

**COUNCIL ACTION FORM**

**SUBJECT: RURAL WATER CONNECTION FOR 2809 SOUTH RIVERSIDE DRIVE**

**BACKGROUND:**

State law requires Iowa's cities to provide City water service within two miles of the City limits under certain limited situations. This may occur when a rural water agency previously has given a City notice of intent to provide service in that area, but the City has responded by reserving the right to provide water to that area. In such a case, the city must provide water service to that area (even if it is outside of the city limits) within four years of the receipt of the water district's notice. In accordance with this state law, in July 2009 the City Council adopted an ordinance allowing properties located outside of the corporate limits to connect to City water under certain conditions.

Several years ago the City received notice that residents in an area along South Riverside Drive desired to be served by Xenia Rural Water District. Because of the area's proximity to the City's airport and ISU Research Park, the City wanted to protect this area for eventual growth within the City limits. Consequently, the City denied this request, thus assuming the obligation to eventually provide water service to the area regardless of whether or not the area was annexed at that time.

After four years had passed, the owner of 2725 South Riverside Drive requested and received water service to his property in 2009. A neighboring property owner at 2809 South Riverside Drive made the same request to the City several years ago, and is now seeking connection to the City's 12-inch water main adjacent to his property. As with his neighbor in 2009, the City is obligated to provide this service as long as the requirements specified in the City ordinance are fulfilled. These include paying a one-time connection fee, installation of an approved back-flow prevention device, and paying water usage rates as specified within the ordinance.

**ALTERNATIVES:**

1. Approve a rural water type water service for connection to the existing, adjacent public water main for the property at 2809 South Riverside Drive.
2. Reject the request for a connection at 2809 South Riverside Drive.

**MANAGER'S RECOMMENDED ACTION:**

This request qualifies under requirements specified in the Code of Iowa, and the City is legally obligated to provide water service under the terms specified in City ordinance. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving a rural water type water service for connection to the adjacent existing public water main for the property at 2809 South Riverside Drive.