

**SEWER CONSTRUCTION FEE RESOLUTION
PANKRATZ SEWER MAIN
FRONTAGE FEE**

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

WHEREAS, a sewer main has been extended in the SDDOT Eglin Street Realignment 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, attached hereto and incorporated hereto; and

WHEREAS, the developer has installed approximately 973 feet of 12" sewer main along Lowry Lane; and

WHEREAS, the total cost for the offsite sewer system improvements associated with the 8" base size water main and paid for by Dr. Duane Pankratz, hereinafter referred to as the "Developer," was determined to be \$62,298.90, said costs do not include the cost of constructing the sewer mains within the Developer's property; and

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

WHEREAS, the City has identified property, shown in Exhibit A attached hereto and incorporated herein, that may benefit from the above-described offsite sewer system improvements; and

WHEREAS, the total project costs of the offsite 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, that benefits from the above-described sewer main associated with the SDDOT Eglin Street Realignment, City Development File No. DEV 06-825, P3230(00)43, DDI NO.05-0404; 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 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

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$62,298.90 is collected, at which time this Resolution and the utility construction fee shall automatically expire; and

BE IT FURTHER RESOLVED, the Developer will be reimbursed its costs associated with extending the sewer main from the sewer utility construction fees collected as established herein.

Dated this ____ day of _____, 2009

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)



CITY OF RAPID CITY

Public Works

300 Sixth Street

Rapid City, SD 57701-2724

Telephone: 605-394-4165

Fax: 605-355-3083

MEMORANDUM

PW021009-06

TO: City of Rapid City Council and Mayor Alan Hanks

PW021009-07

FROM: Robert Ellis, P.E.
Public Works Director

PW021009-08

PW021009-09

SUBJECT: Pankratz - SDDOT Eglin Street Realignment DEV 06-825, P
3230(00)43, DDI No. 05-0404

DATE: February 3, 2009

Dr. Duane Pankratz has requested City of Rapid City reimbursement for water and sewer main installation completed as part of the SDDOT Eglin St. construction project. The documentation submitted by Dream Design International on behalf of Dr. Pankratz has been reviewed and the following conclusions are offered:

1. A sanitary sewer oversize payment of \$15,085.22 appears to be reasonable and falls within the guidelines of the City oversize definition. After the P.O. has been issued staff will prepare a Construction Fee Resolution for Council consideration to potentially recoup this expense.
2. A request to be reimbursed \$71,887.21 for water main reconstruction associated with the new Eglin St./Lowery Lane intersection, which is located north of the DM&E Railroad and offsite of the Pankratz property, has been reviewed and appear reasonable. The costs to complete this work are reasonable and staff recommends Council authorization to prepare a Purchase Order for \$71,887.21 to Dr. Pankratz for water main reconstruction. Staff proposes funding the \$71,887.21 from the water enterprise fund 602/933/4381.
3. A request to present a Sewer Construction Fee Resolution for Council consideration on behalf of Dr. Pankratz has been reviewed and appears reasonable. This resolution is intended to reimburse Dr. Pankratz \$62,298.90 for offsite sewer main improvements north of the DM&E Railroad and offsite of the Pankratz property. The offsite sewer main construction was necessary in order for the Pankratz property to have City sewer service.



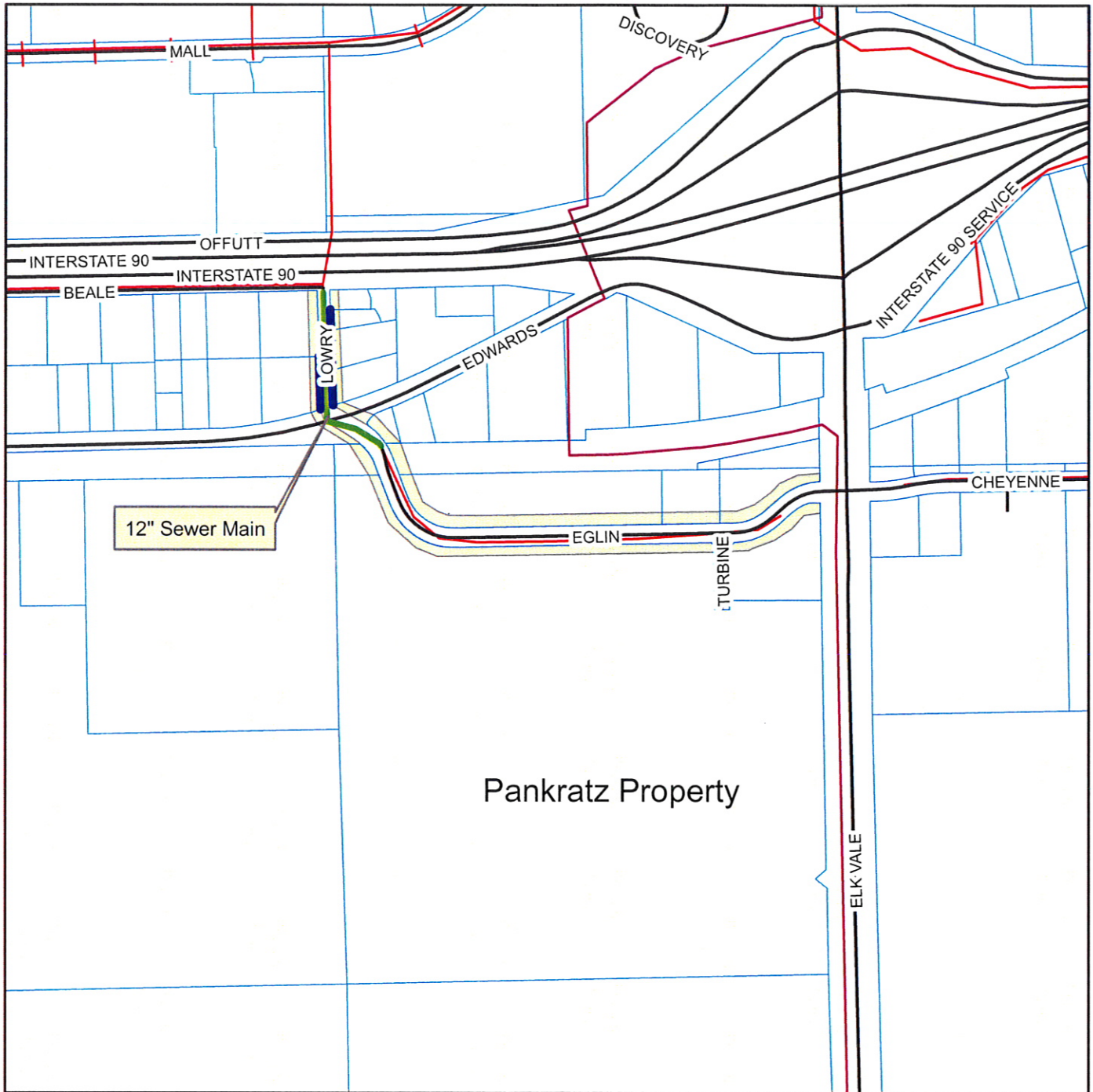
EQUAL OPPORTUNITY EMPLOYER

Exhibit A

PW021009-06





PW021009-08

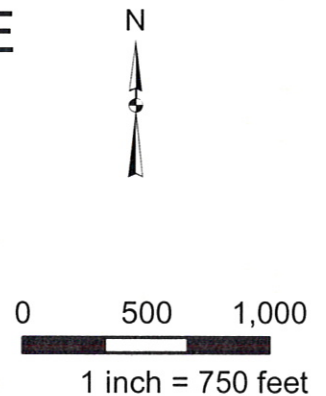
PW021009-09



PANKRATZ SEWER MAIN SEWER CONNECTION FEE BENEFITING AREA

Legend

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



RECEIVED

JAN 07 2009



DREAM DESIGN INTERNATIONAL, INC.

CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE
LAND DEVELOPMENT • CONSTRUCTION ADMINISTRATION

RAPID CITY
PUBLIC WORKS

January 6, 2009

Mr. Robert Ellis
Public Works Director
City of Rapid City
300 Sixth Street
Rapid City, SD 57701

PW021009-06

PW021009-07

PW021009-09

Re: Oversize payment Request

Dear Mr. Ellis:

Attached are the requested costs for oversize along Lowery Lane and Eglin Street water and sewer mains installed by Dr. Pankratz in conjunction with the DOT project in that area.

This request is to recover the oversize costs include:

- 1- Sanitary sewer oversize costs which reflects the difference between the installed 24", 18", and 12" sanitary sewer mains and the required and needed 8". This line was installed to serve a large area beyond the developer's property. Costs requested for this item are \$15,085.22
- 2- Water main outside developer's property which is due to the reconstruction of Eglin Street as part of Exit61 reconstruction. A loop to the new Eglin to connect to Elk Vale road was also built outside the developer's property. This water main loop improved the reliability and efficiency of the City's water distribution system within this area. This loop was not necessary to satisfy fire flow requirements within the developer's property. The total costs for these improvements are \$71,887.21

We included the spreadsheets for your file to reflect these costs.

We thank you for your help in this matter. Please contact us if you need any additional information.

Sincerely,
DREAM DESIGN INTERNATIONAL, INC.

Hani Shafai, PE
President

CC: Dale Tech, Engineering Division Manager

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528 Kansas City Street, Suite 4, Rapid City, SD 57701

Telephone: (605) 348-0538, Fax: (605) 348-0545, Email: engineers@dreamdesigninc.com

OVERSIZE REIMBURSEMENT REQUEST

1/6/2009

EGLIN STREET OVERSIZE & OFF-SITE UTILITY SUMMARY					
ITEM	ITEM	UNITS	QUANTITY	UNIT PRICE	Total
	Sanitary Sewer (Oversize Costs - Overall Basin)				
CCO	18" PVC Sewer Pipe (Oversize Difference)	LF	336	\$ 8.75	\$ 2,940.00
CCO	24" PVC Sewer Pipe (Oversize Difference)	LF	14	\$ 9.23	\$ 129.22
29	12" PVC Sewer Pipe (Oversize Difference)	LF	2630	\$ 3.20	\$ 8,416.00
48	60" Manhole (Oversize Difference)	EA	1	\$ 3,600.00	\$ 3,600.00
	Subtotal				\$ 15,085.22

OVERSIZE REIMBURSEMENT REQUEST

1/6/2009

EGLIN STREET OVERSIZE & OFF-SITE UTILITY SUMMARY					
ITEM	ITEM	UNITS	QUANTITY	Unit	Total
	Water (North of Railroad Tracks - 100% Oversize)				
24	24" Steel Encasement Pipe	LF	65	\$ 105.00	\$ 6,825.00
27	12" PVC Water Main	LF	436	\$ 26.30	\$ 11,466.80
31	12 x 12 x 12 tee	EA	1	\$ 1,050.00	\$ 1,050.00
33	12" 45 Degree Bend	EA	5	\$ 710.00	\$ 3,550.00
38	12" Gate Valve with Box	EA	5	\$ 2,950.00	\$ 14,750.00
40	Standard Fire Hydrant	EA	1	\$ 4,300.00	\$ 4,300.00
44	Bore and Jack 24" Pipe	LF	65	\$ 165.00	\$ 10,725.00
45	Cut and tie to exist. Water main	EA	1	\$ 7,900.00	\$ 7,900.00
46	Corrosion protection	LF	417	\$ 6.59	\$ 2,748.03
*CCO	Remove Existing Hydrant & Relocate	LS	1	\$ 8,572.38	\$ 8,572.38
	TOTAL				\$ 71,887.21

Balance Due This Request **\$ 71,887.21**

Note *CCO - Fire Hydrant removal and replacement work complete and Owner is to pay Contractor for work complete.

See Project Plan Sheets 6, 7, and 15 for the work items included in the above oversize calculations.

Some of these items are due to realignment of Eglin Street as part of the reconstruction of EXIT 61.

Other items are for the creation of a water main loop to make the water distribution system more reliable and efficient