

RESOLUTION NO. 92-00

RESOLUTION ADOPTING POLICIES REGARDING SUBDIVISION OF LANDS WITHIN EXISTING LOCAL SEWER IMPROVEMENT DISTRICTS AND ASSESSMENT OF DISTRICT COSTS TO NEWLY CREATED LOTS AFTER CREATION OF SEWER IMPROVEMENT DISTRICTS

Recitals.

Local sewer improvement districts are useful vehicles to help owners of residential properties, which are on septic systems, pay for the construction costs to extend sanitary sewer collection lines to these already developed areas. Both the City of Grand Junction and Mesa County are assisting such neighborhood efforts within the Persigo 201 Sewer Service Area through the Septic System Elimination Program (SSEP). The goal is to eliminate all septic system usage within the Persigo 201 by connecting more properties to the Persigo system, thereby improving public health.

Newly available sewage collection systems directly benefits all properties that can be served, because the market value of the property increases and because development/re-development can occur once sewer collection systems are available.

The Septic System Elimination Program, adopted by the City and the County on May 22, 2000, was established to pay for 30 % of the direct construction costs of extending collection system facilities, so that existing residential uses served by septic systems would more likely form local special improvement districts.

This jointly-adopted policy of the City Council and Board of County Commissioners, adopted pursuant to the October, 1998 Persigo Agreement, allows for additional, new, lots to be assessed, so that other areas on septic systems within the 201 Sewer Service Area can be sewerred more quickly.

- (a) When a local sewer improvement district is formed existing and developed lots, parcels or properties whether platted or described by metes and bounds description, known as "original lot(s)" are eligible to receive the benefit of the Persigo System 30% Septic System Elimination Program incentive, pending funds availability.
- (b) Regardless of the availability of Persigo Septic System Elimination program funds, within a ten-year period from the creation of the district, subsequently created lots (within the district) shall pay the same cost per lot as apportioned to the original lots within the district. No System financing shall be available with respect to any lot not an original lot.
- (c) Owners of original lots may either pay the assessment in full (the full direct construction cost reduced by the 30 %) as provided in the assessing ordinances/resolutions or elect to finance the assessment for a ten year term with annual interest on the unpaid balance of 6%, in accordance with existing City policies and requirements.
- (d) Any lot(s) platted or developed after the district is formed which will receive or will anticipate receiving the benefit of the sewer system improvements constructed as a result of the creation of the district shall at the time of platting or development pay to the City, as the Persigo System Manager, the amount of the assessment had it been paid within the first 30 days following the creation of the district. Such proceeds shall be used by the System to help fund other septic elimination efforts and districts.

- (e) There will be no adjustments for interest, the value of money over time or the date when the later connections to the System are made; if an owner chooses to wait until after the 10 year period has expired, s/he may do so without having to pay pursuant to this policy;
- (f) The existing policies of the Persigo System regarding trunk line extensions, payments and reimbursement agreements remain unchanged except as specifically modified herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

The policy stated in this Resolution is and shall be construed to be consistent in all material respects to the policy adopted by the Board of Mesa County Commissioners on September 19, 2000. This Resolution is adopted as and shall be construed as a policy matter under the October 1998 Persigo Agreement.

ADOPTED and APPROVED this 20th day of September, 2000.

/s/ Gene Kinsey
President of the Council

ATTEST:

/s/ Stephanie Nye
City Clerk