

RESOLUTION - 2016-103

RESOLUTION DECLARING INTENT TO EXTEND THE BOUNDARIES OF THE CITY OF RAPID CITY BY ANNEXING THE WITHIN DESCRIBED TERRITORY

WHEREAS, the City Council of the City of Rapid City has conducted a study pursuant to SDCL 9-4-4.1 to determine the need for annexing the within described territory contiguous to the City of Rapid City and to determine and identify the territory, which study includes a document entitled "Big Sky Annexation Study," filed in the office of the City Finance Officer; and,

WHEREAS, said study recommends that certain territory described therein, and legally described in this resolution, be annexed to and included within the boundaries of the City of Rapid City.

NOW, THEREFORE, BE IT RESOLVED that the City of Rapid City hereby declares its intent to annex the following described territory:

Lots 1 - 5 of Block 1, Lots 1-6, 7R, and 8-14 of Block 2, Lots 2 – 13 of Block 3, Lots 1-9 of Block 4, Lots 1 – 12 of Block 5, Lots 1 – 23 of Block 6, Lots 1 – 6 of Block 7, Lots 1 – 3 of Block 8, Lot 1 of Block 9, Lot 1 of Block 10, Lots 1 – 15 of Block 11, Lots 1 – 15 of Block 12, Lot 1 of Block 13, Lot 1 of Block 14, Lots 1 – 11 of Block 15, and Lots 1 -2 of Block 16, and all adjacent dedicated rights of way all located in Big Sky Subdivision, Section 3, T1N, R8E, BHM, Pennington County, SD.

BE IT FURTHER RESOLVED that the City Council of the City of Rapid City finds as follows:

1. That the territory to be annexed generally consists of 40 acres and includes platted lands in Section 3 of Township One (1) North, Range Eight (8) East, Black Hills Meridian, Pennington County, South Dakota. This area is more generally described as lying north of Twilight Drive, west of Reservoir Road, south of Homestead Street, and east of Elk Vale Road;
2. That ample and suitable resources exist to accommodate the orderly growth and development of said territory;
3. That municipal utilities and a major street network are considered in terms of the proposed boundary extension and that the following is the timetable upon which municipal services will be extended into said territory:

TIMETABLE

- A. GENERAL SERVICES. All services provided by the City, except as set forth below, will be provided to the annexed area upon annexation on the same basis such services are provided to the rest of the City.

- B. POLICE. All services provided by the Rapid City Police Department will be extended to the annexed area upon annexation on the same basis such services are provided to the rest of the City.
- C. FIRE. All services provided by the Rapid City Fire Department will be extended to the annexed area upon annexation on the same basis such services are provided to the rest of the City.
- D. WATER SERVICE. Water Service shall be provided under the existing arrangements with one hundred twenty nine (129) parcels connected to the Rapid Valley Sanitary District and two (2) parcels connected to City water service.
- E. SEWER SERVICE. Sewer Service shall be provided under the existing arrangements with one hundred twenty nine (129) parcels connected to the Rapid Valley Sanitary District and two (2) parcels connected to City sewer service.
- F. STORMWATER DRAINAGE SERVICE. All services and facilities used in whole or in part for collecting and conveying stormwater to, through and from drainage areas to the points of final outlet shall be made available to the residents of the annexed territory upon annexation on the same basis such services are provided to the rest of the City. These services and facilities include but are not limited to: conduits and appurtenant features, channels, ditches, streams, gulches, gullies, flumes, culverts, streets, alleys, curbs, gutters, crosspans, and pumping stations.
- G. STREETS. Upon annexation, sweeping and snow removal shall be provided by the City for existing public streets within the annexed area. Following the completion of the road repairs, continuing road maintenance services shall be provided on the same basis as such services are provided to the rest of the City.

Traffic signs, controls, and markings for existing public streets within the annexed area will be maintained upon annexation. Additional traffic control will be provided as needed and on the same basis as provided to the rest of the City from the time of annexation.

H. SOLID WASTE COLLECTION AND DISPOSAL. Upon annexation into the City limits, the subject property will be required to obtain garbage and recycling services from the Rapid City Division of Solid Waste. Residential units larger than four units in size, and all commercial, industrial, and institutional entities, will continue to be provided services by privately licensed commercial garbage haulers. Current Solid Waste rates include an \$80.94 sign-on service fee and deposit, and a monthly refuse collection fee of \$18.77 for a 95 gallon container.

Use of the City Landfill will be available to residents of the annexed area upon annexation on the same basis such use is made available to the rest of the City.

- I. PARKS AND RECREATION. All services provided by the Parks and Recreation Department shall be made available to the residents of the annexed territory upon annexation on the same basis such services are provided to the rest of the City.

- J. LIBRARY. All services provided by the Rapid City Public Library shall be made available to the residents of the annexed territory upon annexation on the same basis such services are provided to the rest of the City.
4. That the approximate costs of the extended service to the residents of the said territory and to the City are as follows:

APPROXIMATE COSTS

- A. GENERAL SERVICES. All services as set forth in Paragraph A of the Timetable may be provided to the annexed area without discernible additional cost to the residents of the annexed area or to the City of Rapid City; provided, however, that services requiring the payment of fees shall be provided in return for payment of such fees in accordance with the applicable ordinances and regulations.
- B. POLICE. All services provided by the Rapid City Police Department will be extended to the annexed area. The costs to the City are negligible.
- C. FIRE. All fire suppression services are now provided by the Rapid Valley Fire Protection District through the Rapid Valley Volunteer Fire Department. Upon annexation, the Rapid City Fire Department will provide emergency services (including fire suppression, medical/rescue services, and hazardous material handling) and non-emergency services (including fire inspection/investigation and public education). The cost to the City will be negligible. The City Council may approve a supplementary resolution pursuant to RCMC Chapter 3.20 that identifies the terms and conditions for payment to the Rapid Valley Fire Protection District in an amount not to exceed \$142,524.00 or the share of the Rapid Valley Fire Protection District's outstanding debt that is attributable to the annexation area. The Council is not obligated to pay the entire portion. If any amount remains outstanding, the Rapid Valley Volunteer Fire Department may request the County Auditor's office levy the property owners their portion of the Volunteer Fire District's outstanding debt obligation.
- D. WATER. Not applicable for properties connected to Rapid Valley Sanitary District. Future requests for connection to City water will require an agreement between the City, the Sanitary District, and property owners. The two parcels currently connected to City water will incur no additional water costs associated with annexation.
- E. SEWER. Not applicable for properties connected to Rapid Valley Sanitary District. Future requests for connection to City water will require an agreement between the City, the Sanitary District, and property owners. The two parcels currently connected to City sewer will incur no additional sewer costs associated with annexation.
- F. STORMWATER DRAINAGE. All real property within the contiguous territory of the City shall be charged the annual fee for the operation, maintenance, and capital improvements of the stormwater drainage system. The fee for each such property shall be based on the lot area, a runoff weighting factor, and a unit financial charge, and the fee is determined as follows: Stormwater Drainage Utility Fee equals the runoff weighting factor multiplied by parcel area (in square feet) multiplied by unit financial charge (in dollars per square foot). The estimated Stormwater Drainage Utility fee for each of the 131 parcels within the study area is \$31 per year.

- G. STREETS. Upon annexation, the City of Rapid City will have responsibility for repairs and maintenance of the public streets within the annexation area. The estimated cost for road improvements is \$963,000. Public paved streets will be repaired as necessary. Asphalt streets are repaired only as required when pot holes, alligating or like problems make repairs necessary. Streets developed as public streets within the subject territory will receive repair, sweeping, snow removal, traffic controls, and street lighting on the same basis as the rest of the City.
 - I. PARKS AND RECREATION. All services provided by the Parks and Recreation Department will be provided to the residents of the annexed area with no discernible additional cost to the City or the residents of the annexed area. The Parks and Recreation Department will provide the current level of service for parks and recreation facilities.
 - J. LIBRARY. All services provided by the Rapid City Public Library will be provided to the residents of the annexed area with no discernible additional cost to the residents of the annexed area or cost to the City.
 - K. The foregoing notwithstanding, the residents of the annexed area will be subject to all of the various fees and charges provided by ordinance, regulations, or administrative action for numerous services provided by the City. The incidence of such charges is highly speculative and largely within the choice of the person to be charged. Examples of such charges range from building permit fees to library book fines, from xerox copy charges to charges for swimming pool passes.
 - L. All of the cost estimates set forth herein are based on 2016 costs.
5. Estimated difference in tax assessment rate:
- A. *Owner Occupied property:*

The estimated difference in the 2015 tax assessment rate applied to owner occupied property within the Rapid Valley Sanitary District/Rapid Valley Fire Protection District upon annexation would be the addition of the City of Rapid City levy of 3.278 mills and elimination of the combined Fire, Fire Admin, Library, and Unorganized Road levy of 1.939 mills. The total levy for non-agricultural property in the annexation area would therefore increase by 1.339 mills, an estimated 8.3% increase. Each mill represents the dollar amount paid in property taxes per \$1,000 in taxable valuation. For a property with a taxable valuation of \$200,000 the mill rate increase of 1.339 mills translates to an annual property tax increase of approximately \$268.

The Study Area is located within the Rapid Valley Volunteer Fire District. According to SDCL 34-31A-35 any portion or area of land which was part of a rural fire district and which is annexed into a bordering municipality is liable for any indebtedness incurred while within the boundaries of the Fire District. The property owner should be aware that the Rapid Valley Volunteer Fire District has a capital loan from the United States Department of Agriculture for buildings and land. The property owner may be liable for a proportion of the Fire District's debt through a tax levy as determined by the County Auditor. Based on current figures, the estimated debt district mill is 0.30 for each \$1,000 in taxable valuation. For a property with a taxable valuation of \$200,000, this results in an approximately \$60 additional annual tax.

6. That exclusions or irregularities in boundary lines are not the result of arbitrariness but are based upon existing city limit lines, existing features, existing property boundaries, and existing occupancies and uses;
7. That there is reasonable present and demonstrable future need for annexing said territory;
8. That population and census data indicate that the City has and may experience growth or development beyond its present boundaries;
9. That there exists a commonality between the within described territory and the existing City of Rapid City;
10. That there are no significant physical barriers between the within described territory and the existing City of Rapid City; and
11. That annexation of the within described territory to the City of Rapid City will result in a more compact, integrated City.

DATED this _____ day of _____ 2017.

CITY OF RAPID CITY

Mayor

Attest:

Finance Officer

(SEAL)