

**CITY COUNCIL MEETING OF**  
*May 21, 2008*  
**VERBATIM TRANSCRIPT – ITEM 46**

1 **Public Hearing on proposed local improvement district for Special Improvement District**  
2 **No. 1511 – Farm Road (Virginia Dale Street to Tule Springs Road) – Ward 6 (Ross)**

3

4 **Appearance List:**

5 OSCAR GOODMAN, Mayor

6 JORGE CERVANTES, Acting Director of Public Works

7 PATRICK BERGSRUD, 8311 Farm Road

8 STEVEN ROSS, Councilman

9

10 6 minutes

11

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14 **MAYOR GOODMAN**

15 Item 46 is a Public Hearing on proposed local improvement district for Special Improvement  
16 District No. 1511, Farm Road from Virginia Dale Street to Tule Springs Road. This is in Ward  
17 6. Mr. Cervantes?

18

19 **JORGE CERVANTES**

20 Good morning Mayor and Council, Jorge Cervantes, Department of Public Works. This item is  
21 a public hearing to initiate a Special Improvement District 1511, for improvements on Farm  
22 Road between Virginia Dale Street and Tule Springs. The improvements to be provided with  
23 this Special Improvement District include pavement, curb and gutter, sidewalk, streetlight in  
24 residential driveways. The assessed value of the improvements will be approximately eighty-six  
25 hundred, thousand dollars and will be assessed over a twenty-year period.

26

27 **MAYOR GOODMAN**

28 All right. Are there any questions of Mr. Cervantes? Folks, this is a public hearing. Anybody  
29 like to be heard? I know that I received a very substantive email from a constituent, Patrick  
30 Bergsrud. Is he here?

31

32 **PATRICK BERGSRUD**

33 Yep.

34

35 **MAYOR GOODMAN**

36 All right. Would you like to be heard, Sir?

37

38 **PATRICK BERGSRUD**

39 I would like to be.

40

41 **MAYOR GOODMAN**

42 Good, this is your opportunity.

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43 **PATRICK BERGSRUD**

44 Okay. Actually, what I like to request of, Patrick Bergsrud, 8311 Farm Road. We're the only  
45 home being asked to pay for the \$86,000 Special Improvement District. What I'd like to do is, I  
46 have retained the McFarling Law Group to help represent me on this and some other issues. I'd  
47 just like to hold this in advance (sic) so that I can discuss it with them –

48

49 **MAYOR GOODMAN**

50 All right.

51

52 **PATRICK BERGSRUD**

53 – and bring our issues.

54

55 **MAYOR GOODMAN**

56 All right. This is in Ward 6. Councilman, do you have an issue with that?

57

58 **COUNCILMAN ROSS**

59 I certainly do, Your Honor, if you don't mind. Mr. Bergsrud has had several opportunities to  
60 take care of the issues that are before us today. A brief history: In July of '05, the home was  
61 issued several, the build, the final building inspection was rejected due to issues with drainage.  
62 Mr. Bergsrud waited to, until American Homes (sic) there, did their off, did their improvements  
63 to see what kind of improvements he would have to his property. You see the overhead right  
64 there.

65 In January of '06, the owner was informed that off-site improvements are required and that no  
66 further inspections would be, would take place. His inspections were put on hold. In March of  
67 '06, he was issued a swimming pool permit. As you can see on the overhead there, there's a  
68 swimming pool. In April of '06, the pre (inaudible) inspection failed because, still, the off-sites  
69 had not been done. In April of '06, there was a meeting there with our then Director of Building  
70 and Safety, Paul Wilkins, Deputy Director, Earl Russell, Mike Hazard and Dennis Moyer from

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71 our Building and Safety Department, with Mr. Bergsrud about the issues and his off-site  
72 improvements.

73 The pool was completed, Mayor and Council, with, without inspections by the property owner,  
74 and you can see, there's water in it. The property owner filed a complaint with the State  
75 Contractor's Board against the pool company, which was dismissed. The home has been  
76 occupied sometime between '95 and 2005. Two thousand and four Mr. Bergsrud bought the  
77 property. Again, I said, as I said before, issued several certificates, temporary certificates of  
78 occupancy, again, waiting for Richmond American to complete their work. The pav, the City  
79 Building and Safety Department has been quite patient and lenient with him. In regards to his  
80 obtaining legal counsel. I'm not sure, I, if I – move, make a motion to follow staff's  
81 recommendation here with this SID, if that's gonna have any effect on it whatsoever.

82

83 **MAYOR GOODMAN**

84 Well, basically, this is a hearing today only. There'll – be no vote. This is the time for the  
85 public to be heard and based on the Councilman's remarks, we'd be happy to hear from you.

86

87 **PATRICK BERGSRUD**

88 Oh, there's several things Councilman Ross mentioned that, definitely, are not correct, you  
89 know. That's, when the drainage study came out, Richmond-American had already, Richmond-  
90 American did full topographical surveys of everything you can see there, including more where  
91 they built the homes. We did allow them access to our property. The only reason we failed on  
92 our drainage is because City Building and Safety said that we weren't allowed to have AB  
93 drainage, and that they didn't believe, although Richmond had put in a ten-foot ea, a ten-foot  
94 wide drainage easement that you can see right back here. On their, Richmond had put that on  
95 their plans but hadn't built the wall or the drainage easement yet, and I was told by – the City  
96 that as soon as that drainage easement was physically there, we would have our certificate of  
97 occupancy.

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98 **MAYOR GOODMAN**

99 All right.

100

101 **PATRICK BERGSRUD**

102 You know.

103

104 **MAYOR GOODMAN**

105 Would you like me to put your email that you wrote me into the record?

106

107 **PATRICK BERGSRUD**

108 Sure.

109

110 **MAYOR GOODMAN**

111 All right. Madame Clerk, if you put this into the record, please.

112

113 **PATRICK BERGSRUD**

114 In fact, what I'd like to do is, possibly, be on the agenda for the next City Council meeting and  
115 present everything.

116

117 **MAYOR GOODMAN**

118 Well, what we –

119

120 **PATRICK BERGSRUD**

121 Is that possible?

122

123 **MAYOR GOODMAN**

124 We've been advised by the City Attorney that this will be coming back before us for a vote, Mr.  
125 Cerv, in two weeks. So, you'll be able to have an opportunity to be heard at that time.

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126 **PATRICK BERGSRUD**

127 Great.

128

129 **MAYOR GOODMAN**

130 Very good. Thank you.

131

132 **PATRICK BERGSRUD**

133 All right. Thank you very much.

134

135 **MAYOR GOODMAN**

136 Very good. Would anyone else like to be heard on this item? All right, seeing none, then, we'll

137 close the public hearing and since it's a public hearing only and no motion is required, we'll

138 move on to the next item, which is Item Number 47.

139

140 **(END OF DISCUSSION)**

141 /ac;lc