

**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: JUNE 17, 2008**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

Consent  Discussion

**SUBJECT:**

Bill No. 2008-28 - Ordinance Creating Special Improvement District No. 1511 - Farm Road (Virginia Dale Street to Tule Springs Road) Sponsored by: Step Requirement - Ward 6 (Ross)

**Fiscal Impact**

No Impact

Budget Funds Available

Augmentation Required

**Amount:** \$86,354.21

**Funding Source:** Capital Projects Fund - Special Assessments

**Dept./Division:** Public Works Special Improvement District

**PURPOSE/BACKGROUND:**

The construction and installation of pavement, media islands, left turn lanes and/or continuous left turn lane, "L" type curb and gutter, slow down streetlights.

**RECOMMENDATION:**

This bill should be submitted to a Policy Making Committee for review, hearing and recommendation to the City Council for adoption.

**BACKUP DOCUMENTATION:**

Bill No. 2008-28

Motion made by RICKI Y. BARLOW to Approve as Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

MIKE THOMPSON, Public Works Department, explained that the proposed Ordinance will create Special Improvement District (SID) No. 1511 for the construction and installation of a Street Project. The entire cost of \$86,354.21 will be levied against the benefited properties as noted in Bill No. 2008-28. He recommended Do Pass.

PATRICK BERGSRUD stated that his residence is the only property located on Farm Road; therefore, he is being assessed the entire cost of \$86,354.21. He asked that approval of the Ordinance be held in order to proceed with improvements. He argued that the City has requested improvements not needed for residential purposes.



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MR. BERGSRUD challenged that the required improvements would have been completed several years prior by Richmond American Homes if the City had not required them to redo the surveys and studies and be responsible for the streets. Having to bear the cost of the SID, MR. BERGSRUD believes he may lose his home.

Addressing MR. BERGSRUD, COUNCILWOMAN TARKANIAN referred to a comment COUNCILMAN ROSS had made to him about having adequate time to comply as this issue has been ongoing for several years. COUNCILMAN BARLOW asked MR. BERGSRUD to state how long ago he was notified of his responsibility for the improvements and when he planned to follow through on them. MR. BERGSRUD replied that it was in April of 2004.

COUNCILMAN BARLOW explained that the SID assessments are derived from evaluating an entire area and dividing the cost among all parcels. CHIEF DEPUTY CITY ATTORNEY VAL STEED confirmed that in this situation, there are no other property owners being assessed and there are no other properties planned for this area.

In conclusion, COUNCILMAN BARLOW stated that although Richmond American Homes had planned to do the improvements when that didn't happen, MR. BERGSRUD did nothing further to fulfill his obligations.

COUNCILWOMAN TARKANIAN announced the public hearing closed.

