



Date: August 6, 2013

To: Thomas J. Bonfield, City Manager
Through: W. Bowman Ferguson, Deputy City Manager
From: Marvin G. Williams, Director of Public Works
Subject: Agenda Item – Mini Assessment Roll

Sewer Main on Angier Avenue from the North Property Line of Tax Map 591-1-41 to Cortez Drive and Cortez Drive from Angier Avenue to the North Property Line of Tax Map 591-1-48

Executive Summary

The City Council, at its meeting on November 5, 2012, held a public hearing regarding the assessment of the subject sewer main. The assessment roll was confirmed with the exception of three properties, due to objections to the assessments by the respective owners. The public hearing for those assessments was continued for further consideration. Council action is required to confirm or relieve the said assessments.

Recommendation

The Public Works Department recommends that City Council conduct a public hearing, receive public comments, grant relief until tap on of the sewer main assessments against 1015 Cortez Drive, 0 Cortez Drive and 1011 Cortez Drive, and confirm the assessment against 1007 Cortez Drive, as shown on the attached mini roll. The recommended action is in accordance with policy.

Background

William J. Colclough and Janet C. Tyndall Heirs objected to the proposed assessments against their properties, described as 1015 Cortez Drive, PIN 0840-03-34-3409 and 1011 Cortez Drive, PIN 0840-10-45-4150. Both properties are large sub-dividable tracts and are therefore eligible for relief until tap on of the sewer main assessment under the Assessment Relief Policy.

Artexie M. Painter Heirs objected to the proposed assessment against their property, described as 1007 Cortez Drive. This property has recently been subdivided into two tracts – Lot A and Lot B. Lot A is described as 1007 Cortez Drive, PIN 0840-03-34-4978. This property has benefitted from the sewer main and does not meet any of the criteria for relief established by the Assessment Relief Policy for sewer main assessments. Therefore, it is recommended that the assessment be confirmed in the original amount. Lot B is described as 0 Cortez Drive, PIN 0840-03-35-8257. This property is a large sub-dividable tract and is therefore eligible for relief until tap on of the sewer main assessment under the Assessment Relief Policy.

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 roll.

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. Granting relief until tap on of the sewer main assessments against the large sub-dividable tracts as described above will result in a decrease of immediate potential revenue. However, if any of the properties connect to the sewer main, a sewer frontage fee would be due at the prevailing rate, which is higher than the assessment rate for these improvements.

SBDE Summary:

This section is not applicable to this item.

MRW/lca