

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 6/27/11		Item Number: <u>PH-1</u>	
AGENDA ITEM: PUBLIC HEARING: Adoption of a Resolution Confirming the Assessment and Ordering the Levy for West Washington Benefit Assessment District No. 1 for Fiscal Year 2011/2012.			
Contact Person/Dept.: Elaine Warner		Phone Number: 310.253.5777	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☐ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (E-MAIL) Meetings and Agendas – City Council (6/22/11); (USPS) Property Owners in West Washington Assessment District No. 1 (6/14/11); Culver City News (6/16/11)			
Department Approval: Sol Blumenfeld (06/14/11)		City Attorney Approval: Carol Schwab (by H. Baker) (06/22/11)	
Chief Financial Officer Review: Jeff Muir (by M. Noller) (06/22/11)		City Manager Approval: John Nachbar (06/22/11):	

RECOMMENDATION:

Staff recommends the City Council adopt a resolution confirming the assessment and ordering the levy for the West Washington Benefit Assessment District No. 1 for Fiscal Year 2011/2012.

PROCEDURE:

1. Mayor calls on staff for a brief staff report.
2. Mayor seeks a motion to open the public hearing.
3. The City Council receives comment from public.
4. Mayor seeks a motion to close the public hearing after all testimony has been presented and any protests received tabulated.
5. The City Council discusses the matter and arrives at its decision.

BACKGROUND:

In July 2010, the City Council adopted a resolution to form, order the improvements, services and annual levy for the West Washington Benefit Assessment District No. 1 (District), located on Washington Boulevard between Beethoven Street and Wade Avenue. The District was formed to provide funding for maintenance of five (5) landscaped medians installed by the Culver City Redevelopment Agency. The annual assessment includes costs for median maintenance, County fees, and administration of the District.

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On June 6, 2011, 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. The Engineer's Report, as approved by the City Council on June 6, 2011, calculates the maximum maintenance and administration budget for Fiscal Year 2011/2012 to be \$18,569.36, which includes a CPI increase of approximately 2.27% based on the February Consumer Price Index for All Urban Consumers for the Los Angeles, Riverside and Orange County Area. The annual assessment shall not exceed the maximum assessment; however, the City may levy a lower assessment.

Additionally, after the first year of collection, the reserve fund balance may only be at 50% of the total maximum assessment for the upcoming year. Due to the full collection of the reserve fund in Fiscal Year 2009/2010 and partial collection in Fiscal Year 2010/2011, a portion of the reserve fund collection is required to offset the proposed annual levy for Fiscal Year 2011/2012. This amount is estimated at \$14,812.63. Given this offset, the remaining annual budget balance of \$3,656.80 is all that may be levied for Fiscal Year 2011/2012.

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 Article XIII D of the California Constitution (Proposition 218), the City shall not impose an assessment if there is a majority protest. A majority protest exists if, upon the conclusion of the hearing, written notices submitted in opposition to the assessment exceed the written notices submitted in favor of the assessment. In determining if a majority protest exists, the written notices shall be weighted according to the proportional financial obligation of the affected property.

Should a majority protest exist, the City Council cannot impose the annual assessment. However, 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, and any zones within the district, and the proposed diagram or proposed assessment 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 2011/2012.

FISCAL ANALYSIS:

The assessments for the District will provide revenue to finance the reserve and maintenance of the streetscape median project in the fiscal year commencing July 1,

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2011 and ending June 30, 2012. Ordering the levy and adopting the attached resolution does not create a fiscal impact to the City. The District is proposed to be 100% self supporting for all expenditure.

ATTACHMENTS:

Proposed Resolution

MOTION:

That the City Council:

Adopt a resolution confirming the assessment and ordering the levy for the West Washington Benefit Assessment District No. 1 for Fiscal Year 2011/2012.