

---

## SALT LAKE CITY COUNCIL MEMORANDUM

---

**DATE:** October 2, 2009

**TO:** City Council Members

**FROM:** Jan Aramaki, Council Staff Member

**SUBJECT:** Annual Assessment for Special Lighting District L02

**CC:** Cindy Gust-Jenson, Lyn Creswell, David Everitt, Frank Gray, Ed Rutan, Boyd Ferguson, Dan Mulé, Gordon Hoskins, Tim Harpst, Michael Barry, Marina Scott, Garth Limburg, Karen Carruthers, Susan Finlayson, Jennifer Bruno, Joyce Valdez, Michael Stott, Shawn McDonough, Cindy Lou Trishman, Sylvia Richards, Nick Tarbet, Quin Card, Jennifer Bruno, and Blaine Carlton

**COUNCIL DISTRICTS:** 1, 2, 4 and 6

**FILE LOCATIONS:** Community Development/Special Lighting District L02/SID

---

### POTENTIAL MOTION:

1. **["I move that the Council"] adopt an ordinance for the 2009 annual assessment for Lighting District L02** *(approving the assessment list and levying an annual assessment upon property in Salt Lake City, Utah Lighting District No. 2 known as L02 ("District L02"); establishing the effective date of the 2009 assessment ordinance; providing for a procedure to contest an assessment; and related matters).*

### REQUESTED ACTION:

The Administration requests that the City Council adopt an ordinance to approve the annual assessment on the properties incorporated within Lighting District L02. This action will renew the annual assessment levied upon each parcel of property described in the assessment list for the purpose of paying the costs for operating, maintaining, patrolling and furnishing of electrical energy. Lighting District L02 was created on October 10, 1995 and consists of 11 extensions located throughout Council Districts 1, 2, 4 and 6 (includes the Rose Park extension).

The Office of the City Engineer has determined that the total estimated annual costs for street lights in Lighting District L02 will be \$151,061. The City's portion is \$37,765 leaving an

assessment of \$113,296 upon the 2,864 property owners in the lighting district. The Administration has provided the City Council a parcel map illustrating the extensions within the district and a spreadsheet showing the costs and the number of properties within each extension. Assessments shall be payable on December 15, 2009.

The Administration reported that there is a provision for maintenance and power increases within the calculated original formula Notice of Intention back in 1996; therefore a public hearing is not required.

Within 15 days from the effective date, a property owner assessed within the District has an option to file a written appeal with the City Engineer. First, the City Engineer's Office will attempt to resolve the appeal, but if the resolution of the appeal involves an adjustment in the amount to be assessed against the property owner, the City shall convene a Board of Equalization and Review to consider the appeal, and make appropriate adjustments to said assessment. The City shall report to the property owner regarding the Board of Equalization and Review's determination within five days after its recommendation has been made.

## **BACKGROUND:**

The City Council approved funding for the Administration to retain a specialized consultant to analyze options for creating one city-wide lighting program with a discrete funding source. The consultants have concluded their analysis which is currently under the review of the Administration.

Currently, Salt Lake City provides four lighting program options for City lighting:

1. **Special Improvement District (SID)** –such as Special Lighting District L02, when property owners within a specific neighborhood desire special or more lighting than the City's standard level of lighting and are willing to be assessed for the additional costs of the lighting, they may petition the City for the creation of a special assessment street lighting district. Creating this kind of a district is a legal process whereby property owners can arrange for funding of a public improvement that will benefit their properties. Special assessment districts are formed by ordinance upon agreement of a majority of the area property owners.

Street lighting districts require the abutting property owners to pay 100% of the capital costs of the lighting and 75 percent of the ongoing operating and maintenance cost of the lights. The City pays the remaining 25 percent as the equivalent of lighting that would be provided by the City. The property owners' costs are levied and billed annually in the form of special assessments.

There are 42 existing street lighting special improvement districts (extensions). The City has combined the individual districts into three super districts to simplify the annual assessment process. These extensions were combined based on assessment due dates, not on geographical location. On an annual basis, each district is renewed by assessment ordinance.

2. **Traffic Safety Lighting** is the standard base level of lighting provided on local streets for pedestrian and traffic safety at intersections as well as mid-block lighting (approximate spacing of 300 feet) at property owners' option. Mid-block lighting is an option as long as a majority of the property owners within 150 feet of the light location request are in support and a light is lacking within the 300 foot spacing. Lights typically consist of either standard cobra head lighting fixtures on wooden poles or a decorative light and pole with underground wiring. One-hundred percent of lighting costs (purchase cost, installation, maintenance, and operation cost) are paid by the City out of the General Fund.
3. **Continuous street lighting** occurs along collector and arterial streets that handle higher levels of traffic volume, speed limits, and pedestrians and receive a brighter level of lighting and more uniform dispersion of lighting which consists of 6-8 lights per block face. Lights typically consist of either cobra head lights on wooden poles or decorative fixtures and poles. 100 percent of lighting costs (purchase cost, installation, maintenance, and operation cost) are paid by the City out of the General Fund. However, when new developments fronting on major streets need new or replacement continuous lighting, they are required to cover the costs.
4. **Private lighting** has provided residential neighborhoods the option to purchase and install privately owned, decorative lights in the park strip public right-of-way since 1995. There are approximately 2,849 property owners who have lights wired directly to the electric service of their homes. Each resident who owns a light is responsible to maintain and operate the light and is required to sign a revocable permit recorded with the property. Neighborhood groups have the option to identify the style of light pole and fixture they desire.

Individual property owners pay for the costs to purchase, install, maintain, and operate the lights; however, the residents have the option to apply and participate in the City's Matching Grant Program which pays up to 50 percent of the capital cost to purchase and install the poles, lights, and underground wiring.

FRANK B. GRAY  
DIRECTOR

# SALT LAKE CITY CORPORATION

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT  
OFFICE OF THE DIRECTOR

RALPH BECKER  
MAYOR

MARY DE LA MARE-SCHAEFER  
DEPUTY DIRECTOR

ROBERT FARRINGTON, JR.  
DEPUTY DIRECTOR

## CITY COUNCIL TRANSMITTAL

  
\_\_\_\_\_  
David Everitt, Chief of Staff

Date Received: \_\_\_\_\_



Date Sent to City Council: 09/29/2009

**TO:** Salt Lake City Council  
Carlton Christensen, Chair

**DATE:** September 21, 2009

**FROM:** Frank Gray, Community & Economic  
Development Department Director

**RE:** An ordinance authorizing the Mayor to approve the annual assessment ordinance  
for Special Lighting District L02

**STAFF CONTACT:** Tim Harpst, Transportation Director, at 801-535-6630 or  
tim.harpst@slcgov.com

Michael Barry, Transportation Engineer, at 801-535-7147 or  
michael.barry@slcgov.com

**RECOMMENDATION:** That the City Council approve the ordinance

**DOCUMENT TYPE:** Ordinance

**BUDGET IMPACT:** None – This is included in the City's non-departmental operating  
budget.

### DISCUSSION:

**Issue Origin:** This is a request for adoption of an ordinance authorizing the Mayor to approve the annual assessment ordinance for Special Lighting District L02 (see Attachment 4). The proposed ordinance sets the rate for this District (see Attachment 3). The Calendar of Events for the assessment is provided in Attachment 1.

**Analysis:** The annual operating, maintenance and electrical energy costs for the District is estimated at \$151,061.33. The City pays 25% of the annual expenses (\$37,765.33) and the



residents in the District pay the remaining 75% (\$113,296.00). The City's portion is included in the City's non-departmental operating budget.

The attached assessment L02 authorizes the Mayor to approve the annual assessment for the Special Lighting District L02 to be levied upon each parcel of property in the lighting district for the purpose of paying the residents' share of operating, maintenance and electrical energy costs of the District. There are 2864 property owners in the lighting district, which is comprised of numerous extension sites throughout the City. The costs and the number of properties within each extension are shown in Attachment 2. A map of the extensions within the District is shown in Attachment 4.

***Master Plan Considerations:*** The proposed ordinance is consistent with the City's Street Light Master Plan and Policy.

#### **PUBLIC PROCESS:**

Section 9 (page 6) of the ordinance describes the process for filing an appeal to the assessment. The appeal shall be submitted in writing to the City Engineer within 15 days from the Effective Date. Upon receipt of the appeal, the City shall convene a Board of Equalization and Review to consider the appeal and, where appropriate, make adjustments to the assessment.

#### **RELEVANT ORDINANCES:**

None

**Attachment 1**  
**Calendar for Street Lighting**  
**Special Improvement District L02**

LO2 2009

**Calendar for Street Lighting Special Assessment Area**

<u>Date</u>	<u>Event</u>	<u>Responsibility</u>
<b>Distribution Date 7-15-09</b>		
27-Jul-09	Preliminary tax rolls prepared.	Engineering
10-Aug-09	Assessment costs to City Treasurer for approval.	Engineering
10-Aug-09	Transmittal of draft resolution designating Board of Equalization to Salt Lake City (the City).	Bond Counsel
14-Sep-09	The resolution paperwork to the CED's office.	Transportation
14-Sep-09	Copies of the Assessment Ordinance and Council letter sent to Engineering.	Transportation
22-Sep-09	Council transmittal letter and Assessment Ordinance delivered to Mayors Office for review.	CED's Office
29-Sep-09	The resolution paperwork to the Council office and added to Council Agenda. (October, 13 2009)	Mayor's Office & Council
13-Oct-09	Assessment Ordinance approved by City Council, and to Recorder's Office for publication.	Council
19-Oct-09	District transferred from set-up to billing.	Treasurer's Office
26-Oct-09	Assessment Ordinance Published.	Recorder's Office
15-Nov-09	Billings mailed to property owners.	Treasurer's Office

**Attachment 2**  
**Costs for Street Lighting**  
**Special Improvement District L02**

<b>Salt Lake City Street Lighting</b>				
<b>Special Assessment Area # LO2 2009</b>				
			11-Aug-09	
<b>EXTENTION</b>	<b>ABUTTERS</b>	<b>CITY</b>	<b>Total</b>	<b>Prop. Ct.</b>
<b>2-09</b>	\$19,965.00	\$6,655.00	\$26,620.00	84
<b>6-09</b>	\$21,417.00	\$7,139.00	\$28,556.00	2497
<b>7-09</b>	\$15,750.00	\$5,250.00	\$21,000.00	19
<b>8-09</b>	\$5,400.00	\$1,800.00	\$7,200.00	9
<b>46-09</b>	\$13,020.00	\$4,340.00	\$17,360.00	50
<b>51-09</b>	\$11,344.00	\$3,781.33	\$15,125.33	156
<b>53-09</b>	\$1,800.00	\$600.00	\$2,400.00	17
<b>55-09</b>	\$6,075.00	\$2,025.00	\$8,100.00	23
<b>72-09</b>	\$4,725.00	\$1,575.00	\$6,300.00	2
<b>73-09</b>	\$12,600.00	\$4,200.00	\$16,800.00	4
<b>74-09</b>	\$1,200.00	\$400.00	\$1,600.00	3
<b>TOTAL COSTS</b>	<b>\$113,296.00</b>	<b>\$37,765.33</b>	<b>\$ 151,061.33</b>	<b>2864</b>

**Attachment 3**  
**Assessment Ordinance for Street Lighting**  
**Special Improvement District L02**

Salt Lake City, Utah

October 13, 2009

A regular meeting of the City Council of Salt Lake City, Utah, was held on Tuesday, October 13, 2009, at the hour of 7:00 p.m., at the offices of the City Council at 451 South State Street, Salt Lake City, Utah, at which meeting there were present and answering roll call the following members who constituted a quorum:

Carlton Christensen	Chair
JT Martin	Vice Chair
Søren Dahl Simonsen	Councilmember
K. Eric Jergensen	Councilmember
Van Blair Turner	Councilmember
Luke Garrott	Councilmember
Jill Remington-Love	Councilmember

Also present:

Ralph Becker	Mayor
Edwin P. Rutan, II	City Attorney
	City Recorder

After the meeting had been duly called to order and after other matters not pertinent to this ordinance had been discussed, the City Recorder presented to the City Council a Certificate of Compliance with Open Meeting Law with respect to this October 13, 2009, meeting, a copy of which is attached hereto as Exhibit A.

Thereupon the following proceedings, among others, were duly had and taken:

It was noted that Salt Lake City, Utah Lighting District No. 2 ("District L02") was duly created, pursuant to notice and public hearing, on October 10, 1995. District L02 was created with notice to all property owners within District L02 that assessments are to be paid annually when assessed and after passage of the due date set out in the Notice of Assessment, and that interest will accrue on any unpaid balance until paid. On November 21, 1995, Ordinance No. 80 of 1995 (the "Original Assessment Ordinance") was adopted by the City Council. Each year an assessment ordinance has been adopted to cover actual and estimated costs of District L02 for a twelve (12) month period.

Pursuant to the procedures established in the proceedings creating District L02 and the Original Assessment Ordinance, the following assessment ordinance (the "2009 Assessment Ordinance") was then introduced in writing, was fully discussed, and pursuant to motion duly made by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ was adopted by the following vote:

AYE:

NAY:

The 2009 Assessment Ordinance was then signed by the Chair, presented to and approved by the Mayor, and recorded by the City Recorder in the official records of Salt Lake City, Utah. The 2009 Assessment Ordinance is as follows:



ORDINANCE NO. \_\_\_\_\_ of 2009

AN ORDINANCE (THE "2009 ASSESSMENT ORDINANCE") APPROVING THE ASSESSMENT LIST AND LEVYING AN ANNUAL ASSESSMENT UPON PROPERTY IN SALT LAKE CITY, UTAH LIGHTING DISTRICT NO. 2, KNOWN AS L02 ("DISTRICT L02"); ESTABLISHING THE EFFECTIVE DATE OF THE 2009 ASSESSMENT ORDINANCE; PROVIDING FOR A PROCEDURE TO CONTEST AN ASSESSMENT; AND RELATED MATTERS.

BE IT ORDAINED BY THE CITY COUNCIL (THE "COUNCIL") OF SALT LAKE CITY (THE "CITY"), UTAH, AS FOLLOWS:

Section 1. Determination of Costs. The estimated operation and maintenance costs of District L02 to provide for street lighting within District L02 have been determined, and the City Engineer has determined that the reasonable useful life of the street lighting facilities to be maintained by the assessment to be levied herein is not less than fifteen (15) years.

Section 2. Approval of Assessment List; Findings. The Council confirms and adopts the assessment list, a copy of which is attached hereto as Exhibit B and incorporated herein by reference (the "Assessment List"). The Assessment List has been adjusted to comport with the previous year's operating experience for District L02 and it includes estimated operation and maintenance costs for the current year. The Council has determined that the Assessment List is just and equitable; that each piece of property to be assessed within District L02 will be benefited in an amount not less than the assessment to be levied against said property; and that no piece of property listed in the assessment list will bear more than its proportionate share of the cost of the estimated operation and maintenance costs.

Section 3. Levy of Assessments. The Council hereby levies an assessment upon the real property identified in the Assessment List. The assessments levied upon each parcel of property therein described shall be in the amount set forth in the Assessment List as adjusted.

The assessments hereby levied are for the purpose of paying the estimated operation and maintenance costs of providing street lighting and the furnishing of electrical energy within District L02. It is hereby determined and established that the property being assessed will be specifically benefited to the full amount of the assessment hereby levied to cover said estimated operation and maintenance costs. The property benefited is all within the boundaries of District L02. Unless future modifications revise the purposes and plans of District L02, future assessments will continue to be levied annually for the reasonable useful life of the facilities to be maintained by the assessments levy based upon applicable rates established by the energy contract with the City. Future non-energy costs of operation and maintenance relating to the providing of lighting benefits will also be a factor in determining future rates. The City Treasurer is hereby authorized and directed to notify property owners of this assessment and to collect

assessments in accordance with the provisions of this 2009 Assessment Ordinance for the purposes herein provided.

Section 4. Operation and Maintenance Costs; Amount of Total Assessments. As determined by the office of the City Engineer, the total estimated operation and maintenance costs for this fiscal year of District L02 are \$151,061 of which the City's portion is approximately \$37,765. The remainder of \$113,296 is to be paid from assessments levied upon property within District L02 as set forth in the Assessment List.

Section 5. Method, Rate, and Payment of Assessment. The total assessment for District L02 is levied in accordance with the method set out in the Notice of Intention pertaining to District L02 as adopted by the City Council on August 8, 1995. The applicable rate for each property was determined based on the operation and maintenance costs of providing street lighting services and furnishing electrical energy, together with other related factors, the totals of which are set out in the preceding Section. Future annual assessments may include adjustments to reflect changes in operation and maintenance costs and any balances or deficits resulting from the previous year's operations.

Assessments shall be payable on December 15, 2009 (the "Due Date"). Interest on assessments shall accrue only after passage of the Due Date as set out in the Special Assessment Notice to be mailed by the City Treasurer to property owners. The rate of interest accruing on any delinquent assessment shall be the rate allowed by Utah statute (the "Delinquent Rate"). The whole or any part of the assessment may be paid without interest on or prior to the Due Date. Future annual assessments may include adjustments to reflect changes in operation and maintenance costs and any balances or deficits from the previous year's operations.

Section 6. Default in Payment. The assessment installment shall be delinquent if it remains unpaid after the Due Date. Any delinquency shall constitute a default in the payment of the assessment. If a default occurs in the payment of any installment when due, the City may file for recording a notice (the "Notice of Delinquency") with the Salt Lake County Recorder. The resulting recording fees for both any filing and any release shall be added to the assessment together with accrued interest due and owing. In addition, costs of collection as determined by the City Treasurer or required by law shall be charged and paid on all delinquent amounts.

If the delinquency continues after the filing of the Notice of Delinquency, the City Treasurer may determine that additional enforcement action may be appropriate. Prior to commencement of such enforcement action, the City shall give an additional notice (the "Notice of Default"), in writing, of the default to the owner of the property in default. Notice of Default shall be effective upon deposit of the notice in the U.S. Mail, postage prepaid, and addressed to the owner as shown on the last equalized assessment rolls for the City or on the official ownership records of the City. The Notice of Default may provide for a period of thirty (30) days in which the owner shall pay the assessment balance then due and owing together with accrued interest at the Delinquent Rate plus recording costs and other costs as determined by the City Treasurer. The Notice of

Default may also declare that after the thirty (30) day period the City may bring suit for the total amount due plus costs of the enforcement action remedy, or the City may elect to commence foreclosure proceedings in the manner provided for actions to foreclose mortgage liens or trust deeds. In the event the City elects to foreclose using trust deed procedures, a trustee shall be designated by the City to serve as a trust fund trustee for purposes of the enforcement action. If at the sale no person or entity shall bid and pay the City the amount due on the assessment plus interest and costs, the property shall be deemed sold to the City for these amounts. The City shall be permitted to bid at the sale.

The election by the City to use or not to use a Notice of Delinquency and a Notice of Default shall have no effect on the perfecting of the lien resulting from a delinquency in the payment of any assessment after publication of the applicable assessment ordinance. The remedies provided herein for the collection of assessments and the enforcement of liens shall be deemed and construed to be cumulative and the use of any one method or means of collection or enforcement shall not deprive the City of the use of any other method or means. The amounts of accrued interest and all costs of collection shall be added to the amount of the assessment up to the date of judgment or, in the case of foreclosure action, the date of the foreclosure sale.

Section 7. Remedy of Default. If prior to the final date that payment may be legally made under a final sale or foreclosure of property to collect the delinquent assessment installments, the property owner pays the full amount of the unpaid assessment balance with interest at the Delinquent Rate, plus all approved or required costs, the owner will have the right to make payment in full and receive a release of the assessment lien. The owner shall then be restored to the right to paying installments in the same manner as if default had not occurred.

Section 8. Lien of Assessment. An assessment levied by this 2009 Assessment Ordinance or any unpaid portion of an earlier assessment, any interest accruing, and the costs of recording and collection shall constitute a lien against the property upon which the assessment is levied as of December 1, 2009, the effective date of this 2009 Assessment Ordinance (the "Effective Date"), or for any unpaid portion of an earlier assessment, as of the effective date of any earlier applicable assessment ordinance. Unless the assessment becomes delinquent, no notice of lien may be recorded and no release of lien will be recorded at the time of payment. When a delinquency occurs, a notice of lien setting out the assessment balance due may be incorporated into a Notice of Delinquency that will be recorded. The assessment lien based on this 2009 Assessment Ordinance, or on an earlier assessment ordinance, if the delinquency predates the effective date of this 2009 Assessment Ordinance, shall be superior to the lien of any trust deed, mortgage, mechanic's or materialman's lien, or other encumbrance and shall be equal to and on a parity with the lien for general property taxes. The lien shall continue until the assessment and any interest, penalties, and costs on it are paid, notwithstanding any sale of the property for or on account of a delinquent general property tax, special tax, or other assessment or the issuance of a tax deed, an assignment of interest by the governing entity, or a sheriff's certificate of sale or deed.

Section 9. Appeal of Assessment. An owner of property assessed within District L02 may, within fifteen (15) days from the Effective Date, file a written appeal with the City Engineer contesting the equity or justice of his/her assessment. The City Engineer's office will first attempt to resolve the appeal, but if the appeal can only be resolved by an adjustment in the amount to be assessed against the property owner, the City shall convene a Board of Equalization and Review to consider the appeal and, where appropriate, make adjustments to said assessment, provided however, that no adjustment may be made that would result in an increase in said assessment. The City shall report to the property owner the determination of the Board of Equalization and Review within five (5) days after its recommendation is made. If an adjustment is recommended, the City Treasurer shall note said adjustment on the Assessment List attached hereto. If no adjustment is made, the property owner may take such additional legal action as provided in Section 10.

Section 10. Contestability. No assessment shall be declared void or set aside in whole or in part in consequence of any error or irregularity which does not go to the equity or justice of the assessment or proceeding. Any party who has not waived his or her objections to the assessment may commence a civil action against the City to enjoin the levy or collection of the assessment or to set aside and declare unlawful this 2009 Assessment Ordinance.

Such action must be commenced and summons must be served on the City not later than thirty (30) days after the Due Date of this 2009 Assessment Ordinance. This action shall be the exclusive remedy of any aggrieved party. No court shall entertain any complaint which the party was authorized to make by statute but did not timely make or any complaint that does not go to the equity or justice of the assessment or proceeding.

After the expiration of the 30-day period provided in this section, the assessments levied in District L02 shall become incontestable as to all persons who have not commenced the action provided for in this section; and no suit to enjoin the levy, collection, or enforcement of the assessments, or in any other manner attacking or questioning the legality of the assessments may be instituted in this state, and no court shall have authority to inquire into these matters.

Section 11. Notice to Property Owners. The City Treasurer is hereby authorized and directed to give notice of assessment by mail to the property owners in District L02. Said notice shall, among other things, state the amount of the assessment and the date for payment. A copy of the form of notice of assessment is available for examination upon request at the office of the City Recorder.

Section 12. All Necessary Action Approved. The officials of the City are hereby authorized and directed to take all action necessary and appropriate to effectuate the provisions of this 2009 Assessment Ordinance.

Section 13. Repeal of Conflicting Provisions. All ordinances or parts thereof in conflict with this 2009 Assessment Ordinance are hereby repealed.

Section 14. Publication of Ordinance and Effective Date. Immediately after its adoption, this 2009 Assessment Ordinance shall be signed by the Mayor and City Recorder and shall be recorded in the ordinance book kept for that purpose. This 2009 Assessment Ordinance shall be published once in the Deseret News, a newspaper published and having general circulation in the City, and shall take effect immediately upon its Effective Date.

Section 15. Notice of Assessment Interest. The City Treasurer is hereby authorized and directed to file a Notice of Assessment Interest with the Salt Lake County Recorder within five (5) days after the Due Date provided in Section 5. Such Notice shall (a) state that the City has an assessment interest in the assessment property, (b) describe the property assessed by legal description and tax identification number, and (c) state the maximum number of years over which the assessment for operation and maintenance activities will be payable (which number may be included in an attached copy of the District L02 Assessment Ordinance).

PASSED AND APPROVED by the City Council of the City, this October 13, 2009.

(SEAL)

By: \_\_\_\_\_  
Chair

ATTEST:

By: \_\_\_\_\_  
City Recorder

PRESENTATION TO THE MAYOR

The foregoing ordinance was presented to the Mayor for his approval or disapproval on October \_\_\_\_, 2009.

By: \_\_\_\_\_  
Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved October \_\_\_\_, 2009.

\_\_\_\_\_  
Ralph Becker, Mayor

STATE OF UTAH                    )  
  : ss.  
COUNTY OF SALT LAKE    )

I, \_\_\_\_\_, the duly appointed, qualified, and acting City Recorder of Salt Lake City, Utah, do hereby certify that the above and foregoing is a full, true and correct copy of the record of proceedings had by the City Council of Salt Lake City, Utah, at its meeting held on October 13, 2009, insofar as the same relates to or concerns Salt Lake City, Utah Lighting District No. L02 as the same appears of record in my office.

I further certify that the 2009 Assessment Ordinance levying the special assessments was recorded by me in the official records of Salt Lake City on October 13, 2009.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of Salt Lake City this October 13, 2009.

(SEAL)

By: \_\_\_\_\_  
City Recorder



STATE OF UTAH                    )  
  : ss.  
COUNTY OF SALT LAKE    )

AFFIDAVIT OF MAILING  
NOTICE OF ASSESSMENT

I, Daniel Mulé, the duly appointed, qualified, and acting City Treasurer of Salt Lake City, Utah, do hereby certify that on \_\_\_\_\_, 2009, I caused to be mailed a Notice of Assessment to each property owner in Salt Lake City, Utah Lighting District No. L02 by United States Mail, postage prepaid, at the last known address of such owner.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of Salt Lake City, Utah, this \_\_\_\_\_, 2009.

(SEAL)

By: \_\_\_\_\_  
City Treasurer

## PROOF OF PUBLICATION

Attached to this page is the Proof of Publication, indicating by the affidavit of the publisher that the said 2009 Assessment Ordinance levying the special assessments adopted by the City Council on October 13, 2009, was published one time in the Deseret News.

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, \_\_\_\_\_, the undersigned City Recorder of Salt Lake City, Utah (the "City"), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the October 13, 2009, public meeting held by the City Council of the City as follows:

(a) By causing a Notice, in the form attached hereto as Schedule A, to be posted at the City Council's principal offices at 451 South State Street, Salt Lake City, Utah, on October 9, 2009, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of such Notice, in the form attached hereto as Schedule A, to be delivered to the Deseret News on October 9, 2009, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice to be posted on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2009 Annual Meeting Schedule for the City (attached hereto as Schedule 2) was given specifying the date, time, and place of the regular meetings of the City Council to be held during the year, by causing said Notice to be (a) posted on \_\_\_\_\_, at the principal office of the City Council, (b) provided to at least one newspaper of general circulation within Salt Lake City on \_\_\_\_\_, and (c) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this October 13, 2009.

(SEAL)

By: \_\_\_\_\_  
City Recorder

SCHEDULE A

NOTICE OF MEETING

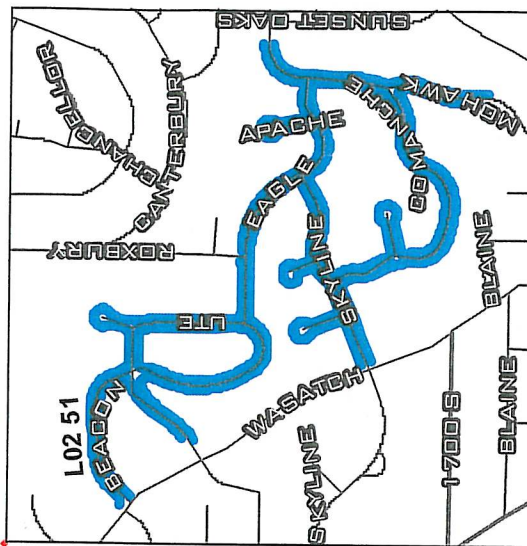
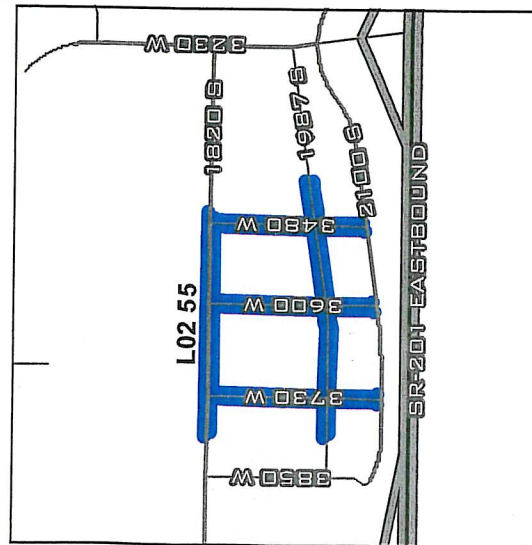
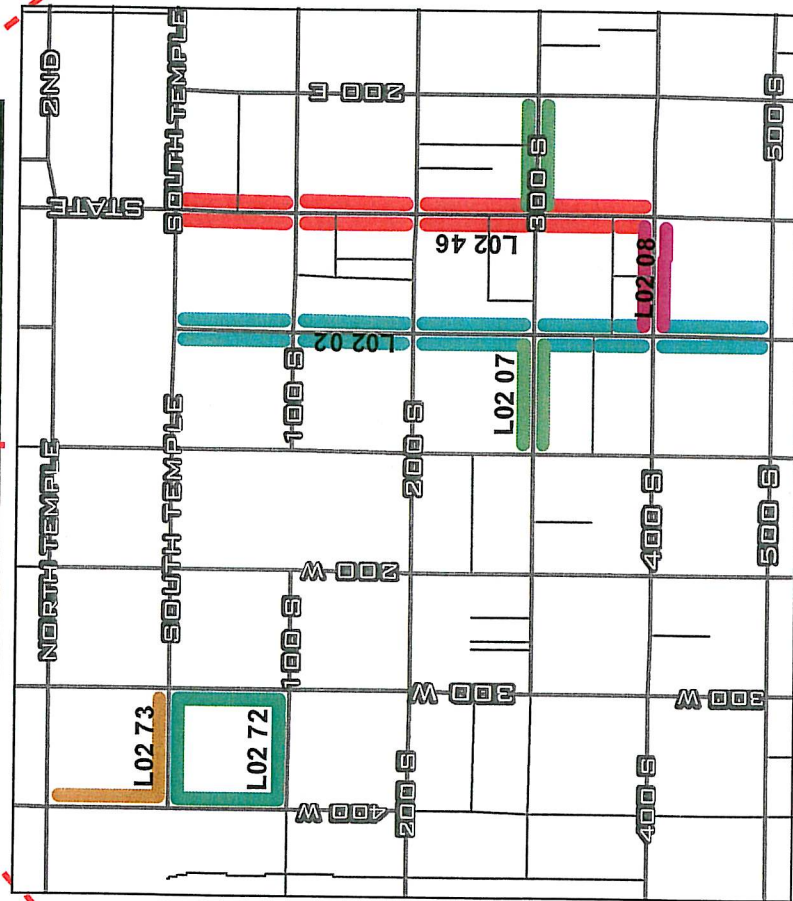
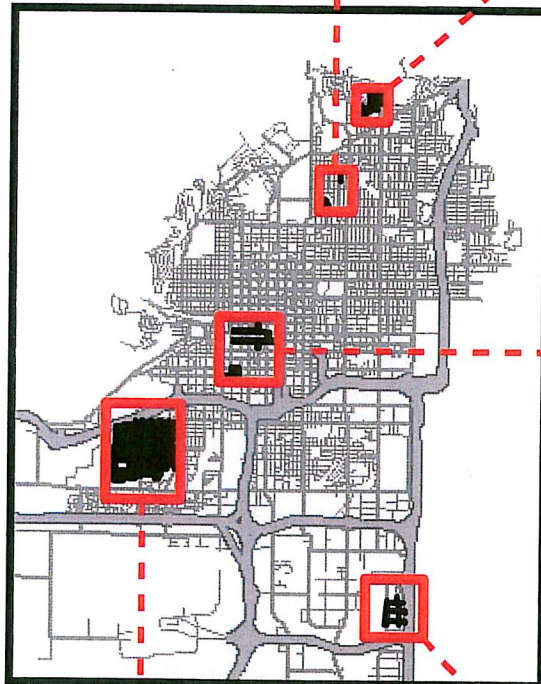
EXHIBIT B

ASSESSMENT LIST

(Available for review at the offices of the  
City Recorder and the City Engineer)

**Attachment 4**  
**Map for Street Lighting**  
**Special Improvement District L02**

**Salt Lake City, Utah**



SALT LAKE CITY CORPORATION  
DIVISION OF TRANSPORTATION  
349 SOUTH 200 EAST, SUITE 450

DRAWN BY: K. BELL 9/15/09

Map shows the street frontages of each extension within the district.