

RESOLUTION #2010-107
CONSTRUCTION FEE RESOLUTION FOR MALL DRIVE 14" WATER
MAIN OVERSIZING PROJECT NO. W04-1260

WHEREAS, SDCL 9-47-16 and Section 13.04.095 of the Rapid City Municipal Code (RCMC) authorize the City Council to require properties benefited by the construction of water pipes or mains to pay their proportionate share of the cost to construct such water pipe or main prior to being allowed to connect to the City's water utility; and

WHEREAS, the City, has extended its water system in order to provide service to the Mall Drive area; and

WHEREAS, the City constructed approximately 4,873 lineal feet of 14" water main along Mall Drive per City Project No. W04-1260; and

WHEREAS, a 14" water main was constructed in lieu of a smaller water main in order to provide additional capacity for future growth in the area; and

WHEREAS, the cost attributable to constructing the oversize portion of the water main is \$309,360.69; and

WHEREAS, the City's engineering staff has identified the total area that will benefit from construction of the additional capacity of the water main, as shown on Exhibit A, which has been attached hereto and incorporated herein; and

WHEREAS, the City's Public Works Director is recommending the cost to construct this water main be paid by the properties which will benefit from its construction prior to such properties being served by the City's water utility; and

WHEREAS, the City's Public Works Director is recommending the construction fees to the benefiting area shown on Exhibit A be apportioned based on the benefits that accrue to such property, and as such, should be established on a per-acre basis. "Benefiting areas" include those properties that will benefit from the oversized water main. These properties do not necessarily directly abut the water main. Thus, the owner's of these properties may need to extend additional water mains and other necessary infrastructure, at their own cost, prior to connecting to the 14" water main; and

WHEREAS, the City Council, having considered the recommendation of the City's Public Works Director and having made such investigation as it finds necessary, determines that it is in the best interests of the City and its water utility that the owners of properties within the benefiting area should pay their proportionate share of the cost to construct the oversized water main on a per acre basis.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that prior to being allowed to connect to the City's water system, the owners of property in the benefiting area shown on Exhibit A, shall be required to pay a proportionate share of the cost of constructing the oversize portion of the 14" water main for City Project No. W04-1260; and

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay \$966.91 per acre prior to connecting to the City's water utility; and

BE IT FURTHER RESOLVED that all water construction fees collected as established herein shall accrue to the water utility enterprise fund; and

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$309,360.69 has been collected, at which time this Resolution and the utility construction fee shall automatically expire.

Dated this ____ day of _____, 2010.

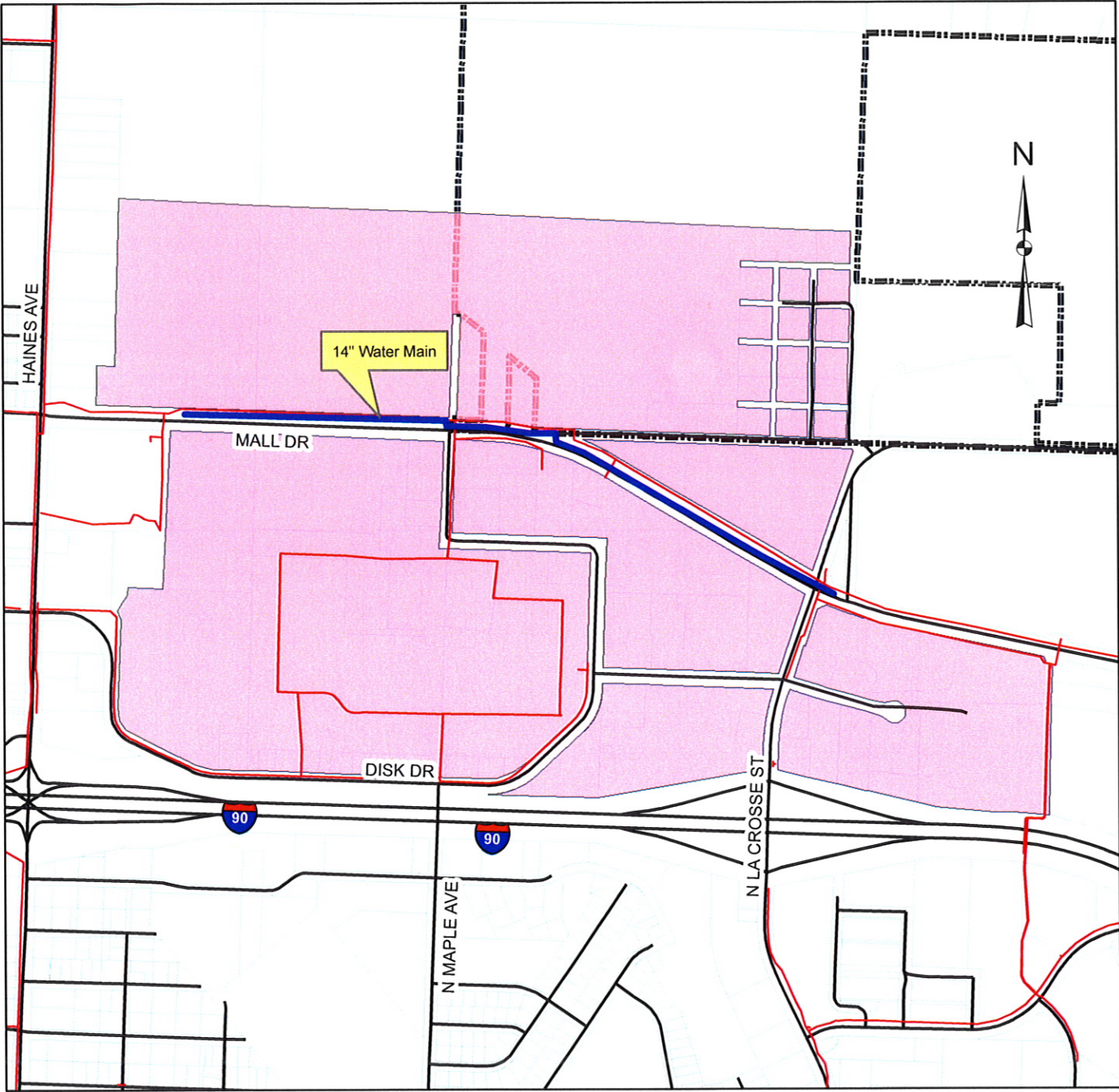
CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer
(SEAL)

Exhibit A



MALL DRIVE WATER TRANSMISSION MAIN WATER CONNECTION FEE BENEFITING AREA

Legend

- 14" Water Main
- Existing Water Main
- Benefiting Area

