

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

Meeting Date: 6/24/2013		Item Number: <u>PH-3</u>	
AGENDA ITEM: PUBLIC HEARING: Adoption of a Resolution Approving the Annual Assessment Levy for Benefit Assessment District West Washington Boulevard No. 1 for Fiscal Year 2013/2014			
Contact Person/Dept.: Elaine Warner/CDD		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 (06/18/13)			
Department Approval: Sol Blumenfeld (06/13/13)		City Attorney Approval: Carol Schwab (by H. Baker) (06/18/13)	
Chief Financial Officer Approval: Jeff Muir (06/18/13)		City Manager Approval: John M. Nachbar (06/18/13)	
<u>RECOMMENDATION:</u> Staff recommends the City Council adopt a resolution approving the annual assessment levy for Benefit Assessment District West Washington Boulevard No. 1 for Fiscal Year 2013/2014. <u>PROCEDURE:</u> 1. Mayor seeks motion 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. City Council discusses the item and arrives at its decision. <u>BACKGROUND</u> In June 2009, the Benefit Assessment District West Washington Boulevard No. 1(the “District”) was formed to fund the maintenance of five new landscaped medians installed between Beethoven Street and Rosabell Avenue.			

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On May 28, 2013, 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 District.

DISCUSSION:

The annual assessment includes costs for landscape maintenance, utilities, County fees and administration of the District. During the first year of formation, funds were levied and collected for the District to establish a reserve fund. The reserve fund is maintained annually to cover unforeseen expenses not normally included in the yearly maintenance costs. This may include, but is not limited to, palm tree replacement, repair or damaged equipment due to vandalism, storms and other similar events.

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 2013/2014, 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 2013/2014. The City Council may also choose to dissolve the District pursuant to CCMC Section 15.01.065.A.3 or pay for the improvements with the City's General Fund.

FISCAL ANALYSIS:

The Engineer's Report calculates the maximum maintenance and administration budget for Fiscal Year 2013/2014 to be \$19,379.87, which includes a CPI increase of approximately 2.22% based on the February Consumer Price Index for All Urban Consumers for the Los Angeles, Riverside and Orange County Area. The estimated reserve balance for this assessment district, as of Jun 30, 2013, is anticipated to be \$9,750.00.

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ATTACHMENTS:

1. Proposed resolution.

MOTION:

That the City Council:

Adopt a resolution confirming the assessment and ordering the levy for the
Benefit Assessment District West Washington Boulevard No. 1 for Fiscal Year
2013/2014.