

## Notes on Special Meeting of the SLCWD Board December 11, 2010 to address outstanding sewage plant issues.

A special meeting was held by the SLCWD to make some important decisions about the new sewage plant.

1. Should undeveloped lot owners be able to opt out of a future connection to the new sewage plant?
  - a. **no.**
  - b. This is the way it is usually done and it prevents lot owners from “not knowing” they will never be able to connect despite recording that on a deed.
  - c. undeveloped lot owners will have to merge lots or dedicate development rights i.e. give up the right to build and connect permanently and that will have to be recorded on the deed.
  - d. mergers are inexpensive as opposed to lot line adjustments.
  - e. would some undeveloped lot owners not wanting to participate vote no?
    - i. They will be “watered down” by having all property owners vote and and keeping the expansion component as part of the same assessment district.
  - f. further information about dedicating development rights will be coming.
2. Community Facilities District or Beneficial Assessment District?

**We will go with a Beneficial Assessment District**

  - a. Community Facilities District
    - i. more flexible for the future
    - ii. registered voters
    - iii. 2/3 vote needed for approval
    - iv. Mello-Roos
    - v. money collected by the County and appears on tax bill.
  - b. Beneficial Assessment District
    - i. appears on tax bill
    - ii. property owner vote – shows “buy in” from “customers” and pleases lenders.
    - iii. property owners have the right to protest
    - iv. with 218 need to have a mail ballot
    - v. majority approval 51% but only of ballots returned
    - vi. ballots are counted in a public meeting.
    - vii. one lot one vote if assessments are equivalent
    - viii. equivalency determined based on EDU’s
    - ix. more financial obligation then more votes.
    - x. land/lots in the district does not have to be contiguous
3. Will sewer connections owned by undeveloped lots be tradeable?
  - a. **no.**
  - b. everyone will start paying for the new sewer plant and undeveloped lot owners will not be able to “give back” their connection so they can stop paying.

- c. if someone gets a connection permit, as opposed to capacity in the plant, that can be sold back to the district. For example, someone may have decided to build and gotten permits and then cannot proceed with construction.
- 4. Cost overruns on expansion component?
  - a. all will pay.
- 5. People can pay off their portion of the total assessment rather than make payments via their tax bills for 30 years.
  - a. this is a statutory right and must be done w/I 30 days of voter approval.
- 6. SLCWD hired a consultant to deal with setting up the Beneficial Assessment District
  - a. she will development timelines and guides SLCWD through the process.
- 7. SLCWD Hired DSPUD's financial consultant.
- 8. Districts will work together towards approval.