

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date	September 14, 2009
	Agenda Item No. 68 Roll Call No. <u>09-</u> Communication No. <u>09-649</u> Submitted by: William G. Stowe, Assistant City Manager-Public Works Director, and Jeb E. Brewer, P.E. City Engineer	

AGENDA HEADING:

Public Hearing and Resolution of Necessity on Proposed Final Connection Fee Ordinance for the Clover Hill Trunk Sanitary Sewer System Benefited District.

SYNOPSIS:

Public Hearing on Final Connection Fee Ordinance for the Clover Hill Trunk Sanitary Sewer System Benefited District.

FISCAL IMPACT:

Amount: The fiscal impact cannot be calculated at this time for two primary reasons. One, it is not know how many acres may be used in a specific development and two, it is not known how many years out a development may connect to the system. These two variables will determine the actual fiscal impact of this change.

Funding Source: N/A

ADDITIONAL INFORMATION:

On April 25, 2005 by Roll Call No. 05-1009, the City Council established a Connection Fee Ordinance for the Clover Hill Trunk Sanitary Sewer System Benefited District. The estimated cost to design and construct the Clover Hill Area Trunk Sanitary Sewer was \$1,501,354. There are 440.25 acres within the proposed Clover Hill Area Trunk Sanitary Sewer Benefited District, which equated to a \$3,410.23 connection fee for each benefited acre. Ordinance No. 13,038 requires property owners to be within the corporate limits of the City of Des Moines in order to be eligible for connection to the sanitary sewer. As a result of the recent involuntary annexation, effective June 26, 2009, the entire benefited district is now within the City of Des Moines.

The Clover Hill Trunk Sanitary Sewer was constructed in two phases. Phase 1 construction began at a point on an existing Wastewater Reclamation Authority (WRA) Interceptor sewer near the southeast corner of Highway 5 and County R63 Highway (SW 9th Street alignment), and proceeded northeasterly across Highway 5. Phase 2 construction began at a point on an existing WRA Interceptor sewer near the southwest corner of Highway 5 and County R63 Highway and proceeded northwesterly across Highway 5.

The final cost to design and construct the Clover Hill Area Trunk Sanitary Sewer was \$1,219,953.66. There are 440.25 acres within the proposed Clover Hill Area Trunk Sanitary Sewer Benefited District,

which equates to a \$2,771.05 connection fee for each benefited acre. The connection fee for each benefited acre was reduced by \$639.19 due to the lower construction costs then estimated. The proposed Final Connection Fee Ordinance also provides for the collection of interest at the rate of 5% per annum, simple interest on said connection fee, and establishing of a connection fee schedule reflecting an annual interest adjustment of the connection fee amount. The 5% interest rate approximates the City's current cost of financing.

On July 27, 2009 by Roll Call No. 09-1320, the City Council set the date of September 14, 2009 for a public hearing to be held on the proposed resolution of necessity and amendment of the connection fee ordinance for the Clover Hill Trunk Sanitary Sewer System Benefited District. The owners of properties within the Clover Hill Trunk Sanitary Sewer Benefited District, or any other person having an interest in said matter, may appear and be heard for or against the total cost of the improvement, or the proposed reduction of the connection fee.

PREVIOUS COUNCIL ACTION(S):

Date: July 27, 2009

Roll Call Number: 09-1320

Action: Authorization to set public hearing date, mail and publish notice to enact Final Connection Fee Ordinance for the Clover Hill Trunk Sanitary Sewer System Benefited District. Moved by Hensley to adopt. Motion Carried 7-0.

Date: October 8, 2007

Roll Call Number: 07-1920

Action: Accepting completed construction and approving payment to The Underground Company, Ltd. - Clover Hill Trunk Sanitary Sewer Phase 2. Moved by Hensley to adopt. Motion Carried 7-0.

Date: August 21, 2006

Roll Call Number: 06-1657

Action: Accepting completed construction and approving payment to Rognes Corporation - Clover Hill Trunk Sanitary Sewer Phase 1. Moved by Vlassis to adopt. Motion Carried 5-1.

Date: April 25, 2005

Roll Call Number: 05-1009

Action: (A.) Final consideration of ordinance above, (waiver requested by Public Works Director), requires 6 votes. Moved by Vlassis that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14,435](#). Motion Carried 7-0.

Date: April 25, 2005

Roll Call Number: 05-1008

Action: Connection Fee Ordinance for Clover Hill Area Trunk Sewer System Benefited District. Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Additional readings of the Ordinance.

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