

## District's Response to False Claims by the UP Concerned Residents

Once more, a very small group of disgruntled residents have orchestrated another one of their attempts to obstruct the University Park Recreation District ("UPRD") from acquiring the recreational facilities in our community. Despite the fact over 80% of homeowners voted in favor of issuing bonds and purchasing the recreational facilities, this small band of malcontents continues to publish their same set of grievances wrapped in a mantle of self-serving and often incorrect assertions.

This small group is estimated at fewer than 50 households, and it is led by Mr. Garrett, Mr. Lordi, Ms. Buck, Mr. Moran, and Mr. and Mrs. Shane. Their purposeful misrepresentations are transparently obvious. For example, they say "The UPRD board and Hank Fishkind, its managing director, are about to pass their first special assessment of \$1,000 per household on every house in UP. This is in addition to the \$1,200 average assessment per house that you will be charged in your real estate tax for this year."

This is an outright falsehood. They know, or should know, that this assertion is wrong. UPRD planned to assess each home an average of \$1,200 per year starting in November 2019 to fund the acquisition of the recreational facilities. However, Mr. Garrett's lawsuit prevented this. So, UPRD will not, and cannot, assess for the acquisition of the recreational facilities this year. Instead, UPRD plans to assess each home \$1,000 this year to fund:

- (1) legal fees imposed upon the community by Mr. Garrett's lawsuit, and
- (2) UPRD operating expenses.

This one-time special assessment will be billed directly to each homeowner. The one-time assessment will not be collected along with all other property taxes.

It is important for everyone to understand that **NONE** of this would be needed if Mr. Garrett had not filed his suit. It is also important to point out that based on simple arithmetic, UPRD is actually planning to assess **LESS** this year than previously planned.

Furthermore, the UPRD Board is the elected representatives of the community, elected by over 80% of UPRD residents to acquire, operate and maintain the recreational facilities for the community. The suggestion by the Concerned Citizens that "They are doing this without the approval or consent of the UP homeowners and without the homeowners voting on it." is an obvious distortion of the facts. Also, Dr. Fishkind is only the UPRD District Manager. All actions by UPRD are strictly authorized by the Board. This is just another simple example of the lack of understanding, or willful blindness, by the Concerned Citizens.

Interestingly, despite the attempts by the Concerned Citizens to instigate a campaign against the one-time special assessment of \$1,000, including facilitating a canned-email response, they could only muster 24 emails in opposition to the one-time assessments. To put this into perspective consider that the opposition managed to muster only 199 votes in opposition to the bond referendum. This time less than 15% of those opposed to the referendum sent in canned-email replies. This shows just how small a group the Concerned Citizens are. Also, the Board received many emails in support of the assessment without mounting a counter campaign.

District Counsel has opined that Mr. Garrett's lawsuit is without merit. The Board is determined to complete the assessment process to raise \$1,202,000 to fund legal expenses and District operations. All of this required because of Mr. Garrett's lawsuit with the support of those calling themselves "Concerned Citizens".

It is all well and good to have differences of opinion. UPRD welcomes all citizens to come to our meetings, to voice their opinions, and to communicate with District Management and the Board. However, UPRD strongly objects to the costly, destructive, divisive and often personal nature of the attacks by Mr. Garrett and his supporters, the Concerned Residents.