

**City of Culver City, California
Agenda Item Report**

Meeting Date: 06/08/15		Item Number: PH-3	
CITY COUNCIL AGENDA ITEM: PUBLIC HEARING - Adoption of a Resolution Confirming and Levying the Assessment for the Higuera Street Landscape and Lighting Assessment District for Fiscal Year 2015/2016			
Contact Person/Dept.: Mate Gaspar/DPW		Phone Number: (310) 253-5602	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☒		Action Item: ☐ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (E-Mail) Agenda and Meetings – City Council (06/03/15); (PUBLISH) Culver City News (05/21/15); (USPS) District Property Owners (05/18/15).			
Department Approval: Charles D. Herbertson (05/27/15)		City Attorney Approval: Carol Schwab (by H. Baker) (06/01/15)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (06/02/15)		City Manager Approval: John M. Nachbar (06/02/15)	
<u>RECOMMENDATION:</u> Staff recommends the City Council adopt a resolution confirming and levying the assessment for the Higuera Street Landscape and Lighting Assessment District (District) for Fiscal Year 2015/2016. <u>PROCEDURE:</u> 1. Mayor seeks motion from City Council to receive and file the affidavits of publication and posting of notices and correspondence received in response to the public hearing notices; and, 2. Mayor calls for a staff report, and the City Council Members may pose questions to staff as desired; and, 3. Mayor seeks a motion to open the public hearing; and 4. Mayor seeks a motion to close the public hearing after all public testimony has been presented; and, 5. The City Council discusses the item and arrives at its decision.			

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BACKGROUND:

The Higuera Street landscaping and street lighting improvements were installed in 1995 at the request of the property owners. The assessment district was formed, and the boundary includes properties on both sides of Higuera Street between Lindblade Avenue and Hayden Avenue. Each of the properties directly or indirectly benefits from the public improvements maintained in the District.

On May 11, 2015, the City Council approved the Engineer's Report, declared its intention to order the assessment levy and collection of assessments, and set the date, time and place for this public hearing for the Higuera Street Landscape and Lighting Assessment District.

DISCUSSION:

The total proposed Fiscal Year 2015/2016 assessment levy for the District is \$19,402.24. The total proposed expenditure is \$20,621.00. The charge per linear frontage footage per parcel is \$4.35. A detailed analysis of the District revenues and expenses is contained in the Engineer's Report. The District is estimated to be operating at a deficit of \$1,219 for Fiscal Year 2015/2016 even after a proposed 30% reduction in irrigation. Therefore, Staff proposes to reduce the irrigation by 50% (one time per week for 2 minutes) to bring the costs of the District near or at the same level as the revenue amount. Without rain or supplemental watering by the residents, the parkway grass will show signs of reduced watering.

Pursuant to Section 15.01.070.H of the Culver City Municipal Code (CCMC), any interested persons may file a written protest with the City Clerk (or withdrawal a previously filed protest) until the conclusion of the Public Hearing. Pursuant to CCMC Section 15.01.070.K, the City Council shall not impose an ***increased*** assessment if there is a majority protest. In this case, for Fiscal Year 2015/2016, the Engineer's Report does not propose an increased assessment. Therefore, notwithstanding any written protests received, the City Council may adopt the resolution confirming the assessment as determined by the Engineer's Report.

Pursuant to CCMC Section 15.01.070 (J and K), the City Council may choose to order changes in any of the matters provided in the report, including changes in the improvements or services, or both, any zones within the District, and the proposed diagram or proposed assessment so long as the changes do not result in an increase of the rates above the voter approved maximum rates adjusted by an inflationary formula, if any (if such formula received prior voter approval), or it may choose to adopt a resolution confirming the diagram and assessment, either as originally proposed or as changed by it. Adoption of such resolution constitutes the assessment levy for Fiscal Year 2015/2016. The City Council may also choose to dissolve the District pursuant to CCMC Section 15.01.065.A.3 or pay for the assessment with the City's General Fund.

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FISCAL ANALYSIS:

The Higuera Street Landscaping and Lighting Assessment District budget is 100 percent self-supporting for all expenditures. Property owners within the District are charged for their fair share of these costs, as described in the Engineer's Report.

ATTACHMENTS:

1. Engineer's Report
2. Proposed Resolution

MOTION:

That the City Council:

Adopt a resolution confirming and levying the assessment levy for the Higuera Street Landscape and Lighting Assessment District for Fiscal Year 2015/2016.