



Date: March 13, 2012

To: Thomas J. Bonfield, City Manager
Through: Theodore L. Voorhees, Deputy City Manager
From: Marvin G. Williams, Director of Public Works
Subject: Agenda Item – Mini Assessment Rolls for Sewer Main and Sewer Outfall on Brecknock Street and Donnigale Avenue

Executive Summary

The City Council, at its meeting on March 5, 2012, held a public hearing regarding the assessment of a sewer main and sewer outfall to serve Brecknock Street and Donnigale Avenue. Both assessment rolls were confirmed with the exception of the proposed assessments against the properties of Elizabeth A. Dear and Michael T. and Jessica G. Henry, due to objections to the assessments by those owners. Council action is required to confirm or relieve the said assessments.

Recommendation

The Public Works Department recommends that City Council confirm the sewer main and sewer outfall assessments against the properties of Elizabeth A. Dear and Michael T. and Jessica G. Henry in the original amounts in accordance with policy as shown on the attached mini rolls.

Background

The Public Works Department received a letter on March 5, 2012, from Elizabeth A. Dear, objecting to the proposed assessments against her property, described as 3511 Brecknock Street, PIN 0801-04-60-6296. The letter states the objection is based on the amount of the proposed assessments. This property does not meet any of the criteria for relief established by the Assessment Relief Policy for sewer main or sewer outfall assessments; therefore the assessments should be confirmed in the original amounts. Ms. Dear has been notified of this via a detailed phone message, as well as a letter.

Michael T. and Jessica G. Henry objected to the proposed assessments against their property, described as 3504 Donnigale Avenue, PIN 0801-04-60-2662, based on the fact that they were not made aware of the pending assessments when they purchased the property. The Henrys understand this is a private matter between buyer and seller and should be handled through the closing attorney. This property does not meet any of the criteria for relief established by the Assessment Relief Policy for sewer main or sewer outfall assessments; therefore the assessments should be confirmed in the original amounts.

Issues and Analysis:

Section 77 of the Charter of the City of Durham dictates that City Council hold a public hearing before final confirmation of the mini assessment rolls.

Alternatives:

There is not an alternative per the City Charter.

Financial Impacts:

Once the public hearing is held, the City can proceed with collecting payment for any assessments confirmed by City Council.

SBDE Summary:

The SDBE Summary is not applicable to this item.

MGW/ERV/lca