

RESOLUTION NUMBER 8488

A resolution of the Missoula City Council establishing Mullan BUILD Water and Sewer Special Development Fees to be applicable to new development within the Mullan BUILD Project Area outlined in Exhibit 1 (Water) and 2 (Sewer) to this Resolution.

WHEREAS, the City, in partnership with Missoula County, intends to construct transportation improvements and public utility improvements with a \$13 million federal BUILD Grant and other local funding sources in the Mullan Road area (the “Mullan BUILD Project”); and

WHEREAS, the local funding sources will include County funds, special transportation impact fees and special utility development fees; and

WHEREAS, the Missoula City Council adopted the Sxwtpqyen Area Transportation Special Impact Fee Ordinance on March 1, 2021 (Ordinance 3677) and Fee Schedule (Resolution 8502) effective March 31, 2021 to fund the construction of roadway and storm drainage infrastructure; and

WHEREAS, the City intends to finance the water and sewer infrastructure necessary for the Mullan BUILD Project (“BUILD Utility Infrastructure”) through a combination of borrowing, issuing bonds, or directing funds earmarked for water and sewer capital projects into the Mullan BUILD Project; and

WHEREAS, the BUILD Utility Infrastructure costs are expenses that would normally be incurred by developers prior to receiving permits to construct structures that connect to the City’s water and sewer service, or prior to receiving final plat approval of a subdivision; and

WHEREAS, the City believes that by including the BUILD Utility Infrastructure as part of the Mullan BUILD Project, the City will reduce the cost of development in the Mullan Road area, and therefore reduce the cost of constructing housing; and

WHEREAS, the City believes that existing utility customers should not be required to fund this new water and sewer infrastructure which does not benefit them, and therefore the City desires to recoup the BUILD Utility Infrastructure costs through enacting water and sewer special development fees (“Mullan BUILD Water and Sewer Special Development Fees”) to be imposed on specific properties identified in Exhibit 3 that will directly benefit from this new water and sewer infrastructure; and

WHEREAS, the fees attributable to each parcel include an estimated number of water and/or sewer services as shown in Exhibit 3, and the developer/owner may request a different number of services to be installed during construction; and

WHEREAS, the cost per water or sewer service line stubout and per lineal foot of water or sewer service line are shown in Exhibit 3 and the final cost will be determined based on the actual number of service stubouts and the actual lineal footage of service line installed; and

WHEREAS, upon completion of the BUILD utility infrastructure, the final actual costs will be updated in Exhibit 3 based on the actual quantities of service line infrastructure; and

NOW THEREFORE, BE IT RESOLVED that the Missoula City Council adopts the Mullan BUILD Water and Sewer Special Development Fees. The Mullan BUILD Water Special Development Fees shall be paid prior to making the first connection to City water service constructed by the Mullan BUILD Project within each parcel identified in Exhibit 3. The Mullan BUILD Sewer Special Development Fees shall be paid prior to making the first connection to City sewer service constructed by the Mullan BUILD Project within each parcel identified in Exhibit 3.

BE IT FURTHER RESOLVED THAT, the revenue generated by the Mullan BUILD Water Special Development Fees shall be placed in the Water Development Fund, and the Mullan Area Sewer Special Development Fees shall be placed in the Sewer Development Fund, with such funds to be used to fund capital projects or to repay indebtedness on capital projects of the utility associated with the Outstanding Infrastructure costs and

BE IT FURTHER RESOLVED THAT, the Mullan BUILD Water and Sewer Special Development Fees are to be paid in addition to any other applicable development fee, connection fee, impact fee, or other fee or charge associated with new development adopted by the City Council, and

BE IT FINALLY RESOLVED THAT, a copy of this Resolution shall be recorded against each parcel included in the areas outlined in Exhibits 1 and 2 and listed in Exhibit 3 which will be updated upon completion of the BUILD utility infrastructure. attached to this Resolution.

PASSED AND ADOPTED this ___ day of _____, 2022.

ATTEST:

APPROVED:

Martha L. Rehbein,
CMC City Clerk

John Engen
Mayor

(SEAL)

NOTE: ID numbers (1) through (14) are used in Exhibits 1A, 1B, 3 and 4 attached to the March 3, 2022 staff memo that describes the approach to the Mullan BUILD Water and Sewer Special Development fees. The purpose of the ID numbers is to identify which utility segments a particular parcel is responsible for.

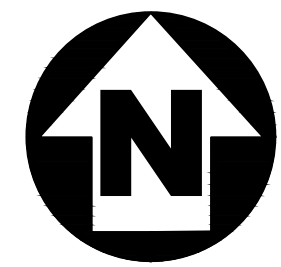
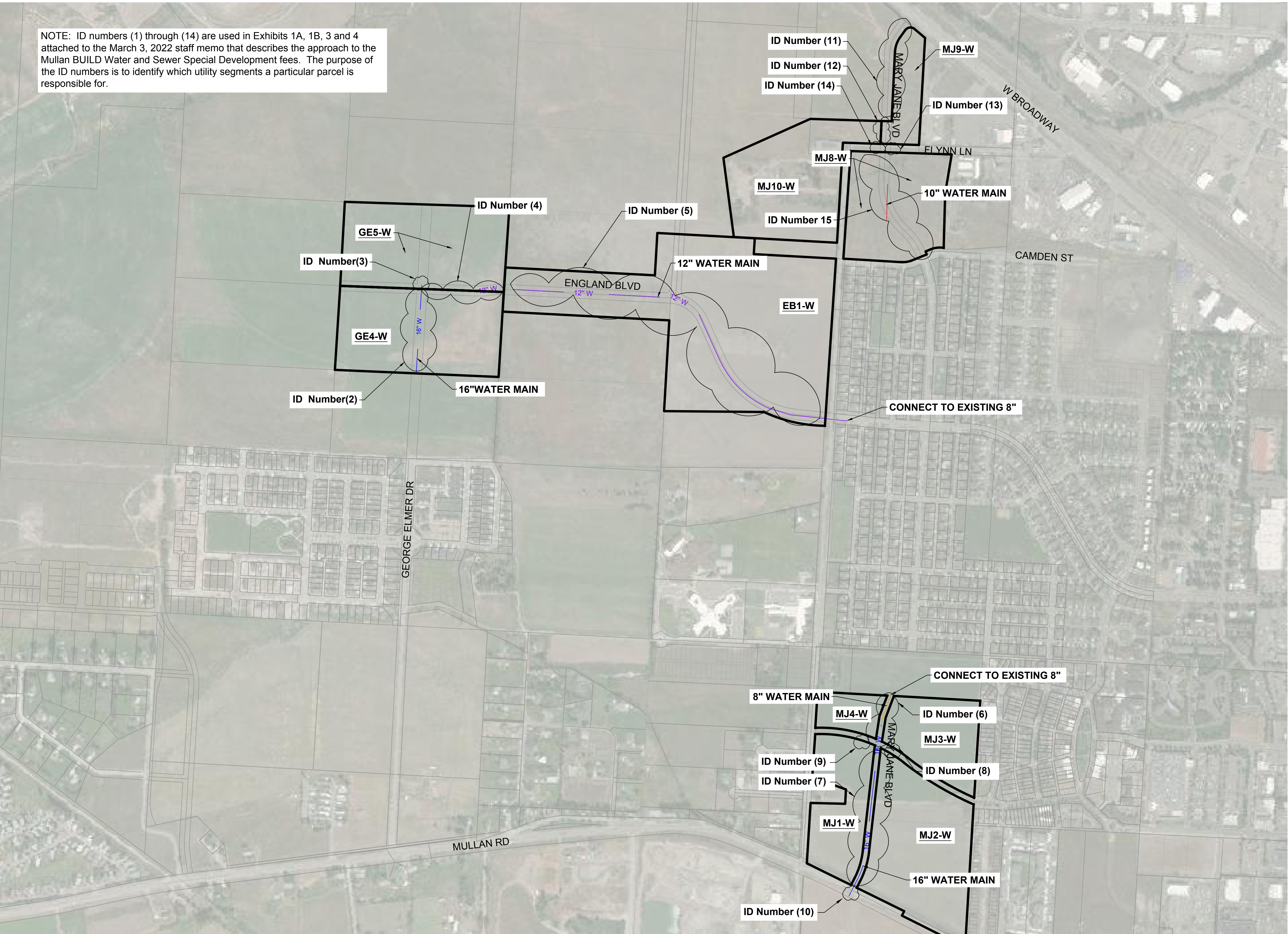


EXHIBIT INDEX

EXHIBIT NUMBER	PROPERTY OWNER
GE4-W	FLYNN FAMILY LP
GE5-W	FLYNN FAMILY LP
EB1-W	DOUGHERTY RANCH, LLC
MJ1-W	FLYNN FAMILY LP
MJ2-W	MULLAN LAND HOLDING LLC
MJ3-W	HEH LLC
MJ4-W	HEH LLC
MJ8-W	LUIKART SHANNON R
MJ9-W	EDGE 1 LLC
MJ10-W	JAMES DOUGHERTY FAMILY LLC

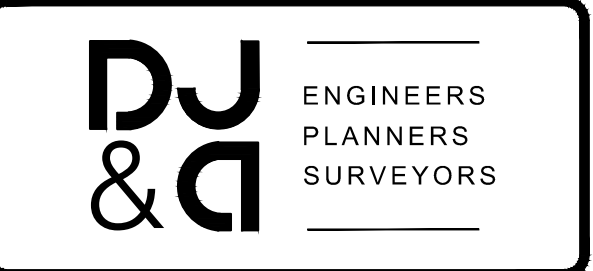
LEGEND

	8" W		8" WATER
	10" W		10" WATER
	12" W		12" WATER
	16" W		16" WATER
	20" W		20" WATER
			PROPERTY LINE
			SUBJECT PROPERTY



REVISION	DATE	DESCRIPTION

DESIGNER		PROJ. NO.	
DRAWN		DATE	
CHECKED		SURVEYED	DJ&A, P.C.



MULLAN BUILD

WATER SYSTEM IMPROVEMENTS
EXHIBIT 1

SHEET	OF
1	1

NOTE: ID numbers (1) through (14) are used in Exhibits 1A, 1B, 3 and 4 attached to the March 3, 2022 staff memo that describes the approach to the Mullan BUILD Water and Sewer Special Development fees. The purpose of the ID numbers is to identify which utility segments a particular parcel is responsible for.

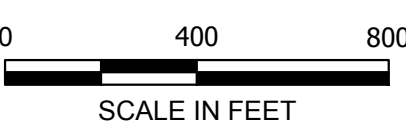
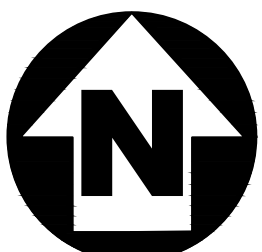
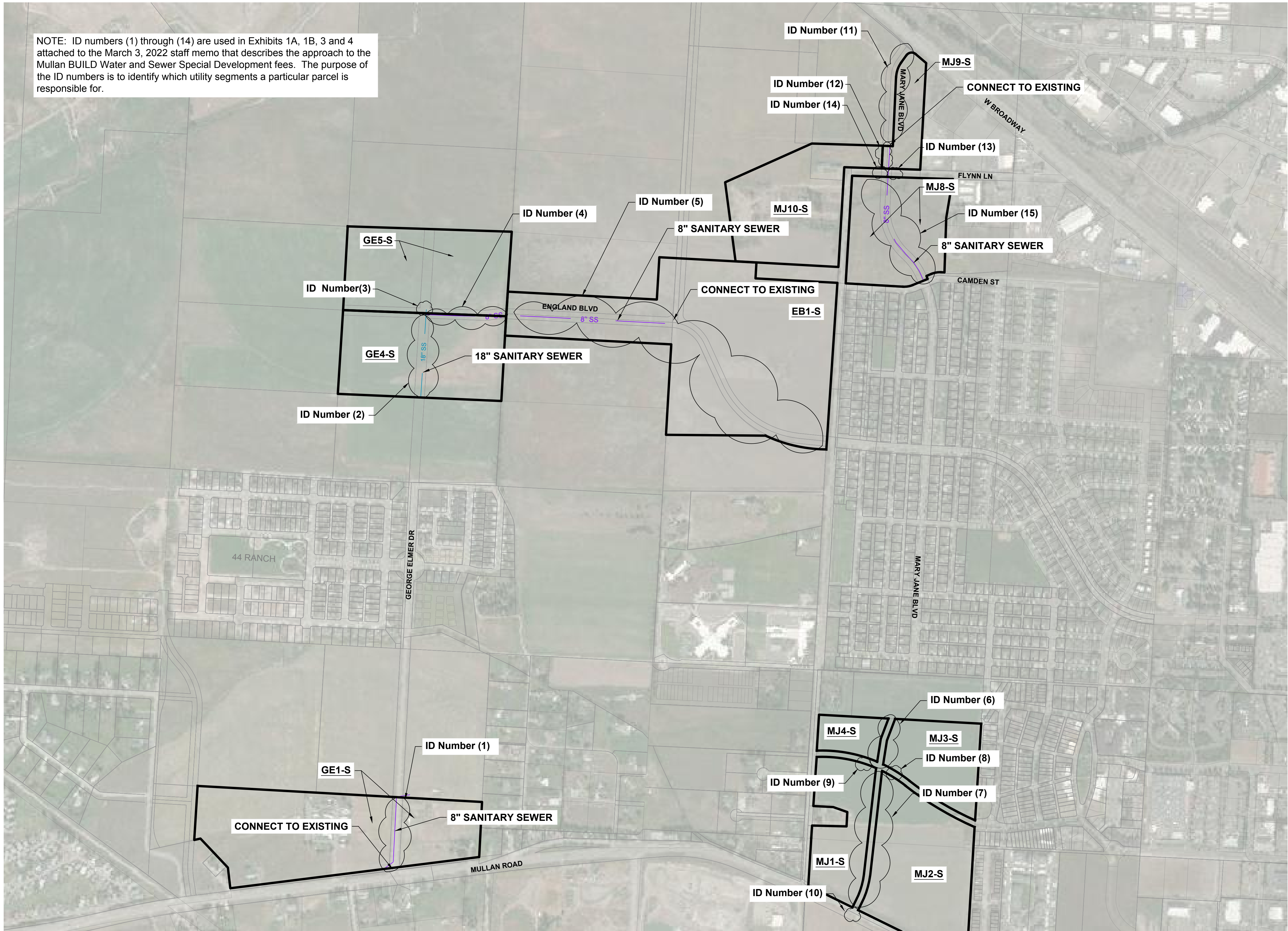


EXHIBIT INDEX

EXHIBIT NUMBER	PROPERTY OWNER
GE1-S	KATHRYN FLYNN FAMILY LTD
GE4-S	FLYNN FAMILY LP
GE5-S	FLYNN FAMILY LP
EB1-S	DOUGHERTY RANCH, LLC
MJ1-S	FLYNN FAMILY LP
MJ2-S	MULLAN LAND HOLDING LLC
MJ3-S	HEH LLC
MJ4-S	HEH LLC
MJ2-S	FLYNN FAMILY LP
MJ8-S	LUIKART SHANNON R
MJ9-S	EDGELL 1 LLC
MJ10-S	JAMES DOUGHERTY FAMILY LLC

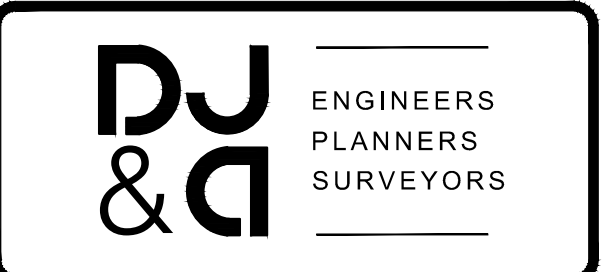
LEGEND

	8" SS		8" SEWER
	12" SS		12" SEWER
	18" SS		18" SEWER
			PROPERTY LINE
			SUBJECT PROPERTY



REVISION	DATE	DESCRIPTION

DESIGNER		PROJ. NO.	
DRAWN		DATE	
CHECKED		SURVEYED	DJ&A, P.C.



MULLAN BUILD

SEWER SYSTEM IMPROVEMENTS
EXHIBIT 2

SHEET	OF
1	1

EXHIBIT 3

Parcel Identifier	Parcel Description	Geocode	Parcel Owner	Address	# Water Services	# Fire Services	Water Special Development Fee*	# Sewer Services	Sewer Special Development Fee*
GE1	S. 13, T. 13N, R. 20W, P.M., Tract 3 COS 5963	04219913201020000	Kathryn R Flynn Famly Limited Partnership	4833 DESCHAMPS LN MISSOULA, MT 59808-8566	0	0	\$0.00	0	\$80,816.04
GE4	S. 12, T. 13N, R. 20W, P.M., Tract 6 COS 3176	04219912101170000	Flynn Family Limited Partnership	COLLEEN MCKINLEY 8623 E ILIFF DR DENVER, CO 80231-3810	10	0	\$344,651.74	10	\$223,310.51
GE5	S. 12, T. 13N, R. 20W, P.M., Tract 4 COS 3176	04219912101190000	Flynn Family Limited Partnership	COLLEEN MCKINLEY 8623 E ILIFF DR DENVER, CO 80231-3810	10	0	\$206,019.42	10	\$129,472.93
EB1	S.7 and S.12, T.13N, R.20W, P.M., Tract E, COS 6850	04220007301250000	Dougherty Ranch, LLC	1185 E COOPER LAKE SHORE RD OVANDO, MT 59854	4	0	\$778,711.68	2	\$209,394.82
MJ1	S.18, T.13N, R. 20W, P.M., Tract 4 COS 6817	04220018208030000	Flynn Family Limited Partnership	COLLEEN MCKINLEY 8623 E ILIFF DR DENVER, CO 80231-3810	5	0	\$184,540.02	5	\$29,875.19
MJ2	S.18, T.13N, R. 20W, P.M., Tract 3 COS 6817	04220018202050000	Mullan Land Holding, LLC	101 E FRONT ST STE 301 MISSOULA, MT 59802-4474	5	0	\$198,440.40	5	\$29,875.19
MJ3	S.18, T.13N, R. 20W, P.M., Tract 2 COS 6817	04220018202040000	HEH, LLC	2265 S 3RD ST W MISSOULA, MT 59801-1334	5	0	\$163,870.56	5	\$29,875.19
MJ4	S.18, T.13N, R. 20W, P.M., Tract 5 COS 6817	04220018208020000	HEH, LLC	2265 S 3RD ST W MISSOULA, MT 59801-1334	5	0	\$149,970.18	5	\$29,875.19
MJ8	S.7, T.13N, R.20W, P.M., Tract C, COS 6850	04220007301090000	Shannon R. Luikart	PO BOX 16064 MISSOULA, MT 59808- 6064	1	0	\$137,762.73	4	\$306,069.78
MJ9	S.7, T.13N, R.20W, P.M., Tract 1A, COS 6689	04220007201140000	Missoula Lofts, LLC	2502 E RIVER RD TUCSON, AZ 85718- 6509	9	9	\$183,667.15	9	\$123,403.11
MJ10	S.7, T.13N, R.20W, P.M., Tract 2A, COS 6689	04220007201080000	JAMES D DOUGHERTY FAMILY LLC	2704 STRATFORD LN MISSOULA, MT 59808-5876	0	0	\$0.00	0	\$37,762.67

* Total Fee is subject to change based on actual installed quantities of water and sewer service connections. Actual quantities will be coordinated during construction with property owner/developer.

Cost of water and sewer services are summarized as follows:

Item	Unit Cost
<u>2" Water service Stubout</u>	<u>\$5589 per stubout</u>
<u>2" Fire Service Stubout</u>	<u>\$5589 per stubout</u>
<u>2" Water Service Line</u>	<u>\$38.44 per lineal foot</u>
<u>2" water fire service line</u>	<u>\$38.44 per lineal foot</u>
<u>4" sewer service stubout</u>	<u>\$2,176.85 per stubout</u>
<u>6" sewer service stubout</u>	<u>\$3,780.84 per stubout</u>
<u>4" sewer service line</u>	<u>\$49.10 per lineal foot</u>
<u>6" sewer service line</u>	<u>\$72.02 per lineal foot</u>