

MEETING DATE: 06/09/08

AGENDA ITEM: Adoption of a Resolution Approving the Engineer's Report and Ordering the Annual Assessment Levy and Collection for the Higuera Street Landscaping and Lighting Maintenance District - Fiscal Year 2008/2009

ATTACHMENTS

		<u>Pages</u>
1	Engineer's report	1-9
2	Resolutions	10-15
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PUBLIC WORKS DEPARTMENT

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CHARLES D. HERBERTSON, PE, LS
Public Works Director and
City Engineer

**ENGINEER'S REPORT
ON THE ANNUAL LEVY**

2008 -2009

**HIGUERA STREET LANDSCAPING AND
LIGHTING MAINTENANCE DISTRICT**

**IN THE CITY OF CULVER CITY
UNDER THE PROVISIONS OF CHAPTER 15.01
OF THE CODE OF THE CITY OF CULVER CITY, CALIFORNIA**

FILED with the City Clerk
On June 9, 2008

PRESENTED to the City Council

and APPROVED by Resolution
No. 2008-R____, adopted by said
City Council on June 9, 2008
and thereafter filed in the
Office of the City Clerk

Martin Cole
City Clerk
City of Culver City
By: Ela Valladares, Deputy City Clerk

To: The Honorable Mayor and Members of the City Council

From: Charles D. Herbertson, P.E., Public Works Director and City Engineer

**SUBJECT: HIGUERA STREET LANDSCAPING AND LIGHTING
MAINTENANCE DISTRICT
FISCAL YEAR 2008-2009 ASSESSMENT
ENGINEER'S REPORT**

In accordance with the provisions of Resolution No. 2008-R024 dated April 21, 2008, I have prepared and hereby submit this Report.

Higuera Street Landscaping and Lighting Maintenance District (hereinafter referred to as "District"), described herein, was formed by Resolution 95-R056, adopted on July 10, 1995, in accordance with the Chapter 15.01 of the Code of the City of Culver City, California.

This report consists of the following seven sections and two exhibits, which are submitted herewith, and made a part hereof:

I. Diagram of District Boundaries and Parcels

Higuera Street Landscaping and Lighting Maintenance District, consisting of certain public property and private real property within the District which is subject to assessment, is shown on that Diagram which has been filed in the Office of the City Clerk and, as a duplicate copy, in the Office of the City Engineer, being a part of this Report which was ordered by the City Council by Resolution 2008-R024 and by this reference is made a part hereof (as Exhibit C). The Map must be updated each year to reflect all changes made on the County Assessor's Map that impact the District. There are a total of 76 parcels in the District.

II. Types of Maintenance

The proposed maintenance to be performed within the landscaping and lighting maintenance area consists in general of the following:

- A. Landscaping in the street median strip and the parkways
- B. Irrigation costs of the landscaping in the median strip and in the parkways.
- C. The District area illumination has been increased above standard by the installation of 27 more luminaires than standard. The District will pay the differential energy and maintenance costs of these decorative streetlights.

III. Landscaping, Irrigation, and Lighting System Plans

The District Landscaping, Irrigation, and Lighting were constructed by contract by the Culver City Redevelopment Agency (hereinafter "Agency") as parts of

Project R-3059. The Agency approved the plans and specifications for that project on June 20, 1994. The work was accepted by the Agency as completed on June 17, 1996.

IV. Performance of Maintenance by City Forces and/or Contractor

The maintenance of the improvements is provided by the City of Culver City force account and/or maintenance contracts awarded by the City, and the costs thereof assessed to the benefiting properties within the District.

V. Parcel Assessments Based Upon Benefit Received

It is proposed to assess the total amount of maintenance and incidental costs for maintaining the landscaped median areas and parkways, the irrigated areas in the median and the parkways, and the differential costs of the decorative streetlights to the individual parcels of real property within the District in proportion to the benefit to be received by such parcels of real property. The proposed individual assessments are shown on the attached assessment roll.

VI. Method of Assessment

The District costs are assessed amongst the benefited properties in accordance with their lot dimensions along Higuera Street. In those cases where a residential corner property fronts on a side street other than Higuera Street, the lot dimension used for computation of the assessment is one-half of the length along Higuera Street.

VII. Estimated Cost of Maintenance and Improvements

The estimated cost of maintenance and improvements for the fiscal year includes, in total or in part, the following:

- A. The total cost of maintaining and servicing all existing improvements, as described in Section II, including all incidental expenses.
- B. The amount of any surplus or deficit in the District Fund to be carried over from the previous fiscal year.
- C. The amount of any contributions to be made from sources other than assessments levied pursuant to District assessment proceedings.
- D. The amount, if any, of the annual installment of an assessment ordered by the City Council, wherein the estimated cost of any improvements shall be levied and collected in annual installments.
- E. The net amount to be assessed upon assessable lands within the assessment district is equal to the total maintenance and improvement costs, as referred to in Part A above, increased or decreased, as the case may be, by any of the amounts referred to in B., C., or D., above. For fiscal year 2008-2009, the estimated costs are shown in EXHIBIT A.

- F. Item B above may specify individual parcels within a zone that did not receive notice of or pay assessments levied by the City Council, and which assessments are carried over and added to the assessments for the current fiscal year for each such specified parcel.

Current Status

The District's formation did not include the parkway landscaping maintenance as part of the scope of work and was maintained by the City. At the July 14, 2003, City Council meeting the ballot measure result for including the parkway landscaping maintenance costs as part of the District was: Yes-52% to increase the assessment and No-48% to not increase the assessment. The item was unanimously carried, and the City Council adopted Resolution No. 2003-R053 that imposed the increased annual assessment levy District, for the fiscal year 2003/2004.

The last assessment increase for the District was in fiscal year 2003/2004 for a total assessment of \$ 19,324. In fiscal year 2007-2008 a ballot measure to increase the assessment failed to pass and therefore was not implemented.

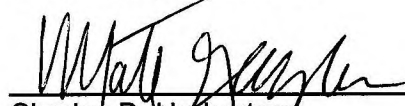
The costs to maintain the District have increased. Ballot measure requesting an increase of 19% was mailed to the property owners.

Recommended District Assessment for Fiscal Year 2008-2009

For fiscal year 2008-2009, the recommended assessment for the District is \$ 22,996 . This represents an approximately 19% increase in the current assessment for the District and will be individually calculated for each of the 76 parcels in the District.

The proposed assessment and individual assessments to the District are shown in EXHIBITS A and B, respectively.

Respectfully submitted,



for Charles D. Herbertson RCE 46658
Public Works Director and City Engineer

attachments

EXHIBIT A

HIGUERA Landscaping/Lighting Maintenance District	
2008-09 Expenditures and Income	
Force account and/or contract	\$12,288
General Fund (personnel)	\$1,706
General Fund (materials)	\$700
Irrigation Cost of Median and Parkway Landscape	\$4,658
Streetlights differential Energy and Maintenance Cost	\$520
Assessment Procedure (City Engineer's Cost)	\$3,124
Total Proposed Assessment	\$22,996
Total Current Assessment	\$19,324
Proposed Increase in assessment	\$3,632

EXHIBIT B

Assessor's Parcel Number	Property Address	Frontage (Feet)	Current Assessment	Proposed Assessment
4206-016-009	3960 Higuera St.	60.00	\$261.07	\$310.67
4206-016-010	3962 Higuera St.	45.00	\$195.80	\$233.00
4206-016-011	3966 Higuera St.	45.00	\$195.80	\$233.00
4206-016-012	3970 Higuera St.	45.00	\$195.80	\$233.00
4206-016-033	8959 Krueger St.	25.00	\$108.78	\$129.45
4206-016-034	8957 Krueger St.	25.00	\$108.78	\$129.45
4206-017-011	4006 Higuera St.	62.50	\$271.95	\$323.62
4206-017-012	4010 Higuera St.	45.00	\$195.80	\$233.00
4206-017-013	4014 Higuera St.	45.00	\$195.80	\$233.00
4206-017-014	4018 Higuera St.	45.00	\$195.80	\$233.00
4206-017-015	4022 Higuera St.	45.00	\$195.80	\$233.00
4206-017-016	4028 Higuera St.	48.00	\$208.86	\$248.54
4206-017-017	4034 Higuera St.	62.50	\$271.95	\$323.62
4206-011-013	8956 Hubbard St.	50.00	\$217.56	\$258.90
4206-011-014	4108 Higuera St.	45.00	\$195.80	\$233.00
4206-011-015	4112 Higuera St.	45.00	\$195.80	\$233.00
4206-011-016	4116 Higuera St.	45.00	\$195.80	\$233.00
4206-011-017	4122 Higuera St.	45.00	\$195.80	\$233.00
4206-011-018	4126 Higuera St.	50.00	\$217.56	\$258.90
4206-008-013	4156 Higuera St.	50.00	\$217.56	\$258.90
4206-008-014	4160 Higuera St.	45.00	\$195.80	\$233.00
4206-008-015	4164 Higuera St.	45.00	\$195.80	\$233.00
4206-008-016	4170 Higuera St.	39.60	\$172.31	\$205.05
4206-008-042	4174 Higuera St.	30.20	\$131.41	\$156.38
4206-008-043	4176 Higuera St.	30.20	\$131.41	\$156.38
4206-008-044	4178 Higuera St.	30.20	\$131.41	\$156.38
4206-008-045	4180 Higuera St.	30.20	\$131.41	\$156.38
4206-008-021	8673 Higuera St.	33.43	\$145.46	\$173.10
4206-008-022	8669 Higuera St.	40.24	\$175.09	\$208.36
4206-008-023	8665 Higuera St.	40.24	\$175.09	\$208.36
4206-005-016	8655 Higuera St.	39.75	\$172.96	\$205.82

4206-005-017	8651 Higuera St.	40.24	\$175.09	\$208.36
4206-005-018	8647 Higuera St.	40.00	\$174.05	\$207.12
4206-005-019	8643 Higuera St.	40.00	\$174.05	\$207.12
4206-005-020	8639 Higuera St.	40.00	\$174.05	\$207.12
4206-005-021	8635 Higuera St.	40.25	\$175.14	\$208.42
4206-004-016	3650 Helms Ave.	40.25	\$175.14	\$208.42
4206-004-037	8621 Higuera St.	40.24	\$175.09	\$208.36
4206-004-018	8617 Higuera St.	40.24	\$175.09	\$208.36
4206-004-019	8613 Higuera St.	40.24	\$175.09	\$208.36
4206-004-020	8605 Higuera St.	80.49	\$350.23	\$416.77
4206-001-016	8595 Higuera St.	40.25	\$175.14	\$208.42
4206-001-017	8591 Higuera St.	40.24	\$175.09	\$208.36
4206-001-018	8585 Higuera St.	40.24	\$175.09	\$208.36
4206-001-021	8563 Higuera St.	150.36	\$654.25	\$778.56
4206-001-001	8557 Higuera St.	132.30	\$575.67	\$685.05
4206-020-028	3951 Higuera St.	50.00	\$217.56	\$258.90
4206-019-001	3969 Higuera St.	37.20	\$161.87	\$192.63
4206-019-015	3975 Higuera St.	45.00	\$195.80	\$233.00
4206-019-016	3979 Higuera St.	45.00	\$195.80	\$233.00
4206-019-017	3983 Higuera St.	45.00	\$195.80	\$233.00
4206-018-010	4003 Higuera St.	44.67	\$194.37	\$231.30
4206-018-011	4009 Higuera St.	44.67	\$194.37	\$231.30
4206-018-012	4013 Higuera St.	44.67	\$194.37	\$231.30
4206-018-013	4017 Higuera St.	44.66	\$194.33	\$231.25
4206-018-014	4023 Higuera St.	49.49	\$215.34	\$256.25
4206-018-015	4027 Higuera St.	39.83	\$173.31	\$206.24
4206-018-016	4033 Higuera St.	44.67	\$194.37	\$231.30
4206-018-017	4037 Higuera St.	44.67	\$194.37	\$231.30
4206-010-015	4107 Higuera St.	46.73	\$203.33	\$241.96
4206-010-016	4109 Higuera St.	46.72	\$203.29	\$241.92
4206-010-017	4115 Higuera St.	46.72	\$203.29	\$241.92
4206-010-018	4117 Higuera St.	46.72	\$203.29	\$241.92
4206-010-019	4121 Higuera St.	46.72	\$203.29	\$241.92
4206-010-020	4127 Higuera St.	46.73	\$203.33	\$241.96
4206-009-013	4151 Higuera St.	45.01	\$195.85	\$233.06
4206-009-014	4161 Higuera St.	45.00	\$195.80	\$233.00
4206-009-015	4165 Higuera St.	45.00	\$195.80	\$233.00
4206-009-016	4171 Higuera St.	45.00	\$195.80	\$233.00
4206-009-017	4175 Higuera St.	45.00	\$195.80	\$233.00

4206-009-018	4179 Higuera St.	45.00	\$195.80	\$233.00
4204-005-025	8665 Hayden Pl.	202.53	\$881.27	\$1,048.71
4204-005-018	8651 Hayden Pl.	248.24	\$1,080.18	\$1,285.41
4204-005-019	8635 Hayden Pl.	356.00	\$1,549.06	\$1,843.38
4204-005-022	8621 Hayden Pl.	158.12	\$688.03	\$818.76
4204-005-021	8601 Hayden Pl.	168.88	\$734.85	\$874.47
		4441.05	\$19,324.00	\$22,995.56

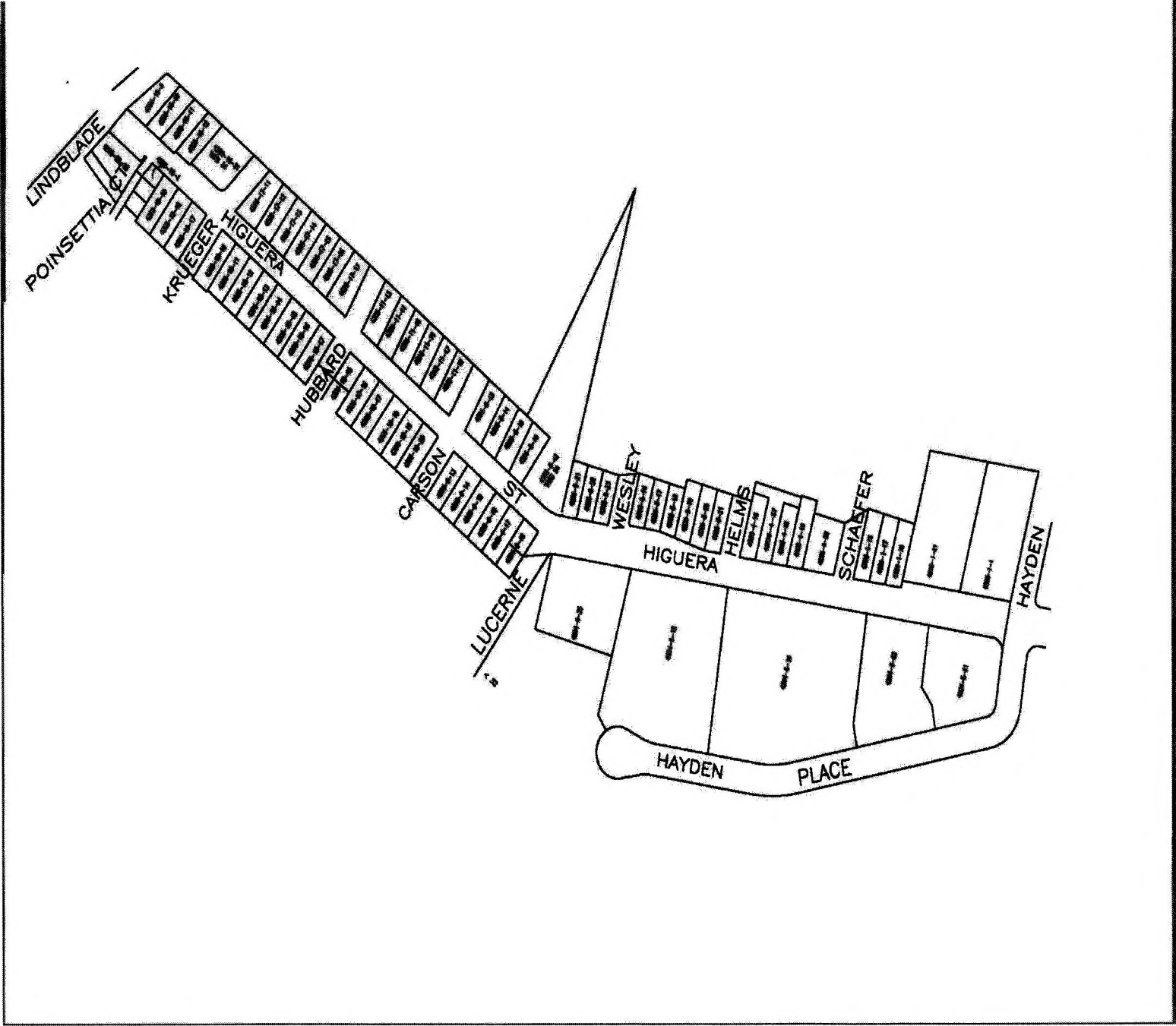


EXHIBIT C

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WHEREAS, the City Council of the City of Culver City has previously ordered the formation of a landscape and lighting Assessment district pursuant to the provisions of Chapter 15.01 of the Culver City Municipal Code ("CCMC") for a street landscape and lighting district to be known and designated as the "HIGUERA STREET LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT" (hereinafter referred to as the "Assessment District"); and

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1 WHEREAS, the City Council has heard all testimony and evidence at a duly
2 noticed public hearing held on June 9, 2008 and has determined to proceed with the levy
3 of annual assessment for the Assessment District.

4 NOW, THEREFORE, the City Council of the City of Culver City, DOES
5 HEREBY RESOLVE as follows:

6 1. Upon the conclusion of the public hearing, it was determined that the
7 majority of the property owners within the Assessment District voted in favor of the
8 proposed increase to the annual levy of the Assessment District.
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10 2. The Engineer's Report is hereby approved and the annual levy of the
11 Assessment District, as set forth and described in the Engineer's Report and Resolution
12 No. 2008-R024, is hereby ordered.

13 3. The diagram and assessment as set forth and contained in the
14 Engineer's Report are hereby confirmed and adopted.
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16 4. The adoption of this Resolution constitutes the levy of the
17 assessment for the fiscal year commencing July 1, 2008 and ending June 30, 2009.

18 5. The estimates of costs, the assessment diagram, the assessments,
19 and all other matters as set forth in the Engineer's Report as submitted pursuant to
20 CCMC §15.01.055, are hereby approved and adopted.

21 6. The assessment for improvements as set forth in the Engineer's
22 Report and Resolution No. 2008-R024 shall be performed pursuant to law. The County
23 Auditor shall enter on the County Assessment Roll the amount of the assessment and
24 the assessment shall be collected at the same time and in the same manner as the
25 County property taxes are collected. After collection by the County, the net amount of the
26 assessment shall be paid to the City Treasurer of the City of Culver City.
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7. Upon receipt of monies representing assessments collected by the County, the City Treasurer for the City of Culver City shall deposit the monies into a special fund known as the "Fund for Higuera Street Landscape and Lighting Assessment," which was previously established upon the creation of the Assessment District.

8. Immediately upon the adoption of this Resolution, the City Clerk shall file a certified copy of this Resolution, which includes the Engineer's Report containing the diagram and assessment, with the County Auditor.

9. A certified copy of the Engineer's Report shall also be filed in the Office of the City Engineer, with a duplicate copy on file in the Office of the City Clerk, and shall be open for public inspection.

APPROVED and ADOPTED this 9th day of June 2008.

D. SCOTT MALSIN, MAYOR
City of Culver City, California

ATTEST:

APPROVED AS TO FORM:

MARTIN R. COLE, City Clerk

CAROL A. SCHWAB, City Attorney

1 of annual assessment for the Assessment District through fiscal year 2008-2009 and not
2 order an increase at this time.

3 NOW, THEREFORE, the City Council of the City of Culver City, DOES
4 HEREBY RESOLVE as follows:

5 1. Upon the conclusion of the public hearing, it was determined that the
6 majority of the property owners within the Assessment District voted against the proposed
7 increase to the annual levy of the Assessment District.

8 2. The Engineer's Report is hereby approved; however, due to the
9 majority voting not to increase the assessment, the existing annual levy of the
10 Assessment District is hereby ordered to continue through fiscal year 2008-2009.

11 3. The diagram and existing assessment as set forth and contained in
12 the Engineer's Report are hereby confirmed and adopted.

13 4. The adoption of this Resolution constitutes the levy of the existing
14 assessment for the fiscal year commencing July 1, 2008 and ending June 30, 2009.

15 5. The estimates of costs, the assessment diagram, the existing
16 assessments, and all other matters as set forth in the Engineer's Report as submitted
17 pursuant to CCMC §15.01.055, are hereby approved and adopted.

18 6. The existing assessment for improvements as set forth in the
19 Engineer's Report and Resolution No. 2008-R024 shall be performed pursuant to law.
20 The County Auditor shall enter on the County Assessment Roll the amount of the
21 assessment and the assessment shall be collected at the same time and in the same
22 manner as the County property taxes are collected. After collection by the County, the
23 net amount of the assessment shall be paid to the City Treasurer of the City of Culver
24 City.
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7. Upon receipt of monies representing assessments collected by the County, the City Treasurer for the City of Culver City shall deposit the monies into a special fund known as the "Fund for Higuera Street Landscape and Lighting Assessment," which was previously established upon the creation of the Assessment District.

8. Immediately upon the adoption of this Resolution, the City Clerk shall file a certified copy of this Resolution, which includes the Engineer's Report containing the diagram and existing assessment, with the County Auditor.

9. A certified copy of the Engineer's Report shall also be filed in the Office of the City Engineer, with a duplicate copy on file in the Office of the City Clerk, and shall be open for public inspection.

APPROVED and ADOPTED this 9th day of June 2008.

D. SCOTT MALSIN, MAYOR
City of Culver City, California

ATTEST:

APPROVED AS TO FORM:

MARTIN R. COLE, City Clerk

CAROL A. SCHWAB, City Attorney

HIGUERA STREET LANDSCAPING & LIGHTING ASSESSMENT DISTRICT

BALLOT MEASURE

I APPROVE A 19% INCREASE TO MY EXISTING ASSESSMENT FROM \$350.23 TO \$416.77 PER YEAR, FOR THE CURRENT LEVEL OF SERVICE OF MAINTENANCE AND IRRIGATION OCCURRING ONCE A WEEK TO PAY FOR MY SHARE OF THE DISTRICT'S COSTS. (PLEASE CIRCLE ONE).

YES

NO*

Only returned ballots will be counted to determine the result of the assessment vote. This ballot must be returned in person or by mail (a self-addressed and stamped envelope is enclosed for your use), to:

City Engineer
Culver City Public Works Department
9770 Culver Boulevard
Culver City, Ca 90232

In order for your ballot to be counted, the completed ballot must be sealed within the envelope and received by the City no later than 5:00PM on June 9, 2008.

I am the owner of the property within the District, identified as

Address: 8605 HIGUERA ST

4206-004-020

Printed Name: _____

Signature: _____

* A no vote on the Ballot Measure will mean that your existing Assessment Amount will remain the same as it was last year. If this is the case, the level of maintenance in the District may have to be reduced.