrator's acceptance of the recalculated amount, with interest since the date of such underpayment at the rate then earned by the City on its impact fee funds. In the case of an underpayment to the City, the City may refuse to issue any additional permits or approvals for the project for which the impact fee was previously underpaid until such underpayment is corrected, and if amounts owed to the City are not paid within such thirty-day period, the City may also repeal any permits issued in reliance on the previous payment of such impact fee and refund such fee to the then current owner of the land.

(h) Reimbursement of Impact Fees to Promote Economic Development. In order to promote the economic development of the City, the City shall reimburse a developer for some or all of the arterial street impact fees imposed on a proposed development or redevelopment from other funds of the City that are not restricted to other uses. Notwithstanding the above, no such reimbursement of arterial street impact fees shall be made except in conformance with specific economic development criteria and qualifications adopted by resolution of the City Council which, if met, entitle a developer to a reimbursement of some or all of the arterial street impact fees imposed on the development.

(i) Appeals. Any determination made by any official of the City charged with the administration of any part of this ordinance may be appealed by the aggrieved party to the City Council by filing (1) a written Notice of Appeal on a form provided by the City, and (2) a written explanation of why the appellant feels that a determination was in error. Appeals must be filed with the City Clerk within ten days after the determination for which the appeal is being filed. At the regular meeting following the filing of the appeal, the City Council shall fix a time and place for hearing the appeal, and the City Clerk shall mail notice of the hearing to the appellant at the address given in the Notice of Appeal. The hearing shall be conducted at the time and place stated in such notice given by the City Council. In an appeal of an impact fee, the Council shall not waive the fees, although the fees may be reduced pursuant to subsection (h) above or may be reduced upon a finding that the impact fee was incorrectly calculated, or that unusual circumstances of the development demonstrate that application of the fee to the development would be unfair or unjust. In exercising its appellate jurisdiction, the action appealed from shall be deemed advisory and the City Council may make such decision as ought to be made. The City Council shall make specific and detailed findings of fact with respect to each controverted issue on appeal. The determination of the City Council shall be final.

(j) Periodic Review. The impact fees and the administrative procedures established by this ordinance shall be reviewed at least once every three fiscal years to ensure that:

(1) The demand and cost assumptions underlying such fees are still valid,

(2) The resulting fees do not exceed the actual cost of constructing Impact Fee Facilities of the type for which the fee was paid and that are required to serve new development,

(3) The monies collected or to be collected in each impact fee fund have been or are expected to be spent for Impact Fee Facilities of the type for which such fees were paid, and

(4) That such Impact Fee Facilities will benefit those developments for which the fees were paid.

(k) Adjustments for Inflation. Beginning on January 1, 2005, and on January 1 of each following year unless and until the impact fee schedules are otherwise revised or replaced by City Council, each fee amount set forth in each schedule shall be adjusted to reflect the effects of inflation on those costs set forth in the Impact Fee Study by multiplying such amount by a fraction, the numerator of which is the U.S. Consumer Price Index for All Items for the most recent month

of August, and the denominator of which is U.S. Consumer Price Index for All Items for the period one year prior to the period reflected in the numerator.

(l) Violations. Violation of this ordinance shall be a misdemeanor and shall be subject to those remedies provided in Section 27.81.070. Knowingly furnishing false information to any official of the City charged with the administration of this ordinance on any matter relating to the administration of this ordinance, including without limitation to knowingly furnishing false information regarding the expected size, use, or traffic impacts from a proposed development, shall be a violation of this ordinance. In addition to or in lieu of any criminal prosecution, the City or any person applying for a permit of the types described in Section 27.82.050(a) or any person seeking to engage in a development for which no permit is requested shall have the right to sue in civil court to enforce the provisions of this ordinance. (Ord. 18633 §8; October 24, 2005: prior Ord. 18449 §1; October 11, 2004: Ord. 18283 §1D; December 8, 2003: Ord. 18113 §11; January 13, 2003).

IMPACT FEES: 101

DATE: April 20, 2011

PREPARED BY: Michaela Dugan

IMPACT FEES: 101

What are Impact Fees?

Impact fees are charges levied against new construction to help generate revenue to build new arterial streets, water lines, wastewater lines, and parks needed because of new developments. In other words, impact fees are a one-time, up front charge, paid by new construction only. The fee is paid at the time of the building permit and is issued based on a pre-set formula. The money collected is used within the district that it is collected to build new arterial streets, water lines, wastewater lines and parks.

What does "district benefit area" mean?

The City has been divided into seven districts or benefit areas, and each has a separate account. Fees collected in a district or benefit area may only be used for new construction in that area.

What are the five impact fee categories?

The five impact fee categories and eligible costs include:

Arterial Streets:
Design and construction, pavement, sidewalk, landscaping, full intersection traffic signal, street lights, storm sewer, water line adjustments, box culvert, retaining walls, and trail crossing grade separations.

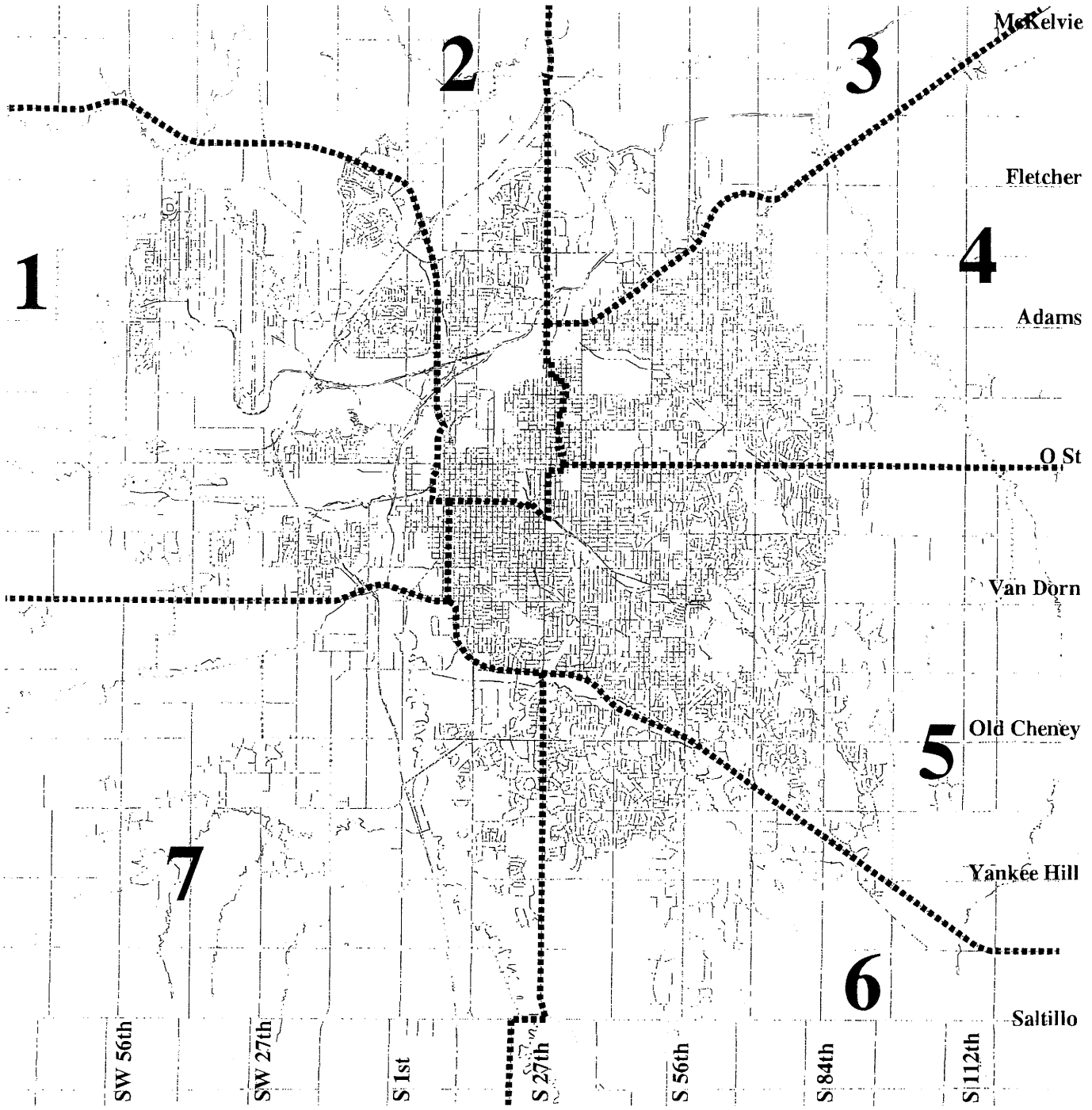
Water System:
Water supply, treatment, transmission mains, pumping and storage reservoirs.

Water Distribution:
Lines 16 inches and larger.

Wastewater:
Lines 10 inches and larger.

Neighborhood Parks and Trails:
Site grading and drainage, landscaping, seeds and trees, Side walks, play courts, basketball goals and poles, pre-fabricated shelter structures, picnic shelter pads, picnic tables, trash receptacles, modular play structures, benches, rubber tile play area matting, sand and labor.

WATER DISTRIBUTION IMPACT FEE BENEFIT AREAS MAP

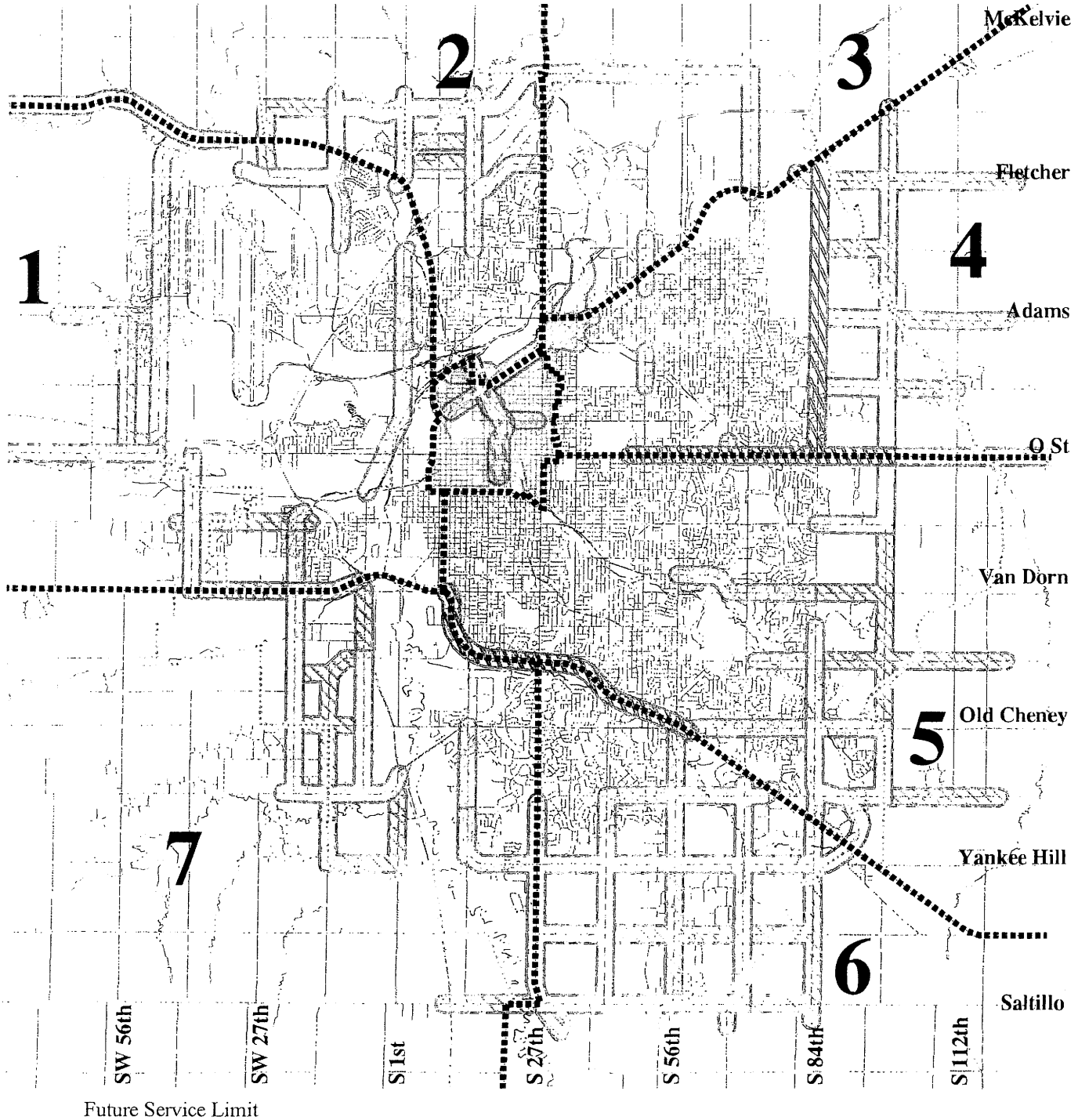


Future Service Limit

Benefit Area Boundary

SCALE:
1 In = 11,500 Ft

ARTERIAL STREET IMPACT FEE BENEFIT AREAS MAP



Future Service Limit

Benefit Area Boundary

Downtown/Antelope Valley Impact Fee Exclusion Area

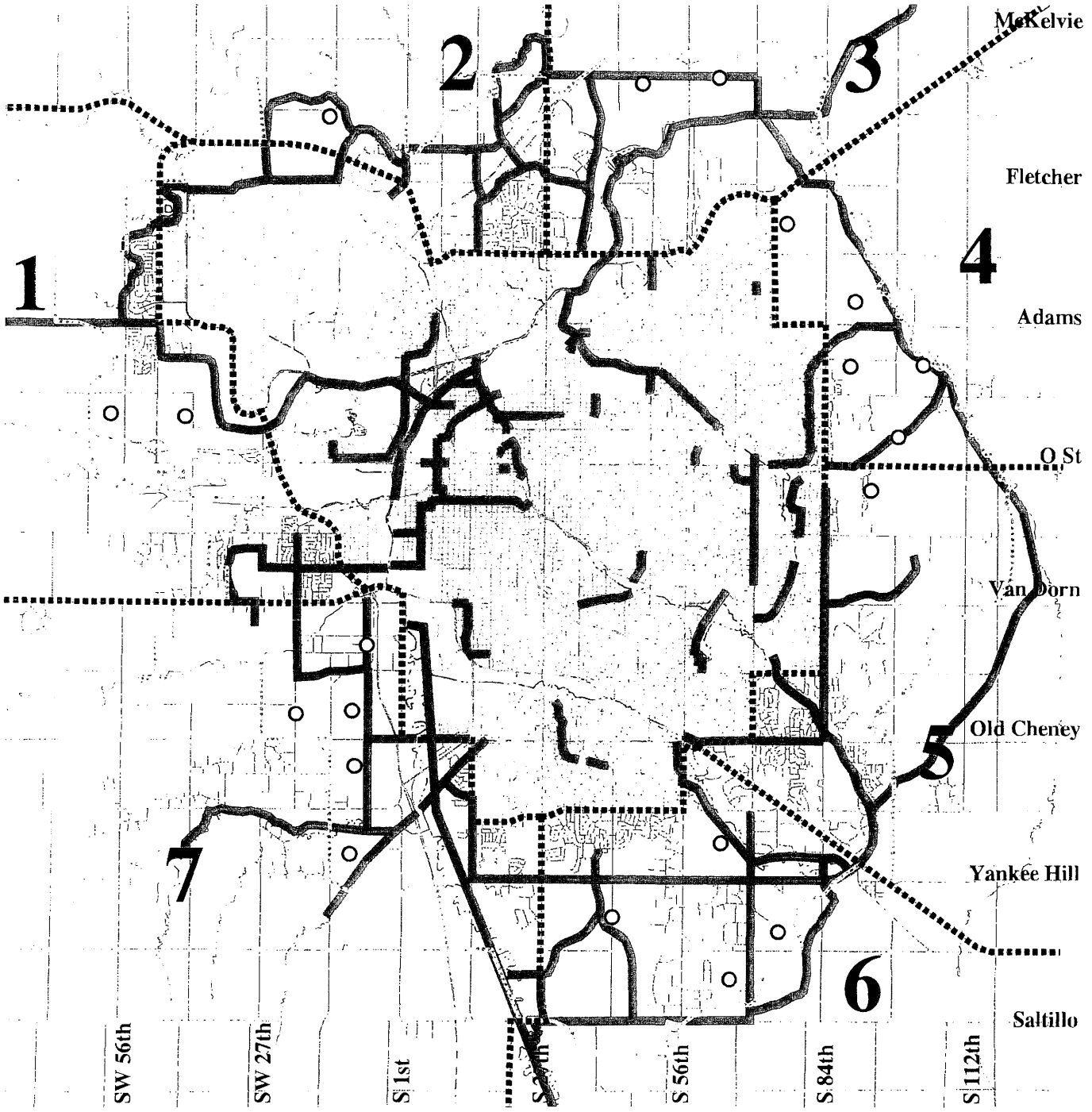
2 Lanes + Center Turn Lane

4 Lanes + Center Turn Lane

6 Lanes + Center Turn Lane

SCALE:
1 In = 11,500 Ft

NEIGHBORHOOD PARK & TRAIL IMPACT FEE BENEFIT AREAS MAP



Future Service Limit

Benefit Area Boundary

Existing Neighborhood Park & Trail Impact Fee Exclusion Area

Future Trail

Future Neighborhood Park

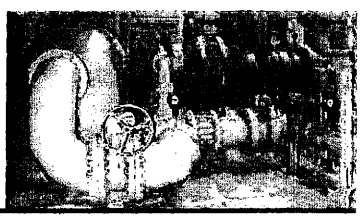
SCALE:
1 In = 11,500 Ft

Beginning January 1 2007

Arterial Street Impact Fees - Residential	Unit of Measure	Fee per Unit
Single-Family Detached	dwelling	$2,466.00
Single-Family Attached Duplex/Townhouse	dwelling	$1,301.00
Multi-Family (3 plex and greater)	dwelling	$1,501.00
Multi-Family Elderly/Retirement	dwelling	$378.00
Mobile Home	pad site	$1,354.00

Neighborhood Parks & Trail Impact Fees	Unit of Measure	Fee per Unit
Single-Family Detached	dwelling	$334.00
Single-Family Attached Townhouse	dwelling	$267.00
Single-Family Attached Duplex	dwelling	$257.00
Multi-Family (3 plex and greater)	dwelling	$200.00
Multi-Family Elderly/Retirement	dwelling	$200.00
Mobile Home	pad site	$284.00

Water/ Wastewater Utility impact FEES



These fees are applicable to both commercial and residential.

Water Meter Size	System Fee	Distribution	Wastewater	Total
3/4"	$778.00	$483.00	$624.00	$1,885.00
1"	$1,296.00	$805.00	$1,039.00	$3,140.00
1 1/2"	$2,592.00	$1,610.00	$2,079.00	$6,281.00
2"	$4,147.00	$2,576.00	$3,326.00	$10,049.00
3"	$8,295.00	$5,152.00	$6,651.00	$20,098.00
4"	$12,960.00	$8,050.00	$10,392.00	$31,402.00
6"	$25,921.00	$16,101.00	$20,786.00	$62,808.00
8"	$41,473.00	$25,762.00	$33,257.00	$100,492.00
10"	$59,618.00	$37,031.00	$47,806.00	$144,455.00

Based on 2007 impact fee schedule

CITY OF LINCOLN
Public Works & Utilities

COMMERCIAL

Beginning
January 1, 2007

Arterial Street Impact Fees - Retail Commercial	Unit of Measure	Fee per Unit
Shopping Ctr (<100,000 sf)	square feet	$3.62
Shopping Ctr (<100,000-299,999 sf)	square feet	$3.26
Shopping Ctr (<300,000-499,999 sf)	square feet	$3.15
Shopping Ctr (<500,000-999,999 sf)	square feet	$2.90
Shopping Ctr (1 million sf+)	square feet	$2.80
Bank	square feet	$6.99
Convenience Store w/gasoline sales	square feet	$4.57
Movie Theater	square feet	$2.70
Restaurant, Fast Food	square feet	$4.27
Restaurant, Sit-Down	square feet	$4.04
Hotel/Motel	room	$882.00

Arterial Street Impact Fees - Office/Institutional	Unit of Measure	Fee per Unit
Office, General	square feet	$3.62
Office, Medical	square feet	$6.92
Hospital	square feet	$1.74
Nursing Home	square feet	$0.68
Church	square feet	$1.07
Day Care Center	square feet	$4.49
Elementary/Secondary School	square feet	$0.41

Arterial Street Impact Fees - Industrial	Unit of Measure	Fee per Unit
Light Industrial/Industrial Park	square feet	$2.22
Manufacturing	square feet	$1.78
Warehouse	square feet	$1.26
Mini-Warehouse	square feet	$0.37

Arterial Street Impact Fees - Recreational	Unit of Measure	Fee per Unit
Amusement Park	acre	$5,612.00
Bowling Alley	square feet	$5.02
Golf Course	hole	$3,881.00
Golf Driving Range	tee	$1,783.00
Health Club	square feet	$3.04
Miniature Golf Course	hole	$483.00

Based on 2007 impact fee schedule

IMPACT FEES: 101

Application Submission	Building and Safety accepts the Building Permit applications including Impact Fee Applications.
Logging the permit into Permits Plus	All applications are logged into Permits Plus software program at the Building and Safety Counter by a Permit Technician. Impact Fee applications are assigned a permit number and forwarded to the Impact Fee Administrator.
Impact Fee Determination	Impact Fee Administrator reviews, assesses, and approves the Impact Fee applications within Permits Plus.
Collection of Fees	Applicants pay all approved permitting fees, including Impact Fees, to Building and Safety PRIOR to issuance of a Building Permit.
Redistribution into District Accounts	Building and Safety deposits Impact Fee collections into a holding account (75050) and provides a daily report to the Impact Fee Administrator. The Impact Fee Administrator redistributes the Impact fees into corresponding infrastructure district accounts in the City's financial system.

IMPACT FEES DETERMINATION

(Within Lincoln, Nebraska City Limits Only)

Date Stamp

Impact Permit # _____ Building Permit # _____

A. JOB SITE INFORMATION *Please Print:*

Job Street Address: _____

Legal Description: Lot _____ Block _____ Subdivision _____

☐ **COMMERCIAL:** ☐ New Sq. Ft. _____ ☐ Enlarge/Addition Sq. Ft. _____
☐ Alteration Sq. Ft. _____

☐ **RESIDENTIAL:** ☐ Single Family Dwelling ☐ Town House ☐ Duplex ☐ Mobile Home
☐ Multi-Family *(3 or more)* # Dwelling Units: _____ ☐ Multi-Family *(Elderly/Retirement)* # Dwelling Units: _____

Please provide requested information on each line below and complete Sections B, C, D & E

Describe Work to be Done: _____

Previous Use of Building: _____

Previous Lessee or Tenant Name: _____

New Use of Building *(if shell indicate proposed use)*: _____

New Lessee or Tenant Name: _____

B. ☐ DEMOLITION INVOLVED: Has a building that used domestic water been removed from this property? ☐ YES ☐ NO

C. WATER SERVICE

☐ Existing service with no change.
☐ Replace existing service. Current Meter Size _____ Replacement Meter Size: _____
☐ New water service. Meter Size: _____

D.

Property Owner *Please Print* _____

Building Contractor *Please Print* _____

Architect Name *Please Print* _____

I, the undersigned, also affirm that the above stated information is true and accurate.

E.

Applicant Name *Please Print* _____

Applicant Signature: _____

Applicant Address: _____

Phone #: _____ Cell #: _____ E-Mail: _____

STAFF USE ONLY

	Water System	Distribution	Wastewater	Arterial Street	Parks
Exemption/Exclusions:					

Annexation/DIF: _____

District #: _____

PID: _____

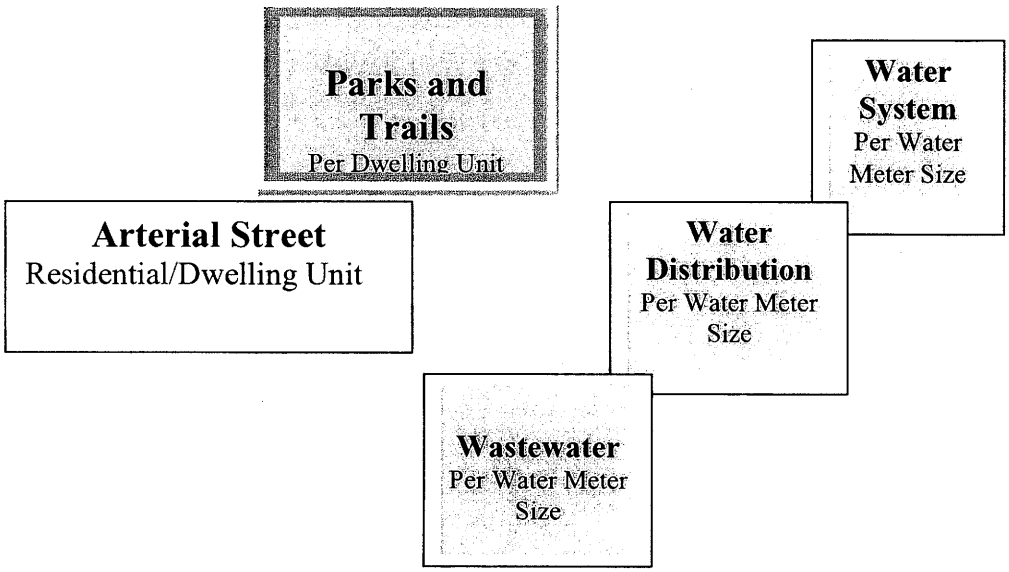
Comments: _____

IMPACT FEE ADMINISTRATOR APPROVAL:

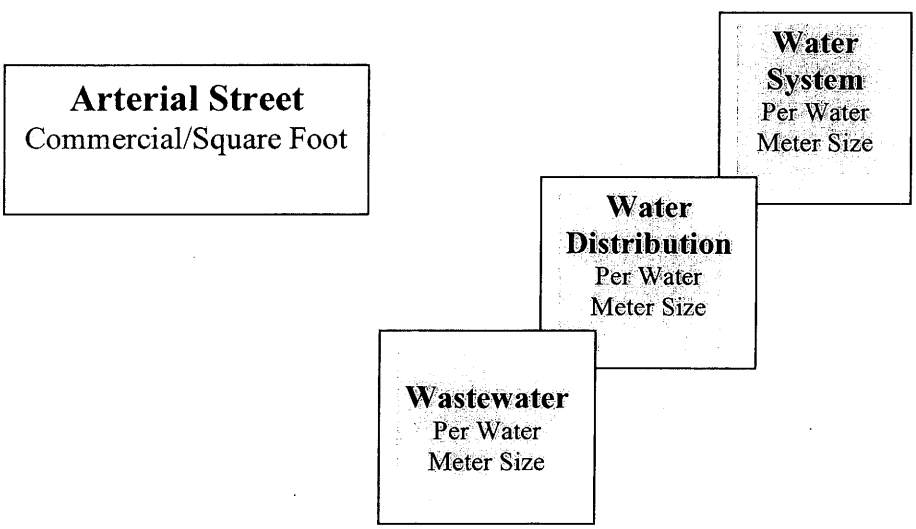
Signature: _____ Date _____ **Total Impact Fee: $** _____

DEPARTMENT OF PUBLIC WORKS & UTILITIES • DEPARTMENT OF BUILDING & SAFETY
555 S 10TH ST. RM 203, LINCOLN, NE 68508 • 402-441-7559 FAX: 402-441-8609

Residential Impact Fee Applications – 5 categories apply & Arterial Street Unit of Measure is per dwelling Unit.



Commercial Impact Fee Applications – 4 categories apply & Arterial Street Unit of Measure is per square foot.



Impact Fee Fund 225

Business Unit 75050
(Clearing Account)

- 100% of Deposits recorded here by B&S with their daily deposit
- Impact Fee redistributed as follows:
  - * 2 % for Administrative Fee
  - * 98% to Impact Fee Districts

75050
Administration
All expenses related to administering the overhead.

Water System Impact Fee 75100

(No Districts per Ordinance)

Water Distribution Impact Fee 75200

75201 District 1
75202 District 2
75203 District 3
75204 District 4
75205 District 5
75206 District 6
75207 District 7

Wastewater System Impact Fee 75300

(No Districts per Ordinance)

Streets Impact Fee 75400

75401 District 1
75402 District 2
75403 District 3
75404 District 4
75405 District 5
75406 District 6
75407 District 7

Parks Impact Fee 75500

75501 District 1
75502 District 2
75503 District 3
75504 District 4
75505 District 5
75506 District 6
75507 District 7

Water Fund
Impact Fee funds transferred to various CIP projects to reimburse for eligible expenses.

Wastewater Fund
Impact Fee funds transferred to various CIP projects to reimburse for eligible expenses.

Street Construction Fund
Impact Fee funds transferred to various CIP projects to reimburse for eligible expenses.

Parks Fund
Impact Fee funds transferred to various CIP projects to reimburse for eligible expenses.

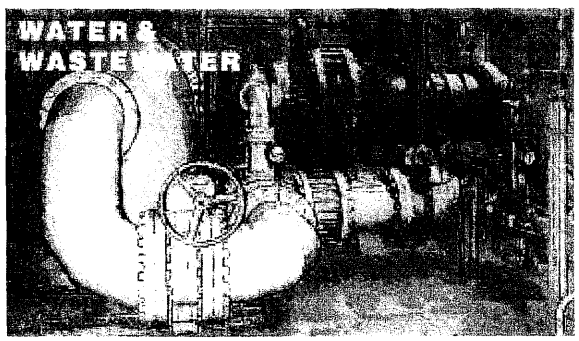
InterLinc lincoln.ne.gov

City of Lincoln
Impact Fees Investments

Water and Wastewater

WATER AND WASTEWATER IMPACT FEES INVESTMENTS

Go back to: Impact Fees Home | Investments



← Back to Impact Fee Investments

Impact fee dollars for Water and Wastewater have been invested in the following areas:

Water System

	Pump Modifications at Northeast Pump Station	$1,020,000
	Transmission Main from Greenwood to Lincoln	$2,931,133
Total		**$3,951,133**

Water Distribution

District 1	Water main at NW 25th to 27th Street at Hwy. 34	$267,354
District 1	Water main at W Adams, NW 48th - 63rd, NW 56th South	$96,155
District 1	Water main at Holdrege, NW 40th - 48th	$31,383
District 1	Water main at West "O" St., NW 56th - West	$126,908
District 2	Water main at NW 12th to 27th Street at Hwy. 34	$195,952
District 2	Water main at NW 12th, US 34 to Fletcher	$32,272
District 2	Water mains at NW 12th to Fletcher at Hwy. 34	$100,000
District 2	Water main at Fletcher from 14th to 17th	$63,207
District 3	Water main at N 56th, Fletcher to Arbor Rd	$34,199
District 3	Water main at Arbor Road, from 52nd to 56th	$8,297
District 3	Water main at Arbor Road, from 56th to 70th	$6,558
District 4	Water main at Adams, 81st to 87th	$202,418
District 4	Water main at Adams, 91st to 98th & Leighton	$75,070
District 5	Water main at 98th Pine Lake Rd to Yankee Hill	$482,844
District 6	Water main at 27th to 56th Yankee Hill to Union	$267,829
District 6	Water main at Rokeby, 27th to 40th	$54,310
District 6	Water main at Yankee Hill, from 56th to 84th	$146,515

District 7	Water main at W Van Dorn, Coddington East	$3,084
District 7	Water main at Folsom/Pioneers/Old Cheney	$258,617
Total		**$2,452,972**

Wastewater

	48" Upper SE Trunk Sewer Main at Salt Valley Basin	$287,684
	36" Relief Trunk Sewer Main at Beal Slough Basin	$1,350,000
	30" West 'O' Trunk Sewer Extension	$310,000
	66" Trunk Sewer Main at Steven's Creek Basin	$396,614
	36" NE Salt Creek Basin	$70,000
Total		**$2,414,298**

As of 8/31/10

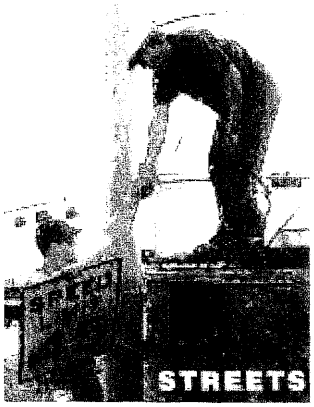
InterLinc lincoln.ne.gov

City of Lincoln
Impact Fees Investments

Arterial Streets

ARTERIAL STREET IMPACT FEES INVESTMENTS

Go back to: Impact Fees Home | Investments



← Back to Impact Fee Investments

Impact fee dollars for Arterial Streets have been invested in the following areas:

District 1	Design and construction of 2 Lanes Offset NW 56th from Partridge to Adams	$997,407
District 1	Design of current and future conditions for Coddington from West "A" to West Van Dorn	$2,165,744
District 1	Design of 4 through lanes at West "A" / SW 40th and Coddington	$359,043
District 1	Traffic Signal and turn lane construction at NW 48th and Huntington	$118,660
District 2	Design and purchase of right of way for 4 through lanes at 14th / Superior / Alvo Rd	$1,301,113
District 2	Design and construction of 2 lane offset at Fletcher / 14th / Telluride	$633,219
District 3	Construction of additional turn lane at N 56th and Cornhusker Hwy	$315,000
District 3	Design of 4 through lanes at Arbor from 40th to 56th	$76,643
District 3	Design of 4 through lanes at Arbor from 56th to 70th & 70th from Arbor to Salt Creek	$51,555
District 3	Study and capacity needs 70th and Cornhusker to 84th and Cornhusker Areas	$1,788
District 4	Design of 2 + 1 lane section on Adams from 75th to 90th and turn lane improvements on 84th at Windmill	$1,843,343
District 4	Design and construction of additional turn lane and traffic signal at 84th & Havelock	$303,761
District 4	Design and construction of traffic signal at 84th and Leighton	$224,536
District 5	Design and construction of additional lanes on Pine Lake Road from 84th to 98th	$988,742

District 5	Design and construction of three lane section of 98th street from Pine Lake Road to Old Cheney	$2,929,691
District 5	Design and construction of additional turn lane and traffic signal at 56th and Elk Crest	$271,081
District 5	Design and construction of two lanes with turn lanes on 98th from Pine Lake to Yankee Hill	$236,985
District 6	Design of 4 through lanes on 56th Pine Lake to Yankee Hill	$265,932
District 6	Design of 4 through lanes on Pine Lake from 56th to Hwy 2	$452,885
District 6	Construction of 4 lanes on Pine Lake Road from 40th to 56th	$1,100,556
District 6	Installation of new traffic signal at 40th & Yankee Hill	$122,067
District 6	Construction of 4 lanes on 27th South of Yankee Hill	$171,638
District 6	Right of way at 91st and Yankee Hill Road	$165,240
District 6	Acquisition of ROW needed for future paving project on Yankee Hill Road and 91st Streets	$14,543
District 6	Design of 4 through lanes on S. 56th from Old Cheney to Pine Lake Road	$191,975
District 7	Design on intersection improvements at 14th/Old Cheney/Warlick	$248,814
District 7	Design and construction of turn lanes on Pine Lake Road between 14th and 27th	$428,750
District 7	Design of 4 through lanes at 27th from Pine Lake to Yankee Hill	$1,330,612
Total		**$17,311,323**

As of 8/31/10

InterLinc lincoln.ne.gov

City of Lincoln
Impact Fee Investments

Parks and Trails

PARKS AND TRAILS IMPACT FEE INVESTMENTS

Go back to: Impact Fees Home | Investments

← Back to Impact Fee Investments

Impact fee dollars for Parks and Trails have been invested in the following areas:

District 1	Design, site grading and park/playground development at Ashley Heights Park	$105,986
District 2	Hydrologic evaluation and site design services for the future Heartland's Garden Valley Park	$96,306
District 2	New picnic shelter for Stone Bridge Creek Park	$17,122
District 2	Design services for the future trail underpass at Alvo Road	$3,267
District 3	New picnic shelter for Schleich Park	$10,770
District 5	Pipe railings and deflector boards for the Billy Wolff Trail extension	$33,643
District 5	Installation of new playground and picnic shelter for Phares Park	$24,563
District 5	Additional property acquisition for Edenton Park South	$95,500
District 6	Design and preliminary grading for the Cavett Trail connector	$26,639
District 6	Sidewalk connections in Country View Park	$57,989
District 7	Property acquisition for the future Folsom Park site	$100,600
District 7	Sidewalk connections in Densmore Park	$3,922
Total		**$576,307**

As of 8/31/10