

### WHAT DOES H.B. 406aa PROPOSE TO DO?

Amend the water and sewer district law by providing a process for the governing bodies of a water and/or sewer district and a city to include or remove area, within a city, to or from a water and/or sewer district by resolution and/or ordinance, subject to certain minimum qualifications where there is an existing water or sewer system;

Process includes a public hearing and a special election option;

Maintains the status of a recreational water and sewer district upon completion of annexation; and

Provides an option to establish residence zones for election of directors of water and/or sewer districts.

## WHY IS H.B. 406aa GOOD PUBLIC POLICY?

 BECAUSE it provides an option for cities and districts, subject to public notice and approval, to consolidate water and/or sewer services under one governance to reduce costs and improve efficiencies.

• BECAUSE of the expense of constructing and maintaining potable water and sanitary sewer systems – requires a critical mass of users to be economically affordable.

• BECAUSE clean potable water and sanitary sewer services sustains life, preserves health, and protects the environment.

### **IDAHO AREAS H.B. 406aa MAY AFFECT:**

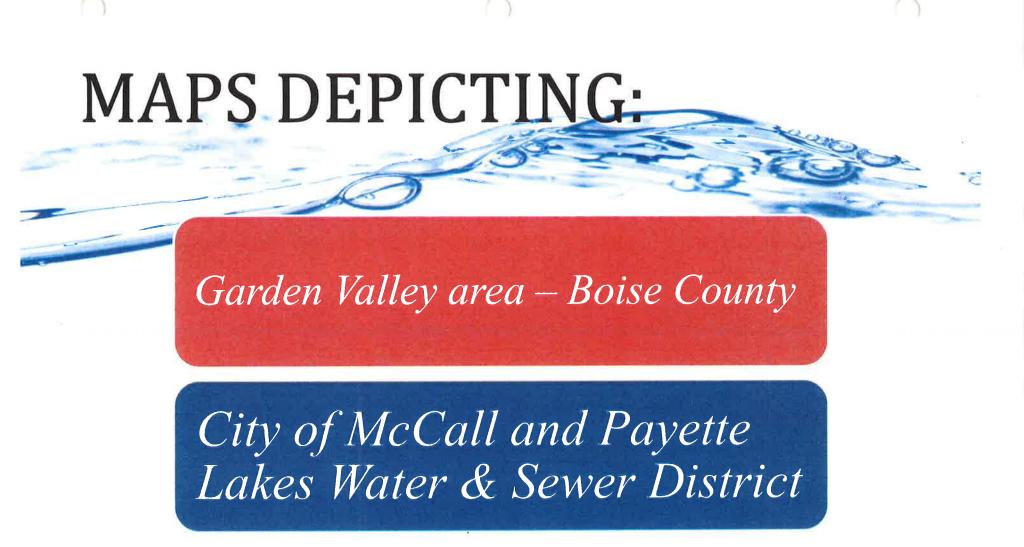
### Resort – Recreational Areas

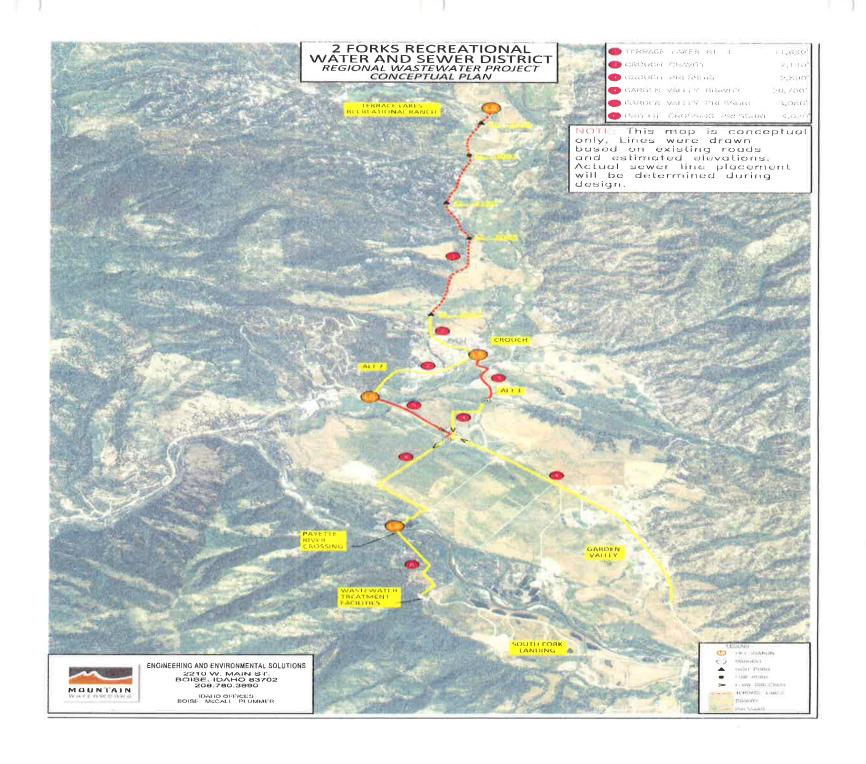
 Where there is a mix of development and population in and out of cities Payette Lakes
Recreational
Water & Sewer
District and
City of McCall

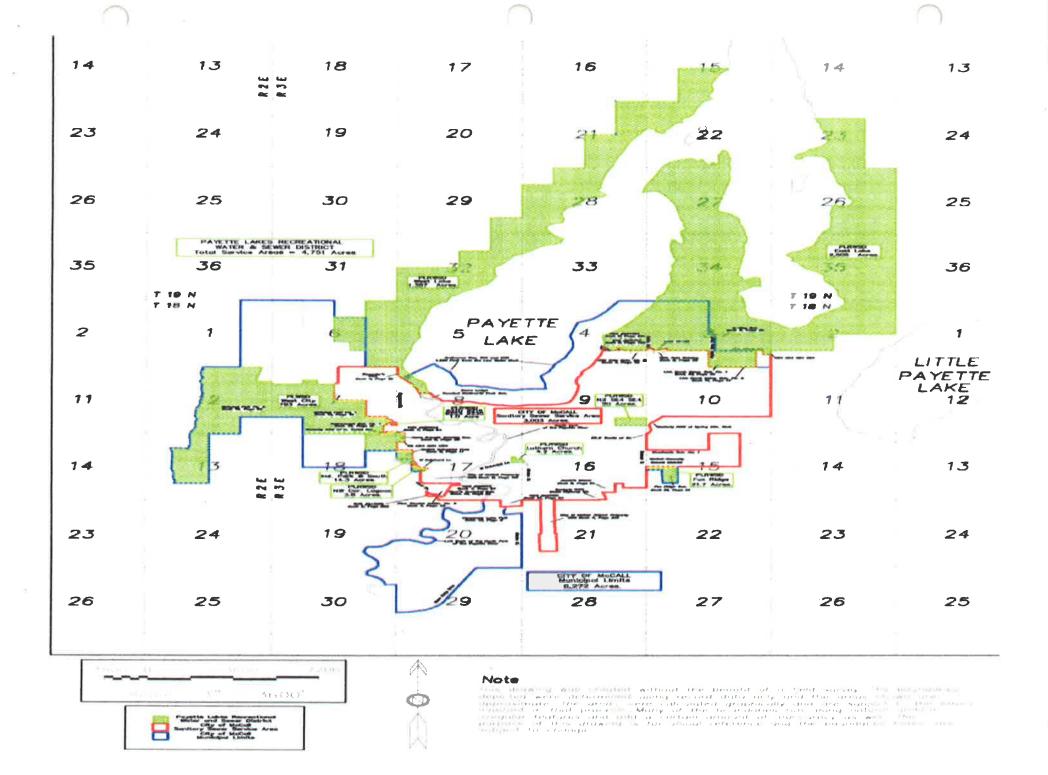
 Where existing systems of a district and a city are interlinked

### Garden Valley area

• Where existing wastewater treatment plant is in a district that could serve city residents







# SPECIAL MINIMUM REQUIREMENTS OF ANNEXATION OR WITHDRAWAL IF A WATER OR SEWER SYSTEM ALREADY EXISTS WHICH SERVES THE AFFECTED AREA

Is capable of providing all the essential functions of the existing system;

Has agreed to assume and perform the essential existing system functions;

Either has or is acquiring sufficient assets, infrastructure and other resources to perform the essential operations of the existing system;

Provisions have been made for the retirement, payment or assumption of any debt, bonds, or other liabilities and obligations of existing system;

Provisions have been made for the liquidation and disbursement of the existing system assets and infrastructure not intended to be transferred; and

Provisions setting forth requirements for post-annexation or withdrawal operations.

### **PROCESS**

# All steps required:

Both Governing Boards draft an agreement of annexation or withdrawal including post withdrawal or annexation operations.



Both Governing
Boards hold joint
public hearing to
receive
testimony
preceded by
published notice
with info re:
proposal and
how to request
an election.



Joint public hearing held



Both Governing
Boards either take
under advisement
for 30 days or
approve
resolutions for
special election or
if 10% of qualified
electors of District
or City petition for
a special election.



Certification of Resolutions and/or Ordinances and election to District Court for Order of Annexation or Withdrawal.



Both Governing
Boards approve
a Resolution
and/or
Ordinance
including terms
and conditions.



#### **Election Alternative:**

Requires special election in May or November and requires majority vote of electors of both the District and the City.

# OTHER PROVISIONS OTHER PROVISIONS Provides for the option to create DIRECTOR ZONES for election. Protects the status of a recreational water and sewer district upon annexation in order to prevent disenfranchisement of non-resident property owners who qualify to be electors in Idaho.