

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

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| Meeting Date: 06/14/10                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  | Item Number: PH-4                                                                      |  |
| <b>CITY COUNCIL AGENDA ITEM: PUBLIC HEARING - Adoption of a Resolution Approving the Engineer's Report and Affirming the Existing Annual Assessment Levy for Higuera Street Landscape and Lighting Assessment District - Fiscal Year 2010/2011</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |                                                                                        |  |
| Contact Person/Dept.: Mate Gaspar/DPW                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  | Phone Number: (310) 253-5602                                                           |  |
| Fiscal Impact: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  | General Fund: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>      |  |
| Public Hearing: <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | Action Item: <input type="checkbox"/> Attachments: <input checked="" type="checkbox"/> |  |
| Commission Action Required: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Date: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |                                                                                        |  |
| Public Notification: (E-Mail) Agenda and Meetings – City Council (06/09/10)<br>Property owners were mailed a courtesy notice on (05/27/10).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |                                                                                        |  |
| Department Approval:<br>Charles D. Herbertson (06/03/10)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  | City Attorney Approval:<br>Carol Schwab (by H. Baker) (06/09/10)                       |  |
| Chief Financial Officer Approval:<br>Jeff Muir (by M. Noller) (06/09/10)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  | City Manager Approval:<br>P. Lamont Ewell (06/10/10)                                   |  |
| <p><b><u>RECOMMENDATION:</u></b></p> <p>Staff recommends the City Council adopt a Resolution:</p> <ol style="list-style-type: none"><li>1. Approving the Engineer's Report for the Higuera Street Landscape and Lighting Assessment District for Fiscal Year 2010/2011; and,</li><li>2. Affirming the existing annual assessment levy for Fiscal Year July 1, 2010 to June 30, 2011.</li></ol> <p><b><u>PROCEDURE:</u></b></p> <ol style="list-style-type: none"><li>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,</li><li>2. Mayor calls for a staff report and the City Council Members may pose questions to staff as desired; and,</li><li>3. Mayor seeks a motion to open the public hearing; and,</li><li>4. Mayor seeks a motion to close the public hearing after all public testimony has been presented and all ballots have been tabulated; and,</li><li>5. City Council discusses the item and arrives at its decision.</li></ol> |  |                                                                                        |  |

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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 area was formed and the boundary includes properties on both sides of Higuera Street between Lindblade Avenue and Hayden Avenue. Each of the properties benefits from the public improvements maintained in the District.

In July 2009, a vote to increase the assessment levy did not pass by a majority vote of the property owners. In August 2009, the City Council voted to affirm the existing assessment levies.

In December 2009, the City Council approved the reduction of maintenance from four times a month to two times a month, removal of lantanas around the street trees, and reduction of landscape irrigation by 30%, in order for the District expenditures to match the District revenues.

On May 24, 2010, the City Council adopted Resolution R2010-037 ordering the preparation of the Engineer's Report and declared its intention to order the annual assessment levy for Higuera Street Landscape and Lighting Assessment District and setting June 14, 2010 at 7:00 p.m. in the City Council Chambers as the date, time and place for the Public Hearing.

**DISCUSSION:**

Staff did not seek an assessment levy increase through a ballot for fiscal year 2010/2011. The total proposed FY 2010/2011 assessment levy for the District is \$19,402.24. The charge per linear frontage footage per parcel is \$4.35.

Staff recommends that the existing assessment levy be affirmed for Fiscal Year 2010/2011.

Other options available to the City Council include:

- By 4/5ths majority vote, approve a budget amendment to increase landscape maintenance to 3 or 4 times a month and subsidize the District with City's General Funds.
- By simple majority vote, order the District be disbanded and discontinue the services. A resolution implementing that disbanding action would be brought to the City Council at a subsequent meeting.
- By 4/5ths majority vote, suspend collection of said assessment and continue the services, funding them entirely with the City's General Fund.

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**FISCAL ANALYSIS:**

The Higuera Street Landscaping and Lighting Assessment District budget should be 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 City Engineer's Report. Staff will continue to seek ways to reduce costs further.

**ATTACHMENTS:**

1. City Engineer's Report
2. Proposed Resolution

**MOTION:**

That the City Council:

(Absent a majority protest) Adopt a Resolution approving the Engineer's Report and affirming the existing assessment levy for Higuera Street Landscape and Lighting Assessment District, for Fiscal Year July 1, 2010 to June 30, 2011.