

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 06/09/08		Item Number: <u>PH-2</u>	
AGENDA ITEM: PUBLIC HEARING Adoption of a Resolution Approving the Engineer's Report and Ordering the Annual Assessment Levy for the Albright Avenue Street Lighting Assessment District - Fiscal Year 2008/2009.			
Contact Person/Dept.: Mate Gaspar/PW		Phone Number: (310) 253-5602	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☒		Action Item: ☐ Attachments: ☒	
Public Notification:			
<u>Legal:</u> The Resolution of Intention was published in the April 17, 2008 issue of Culver City News and posted on the City's official bulletin board on April 21 2008.			
<u>Non-Legal:</u> First Class Postcards were mailed to the property owners on April 22, 2008			
Master E-Mail Notification List (06/04/08)			
Department Approval: Charles D. Herbertson (05/28/08)		City Attorney Approval: Carol Schwab (by H. Baker) (06/02/08)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (06/03/08)		City Manager Approval: Jerry B. Fulwood (06/04/08)	
<u>RECOMMENDATION:</u> Staff recommends the City Council adopt a resolution (1) approving the Engineer's Report and (2) ordering the assessment levy for the Albright Street Lighting Assessment District (District) for Fiscal Year 2008/2009. <u>PROCEDURE:</u> Mayor: Announce that this is the time and place for the public hearing to discuss the annual levy of assessments for the Albright Avenue Street Lighting Assessment District for Fiscal Year 2008/2009. City Clerk: Announce that notice of this hearing has been given pursuant to the provisions of Chapter 15.01 of Code of the City of Culver City, California, and pursuant to the provisions of the City Council's Resolution 2008-R023 and in accordance with			

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Articles XIII C and D of the California Constitution, known as the “Right to Vote on Taxes Act” (more commonly known as Proposition 218) and that the following affidavits are on file in his office:

1. Affidavit of Publication; and
2. Affidavit of Posting.

Mayor and Council: Seeks a Motion to receive and file all affidavits.

City Engineer: Presents the Engineer's Report and explains method of assessment for the annual levy.

City Clerk: Announces the number of written protests received, if any, and announces that copies of all such protests have been delivered to the City Council OR, summarize the contents thereof.

Mayor: First, ask to hear from those who have filed a written protest. Next, ask to hear from those in the audience wishing to speak against the proposed assessments.

Then, ask to hear from anyone who wishes to speak in favor of the proposed assessments.

Mayor and Council: Seek a motion to Declare the Public Hearing closed.

Mayor and Council: Discussion.

Mayor and Council: By Motion, overrule and deny any protests, assuming protests represent less than 50% of property interest.

Mayor and Council: By Motion, adopt the Resolution confirming the assessments and the diagrams of the District.

BACKGROUND:

A Location map is included in the Engineer's Report and is labeled “Exhibit C.”

The creation of the Albright Avenue Streetlight Assessment District was adopted by the City Council after a petition to install new streetlights was received from the property owners. The assessment for the District includes costs for providing

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construction, plans and specifications and City staff time for the installation of five streetlights and the appurtenant underground power distribution.

DISCUSSION

On April 21, 2008, the City Council ordered the preparation of the Engineer's Report, declared its intention to order the assessment levy and set the date, time and place for this public hearing per Resolution No. 2008-R023.

The total cost incurred for the improvement was \$53,152 which was the basis for the subject assessment levy. The District also provides for interest at the rate of 4%. The costs to be assessed during each fiscal year beginning in the 2005/06 Fiscal Year will be \$6,552.00, including this Fiscal Year 2008/2009. This is the fourth year of the ten year assessment plan to recoup the cost of the project.

If there is a majority protest for the annual assessment, the City Council can either disband the District or pay for the Assessment with the City's General Fund. The City Council can not vote to impose the assessment for the District if there is a majority protest.

Public Notification

Legal:

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Non-Legal:

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FISCAL ANALYSIS:

The Albright Avenue Street Lighting Assessment District budget is 100 percent self-supporting for all expenditures related to the street lighting installation improvement. Property owners within the District are charged for their fair share of these costs, as described in the City Engineer's Report. The cost of operations and maintenance are assumed by the City as part of the City's street lighting system grid. As mentioned above, this is the fourth fiscal year of ten over which the original costs of construction are being charged to the property owners in the District.

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ATTACHMENTS:

1. Engineer's Report
2. Resolution

MOTION:

That the City Council:

1. Should a majority protest not exist, adopt a Resolution approving the Engineer's Report and ordering the annual assessment levy for the Albright Avenue Street Lighting Assessment District for Fiscal Year 2008/2009;

OR

2. In the case a majority protest does exist, direct staff to return to the City Council with options for Fiscal Year 2008/2009.