

Lazy P-6 is requesting that the City provide sewer facilities to the northern portion of their property lying north of Catron Boulevard by July 31, 2005.

The following options are available to the City Council:

- 1) The City Council could initiate condemnation procedures to obtain an easement for a gravity sewer line. (The sewer easement could be extended to the east across properties owned by Harold L. Bies and Legacy Land Co. and where an 8 " sewer line is projected to be extended with future development. At one time, Lazy P-6 offered to pay for the cost of extending the sewer line with an agreement to be reimbursed as additional properties connect to the sewer line. Alternatively, condemnation procedures could be initiated to obtain an easement to the north to temporarily allow a gravity sewer to be extended to existing facilities. There are capacity concerns with the existing facilities to the north.)
  - The City Attorney has noted that the condemnation procedures would likely take 18 to 24 months before an easement could be obtained allowing construction. (A quick take is not allowed for a sewer easement.) This would not appear to meet the applicant's time frame.
  - There is some question on whether a court would find that the condemnation procedure would be for a "public purpose" when the line is being extended to serve development.
- 2) A lift station could be constructed to serve the property. Lazy P-6's consultant had indicated that the preliminary cost estimate for such a facility is \$150,000. He has indicated that Lazy P-6 is not willing to participate in the cost of the lift station.
  - The City would need to identify a funding source to pay for the facility.
  - From a design perspective, a lift station is not an efficient method of providing sewer service. A gravity facility is less expensive to operate and maintain.
  - The anticipated time frame for acquisition of a site, design and construction is very tight.
- 3) The City Council could decline to take action and indicate that sewer service will be provided to Lazy P-6 on the same basis as other properties in Rapid City: either as development occurs on the adjacent property extending services to the property boundary, or, through the assessment procedures with a petition of the affected property owners.
  - This option would delay development of the property.
  - Lazy P-6 has suggested that they may take legal action to require the City to provide sewer service to the property based on the annexation of the property.