



Out-of-Program Agreements

Major development projects often require new public improvements such as roads and sewer extensions. In many cases, the required public improvements have not been anticipated by the City in advance of the developer's proposal. In other words, the necessary improvements have not been included in the City's public works capital improvement program.

When not already programmed for construction, the needed public improvements can be built through what is called an Out-of-Program Agreement. An Out-of-Program Agreement is a contract between a developer and the City whereby the developer commits to provide funds for the required public improvements and the City agrees to design and construct them. For certain industrial and commercial developments the City will refund a portion of the improvement costs in the year following their completion.

Out-of-Program Agreements are prepared by the Department of Public Works in consultation with the project proponent. All such agreements have to be approved by the Common Council. The Common Council approval process generally takes three weeks from the time a resolution of approval is first presented to it.

In some cases, the developer will want design of the required public improvements to begin before final approval of the Out-of-Program agreement can occur. The City will begin the necessary design work in advance if the developer deposits funds to cover design costs. Approval of such a design deposit must also be given by the Common Council.

It often will take several months from the date a developer first approaches the City with a project proposal that involves public improvements to the date an Out-of-Program Agreement is finally approved. That time is spent identifying what public improvements will be needed, estimating the improvement costs, developing a schedule for their design and construction, negotiating the Out-of-Program Agreement and running that agreement through the formal review and approval process.

Developers whose projects may involve public improvements are encouraged to contact the Department of Public Works Commissioner's Office at 286-3304 early in their project planning.

QUICK FACTS

Application Fee: None
Related Fees: Applicant required to pay initial cost of public improvements; for non-residential projects, a portion of the improvement costs may be refunded.
Final Approval Given By: Common Council
Typical Review & Approval Time: 2 - 3 months
For More Information Call: 286-3304
