

PW021009-09
Stacey

2009-030
SEWER CONSTRUCTION FEE RESOLUTION
PANKRATZ SEWER MAIN
FRONTAGE FEE

WHEREAS, the Rapid City Municipal Code Section 13.08.365 and SDCL Section 9-48-15 allows the Common Council to impose sewer construction fees prior to connection to the sewer utility in certain areas; and

WHEREAS, a sewer main was extended in Lowery Lane in conjunction with the SDDOT Eglin Street Realignment project per plans filed with the City under City Development File No. DEV 06-825, P3230(00)43, DDI NO.05-0404: Pankratz Sewer Main as shown on Exhibit A, which has been attached hereto and incorporated herein; and

WHEREAS, the Dr. Duane Pankratz paid for the installation of approximately 973 feet of 12" sewer main along Lowry Lane in area off-site of his property; and

WHEREAS, the total cost for the off-site sewer system improvements associated with the 8" base size water main and paid for by Dr. Pankratz was determined to be \$62,298.90. This amount does not include the cost of constructing the sewer mains within Dr. Pankratz's property; and

WHEREAS, the City has identified property, shown in Exhibit A, that will benefit from the above-described off-site sewer system improvements; and

WHEREAS, City staff has agreed to present a proposed Sewer Utility Construction Fee Resolution to the Rapid City Common Council which would establish a construction fee, based on the total calculated costs, to be levied against all property that benefits from the off-site sewer system improvements and to collect said fees and reimburse Dr. Pankratz for the cost of such; and

WHEREAS, the total project costs of the off-site sewer system improvements shall be equally proportioned to the properties identified in Exhibit A, and any future subdivisions thereof, before such properties will be served with such facilities; and

WHEREAS, the Common Council finds that such utility construction fees are appropriate and in the best interest of the City, community, and the sewer utility.

NOW, THEREFORE, be it resolved that sewer utility construction fees are hereby imposed on the property, identified in Exhibit A, which benefits from the above described sewer main; and

BE IT FURTHER RESOLVED, that the property shown in Exhibit A shall be required to pay its proportional share of the base size cost of construction of the sewer main associated with SDDOT Eglin Street Realignment, City Development File No. DEV 06-825, P3230(00)43, DDI NO.05-0404 prior to being served with City sewer; and

BE IT FURTHER RESOLVED that the property shown in Exhibit A, as benefiting property, shall pay \$80.89 per foot, based on the property's frontage prior to connection to the City's sewer main; and

BE IT FURTHER RESOLVED that all sewer construction fees collected as established herein shall accrue to the sewer utility enterprise fund and ultimately be distributed to Dr. Pankratz per the separate agreement which has been entered into between the City and Dr. Pankratz; and

BE IT FURTHER RESOLVED that the utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$62,298.90 is collected or all of the benefiting property identified in Exhibit A has connected to the City's sewer system, at which time this Resolution and the utility construction fee shall automatically expire.

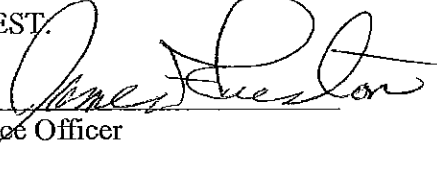
Dated this 2nd day of March, 2009.

CITY OF RAPID CITY



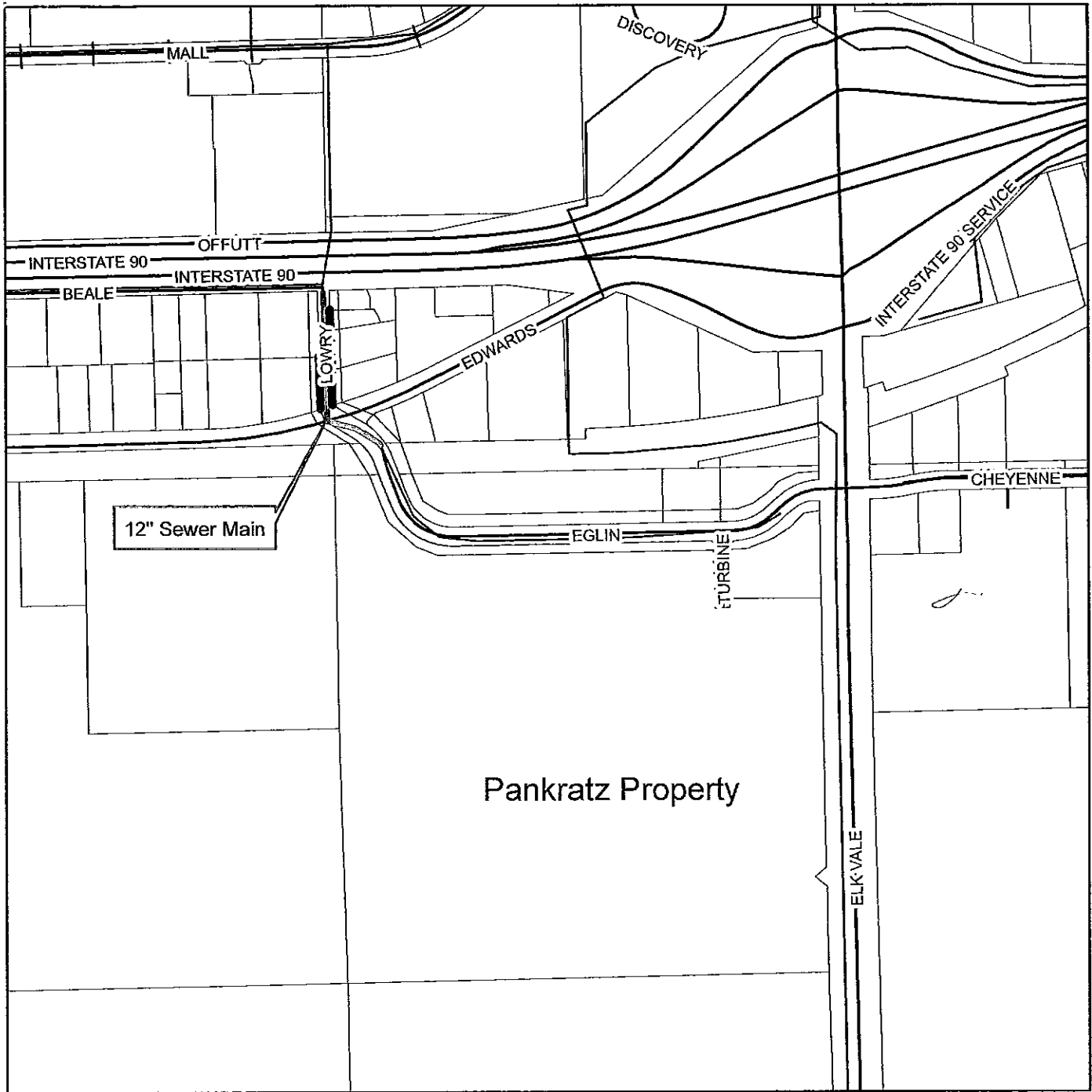
Mayor

ATTEST.







Finance Officer

Exhibit A



PANKRATZ SEWER MAIN SEWER CONNECTION FEE BENEFITING AREA

Legend

-  Benefiting Frontage
-  12" Sewer Main
-  Existing Sewer Gravity Main
-  Existing Sewer Pressurized Main

