

**MEETING DATE:** 05/28/13

**AGENDA ITEM:** Adoption of a Resolution Approving the Engineer's Report, Declaring the Intention to Order the Levy of Annual Assessments therein, and Setting the Date, Time, and Place for the Public Hearing to be Monday, June 24, 2013 at 7:00 PM in the City Council Chambers for the Higuera Street Landscaping and Lighting Maintenance District

**ATTACHMENTS**

|   |                   | <u><b>Pages</b></u> |
|---|-------------------|---------------------|
| 1 | Engineer's Report | 1 - 9               |
| 2 | Resolution        | 10 - 12             |



PUBLIC WORKS DEPARTMENT

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507  
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CHARLES D. HERBERTSON, PE, LS  
Public Works Director and  
City Engineer

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

**2013 -2014**

**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 May 22, 2013

PRESENTED to the City Council

and APPROVED by Resolution  
No. 2013-R\_\_\_\_, adopted by said  
City Council on May 28, 2013  
and thereafter filed in the  
Office of the City Clerk

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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 2013-2014 ASSESSMENT  
ENGINEER'S 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, 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 to the extent that these additional street lights remain in service.

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. There are a total of 4,461.45 linear frontage feet in the assessment district. The existing assessment is \$4.35 per linear foot and it is recommended that this amount be approved again for fiscal year 2013-2014.

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 2013-2014, 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**

When the District was originally formed, the scope of the District's maintenance did not include the parkway landscaping maintenance. At the July 14, 2003 City Council meeting, a ballot measure was approved to increase the District annual assessment, that added the parkway landscaping maintenance as a function of the District. The City Council adopted Resolution No. 2003-R053 that imposed the increased annual assessment levy for the fiscal year 2003/2004.

Over the history of the District, the only assessment increase for the District was in fiscal year 2003/2004. In the interim, the costs to maintain the District have increased. In fiscal years 2007-2008, 2008-09, and 2009-10, ballot measures to increase the assessment, failed to pass and therefore were not implemented.

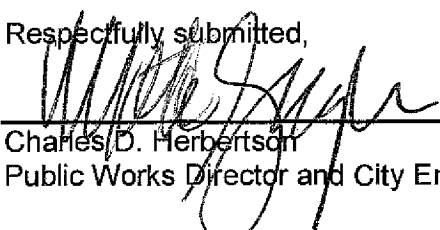
In December 2009, the City Council approved a reduced maintenance schedule from 4 times a month to 2 times a month in order to have expenditures be in line with assessment revenues. Also removal of the lantanas around the tree wells was approved and irrigation water usage was reduced by 30%. These reductions brought the District's expenses in line with the revenues being received through the annual assessment.

### **Recommended District Assessment for Fiscal Year 2013-2014**

There are a total of 4,461.45 linear frontage feet in the assessment district. The existing assessment is \$4.35 per linear foot and it is recommended that this amount be approved again for fiscal year 2013-2014. The District will be assessed a total of \$19,402.24

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

Respectfully submitted,

*for*   
\_\_\_\_\_  
Charles D. Herbertson  
Public Works Director and City Engineer

RCE 46658

attachments

## EXHIBIT A

| <b>HIGUERA Landscaping/Lighting Maintenance District</b>        |                    |
|-----------------------------------------------------------------|--------------------|
| <b>PROPOSED 2013/14</b>                                         |                    |
|                                                                 |                    |
| Contract with Marina Landscape (twice a month)                  | \$4,940            |
| General Fund (personnel) estimated                              | \$2,500            |
| General Fund (materials) estimated                              | \$3,500            |
| Irrigation Cost of Median and Parkway Landscape estimated       | \$1,200            |
| Amortization of three controllers over 5 years (Year 4 of 5)    | \$6,000            |
| Streetlights differential Energy and Maintenance Cost estimated | \$427              |
| Assessment Procedure (City Engineer's Cost)                     | \$1,500            |
| <b>Total Proposed Expenditures</b>                              | <b>\$20,067</b>    |
| <b>Total Current Assessment</b>                                 | <b>\$19,402.24</b> |
| <b>Negative fund balance</b>                                    | <b>\$13,475.04</b> |

Expenditures exceed revenues primarily due to the purchase of three new irrigation controllers about 4 years ago. Each controller cost \$10,000. The new irrigation controllers will be amortized over a 5 year period. The negative fund balance will be carried over to future years and recovered either by surpluses in the operating fund or increases to the assessment levy as approved by the majority of property owners.

## EXHIBIT B

| Assessor's Parcel Number | Property Address | Frontage (Feet) | Current and Proposed Assessment |
|--------------------------|------------------|-----------------|---------------------------------|
| 4206-016-009             | 3960 Higuera St. | 60.00           | \$261.07                        |
| 4206-016-010             | 3962 Higuera St. | 45.00           | \$195.80                        |
| 4206-016-011             | 3966 Higuera St. | 45.00           | \$195.80                        |
| 4206-016-012             | 3970 Higuera St. | 45.00           | \$195.80                        |
| 4206-016-033             | 8959 Krueger St. | 34.00           | \$147.90                        |
| 4206-016-034             | 8957 Krueger St. | 34.00           | \$147.90                        |
| 4206-017-011             | 4006 Higuera St. | 62.50           | \$271.95                        |
| 4206-017-012             | 4010 Higuera St. | 45.00           | \$195.80                        |
| 4206-017-013             | 4014 Higuera St. | 45.00           | \$195.80                        |
| 4206-017-014             | 4018 Higuera St. | 45.00           | \$195.80                        |
| 4206-017-015             | 4022 Higuera St. | 45.00           | \$195.80                        |
| 4206-017-016             | 4028 Higuera St. | 48.00           | \$208.86                        |
| 4206-017-017             | 4034 Higuera St. | 62.50           | \$271.95                        |
| 4206-011-013             | 8956 Hubbard St. | 50.00           | \$217.56                        |
| 4206-011-014             | 4108 Higuera St. | 45.00           | \$195.80                        |
| 4206-011-015             | 4112 Higuera St. | 45.00           | \$195.80                        |
| 4206-011-016             | 4116 Higuera St. | 45.00           | \$195.80                        |
| 4206-011-017             | 4122 Higuera St. | 45.00           | \$195.80                        |
| 4206-011-018             | 4126 Higuera St. | 50.00           | \$217.56                        |
| 4206-008-013             | 4156 Higuera St. | 50.00           | \$217.56                        |
| 4206-008-014             | 4160 Higuera St. | 45.00           | \$195.80                        |
| 4206-008-015             | 4164 Higuera St. | 45.00           | \$195.80                        |
| 4206-008-016             | 4170 Higuera St. | 39.60           | \$172.31                        |
| 4206-008-042             | 4174 Higuera St. | 30.20           | \$131.41                        |
| 4206-008-043             | 4176 Higuera St. | 30.20           | \$131.41                        |
| 4206-008-044             | 4178 Higuera St. | 30.20           | \$131.41                        |
| 4206-008-045             | 4180 Higuera St. | 30.20           | \$131.41                        |
| 4206-008-021             | 8673 Higuera St. | 33.43           | \$145.46                        |
| 4206-008-022             | 8669 Higuera St. | 40.24           | \$175.09                        |
| 4206-008-023             | 8665 Higuera St. | 40.24           | \$175.09                        |

|              |                  |        |          |
|--------------|------------------|--------|----------|
| 4206-005-016 | 8655 Higuera St. | 39.75  | \$172.96 |
| 4206-005-017 | 8651 Higuera St. | 40.24  | \$175.09 |
| 4206-005-018 | 8647 Higuera St. | 40.00  | \$174.05 |
| 4206-005-019 | 8643 Higuera St. | 40.00  | \$174.05 |
| 4206-005-020 | 8639 Higuera St. | 40.00  | \$174.05 |
| 4206-005-021 | 8635 Higuera St. | 40.25  | \$175.14 |
| 4206-004-016 | 3650 Helms Ave.  | 40.25  | \$175.14 |
| 4206-004-037 | 8621 Higuera St. | 40.24  | \$175.09 |
| 4206-004-018 | 8617 Higuera St. | 40.24  | \$175.09 |
| 4206-004-019 | 8613 Higuera St. | 40.24  | \$175.09 |
| 4206-004-020 | 8605 Higuera St. | 80.49  | \$350.23 |
| 4206-001-016 | 8595 Higuera St. | 40.25  | \$175.14 |
| 4206-001-017 | 8591 Higuera St. | 40.24  | \$175.09 |
| 4206-001-018 | 8585 Higuera St. | 40.24  | \$175.09 |
| 4206-001-021 | 8563 Higuera St. | 150.36 | \$654.25 |
| 4206-001-001 | 8557 Higuera St. | 132.30 | \$575.67 |
| 4206-020-028 | 3951 Higuera St. | 50.00  | \$217.56 |
| 4206-019-001 | 3969 Higuera St. | 37.20  | \$161.87 |
| 4206-019-015 | 3975 Higuera St. | 45.00  | \$195.80 |
| 4206-019-016 | 3979 Higuera St. | 45.00  | \$195.80 |
| 4206-019-017 | 3983 Higuera St. | 45.00  | \$195.80 |
| 4206-018-010 | 4003 Higuera St. | 44.67  | \$194.37 |
| 4206-018-011 | 4009 Higuera St. | 44.67  | \$194.37 |
| 4206-018-012 | 4013 Higuera St. | 44.67  | \$194.37 |
| 4206-018-013 | 4017 Higuera St. | 44.66  | \$194.33 |
| 4206-018-014 | 4023 Higuera St. | 49.49  | \$215.34 |
| 4206-018-015 | 4027 Higuera St. | 39.83  | \$173.31 |
| 4206-018-016 | 4033 Higuera St. | 44.67  | \$194.37 |
| 4206-018-017 | 4037 Higuera St. | 44.67  | \$194.37 |
| 4206-010-015 | 4107 Higuera St. | 46.73  | \$203.33 |
| 4206-010-016 | 4109 Higuera St. | 46.72  | \$203.29 |
| 4206-010-017 | 4115 Higuera St. | 46.72  | \$203.29 |
| 4206-010-018 | 4117 Higuera St. | 46.72  | \$203.29 |
| 4206-010-019 | 4121 Higuera St. | 46.72  | \$203.29 |
| 4206-010-020 | 4127 Higuera St. | 46.73  | \$203.33 |
| 4206-009-013 | 4151 Higuera St. | 45.01  | \$195.85 |
| 4206-009-014 | 4161 Higuera St. | 45.00  | \$195.80 |
| 4206-009-015 | 4165 Higuera St. | 45.00  | \$195.80 |
| 4206-009-016 | 4171 Higuera St. | 45.00  | \$195.80 |



|              |                  |         |             |
|--------------|------------------|---------|-------------|
| 4206-009-017 | 4175 Higuera St. | 45.00   | \$195.80    |
| 4206-009-018 | 4179 Higuera St. | 45.00   | \$195.80    |
| 4204-005-025 | 8665 Hayden Pl.  | 202.53  | \$881.27    |
| 4204-005-018 | 8651 Hayden Pl.  | 248.24  | \$1,080.18  |
| 4204-005-019 | 8635 Hayden Pl.  | 356.00  | \$1,549.06  |
| 4204-005-022 | 8621 Hayden Pl.  | 158.12  | \$688.03    |
| 4204-005-021 | 8601 Hayden Pl.  | 168.88  | \$734.85    |
|              |                  | 4461.45 | \$19,402.24 |

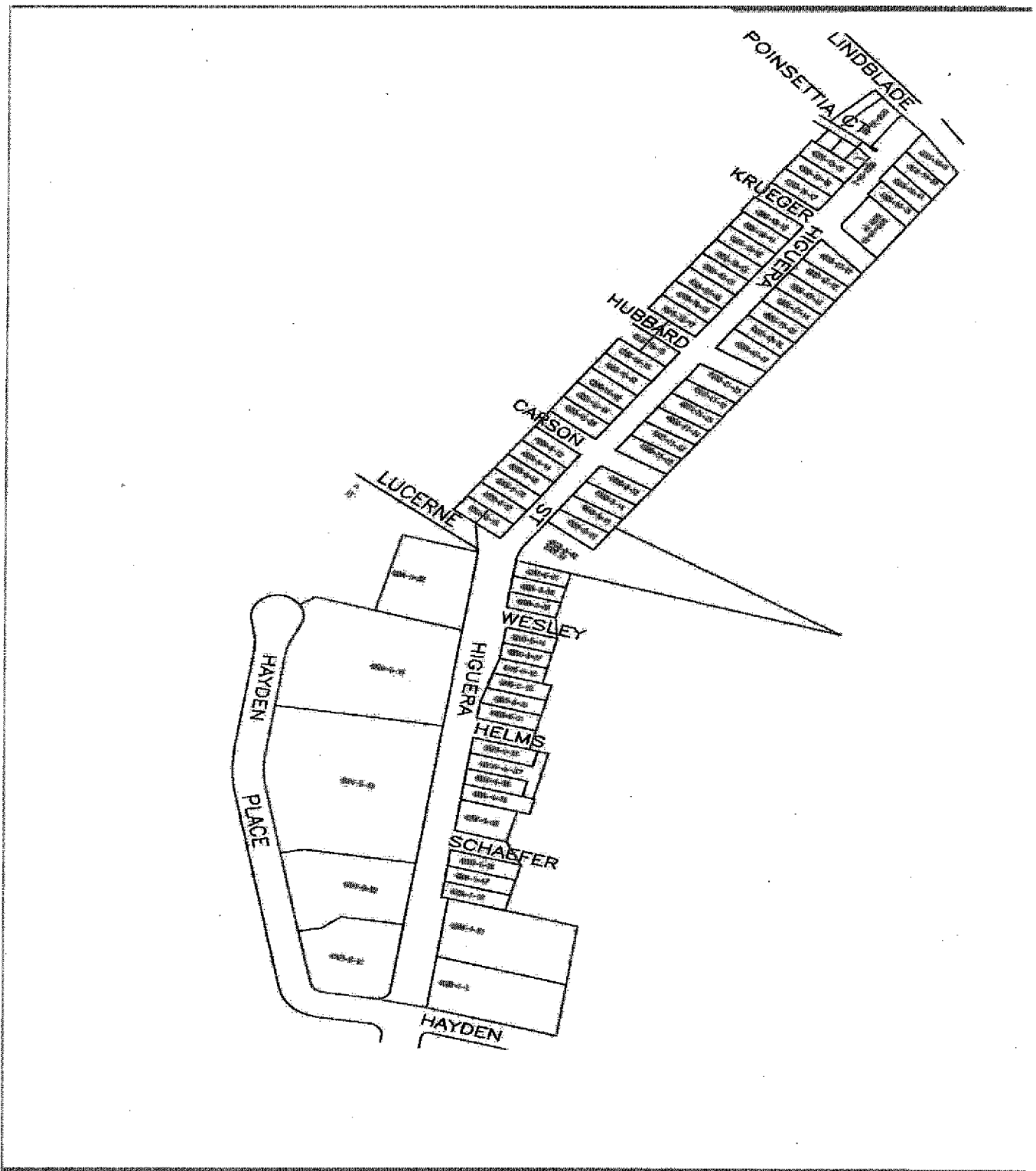


EXHIBIT C

1 RESOLUTION NO. 2013-R\_\_\_\_\_

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
4 CULVER CITY, CALIFORNIA, APPROVING THE ASSESSMENT  
5 ENGINEER'S REPORT, DECLARING ITS INTENTION TO  
6 ORDER THE ANNUAL LEVY AND COLLECTION OF  
7 ASSESSMENTS FOR THE HIGUERA STREET LANDSCAPING  
8 AND LIGHTING ASSESSMENT DISTRICT, AND SETTING A  
9 TIME AND PLACE FOR A PUBLIC HEARING THEREON.

10 WHEREAS, the City Council previously initiated proceedings in accordance with  
11 the provisions of Chapter 15.01 of the Culver City Municipal Code ("CCMC") for the levy and  
12 collection of annual assessments for the Higuera Street Landscaping and Lighting Assessment  
13 District (the "District") and ordered the preparation of an Assessment Engineer's Report (the  
14 "Engineer's Report") thereon; and

15 WHEREAS, the City Council desires to declare its intention to provide for the  
16 levy and collection of annual assessments for Fiscal Year 2013-2014, to provide for the costs  
17 and expenses necessary to pay for the maintenance and servicing of the improvements  
18 (defined below) within the District; and,

19 WHEREAS, the Engineer's Report has been prepared and filed with the City  
20 Clerk and submitted to the City Council in accordance with CCMC §§15.01.055 and 15.01.070;  
21 and,

22 WHEREAS, the City Council has carefully examined and reviewed the  
23 Engineer's Report as presented and is preliminarily satisfied with the proposed report, each and  
24 all of the budget items and documents as set forth therein and is satisfied that the levy  
25 amounts, on a preliminary basis, have been allocated in accordance with the special benefit  
26 received from the improvements, operation, maintenance and services within the District as set  
27 forth in the Engineer's Report.

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

1           1.     The Engineer's Report as presented, consisting of the following: a  
2 description of improvements, the estimated costs of improvements, a diagram of the District  
3 and the District assessment roll containing the Fiscal Year 2013-2014 levy for each Assessor's  
4 parcel within the District, is hereby approved on a preliminary basis and on file in the Office of  
5 the City Clerk as a permanent record and to remain open for public inspection.

6           2.     It is the intention of the City Council to levy and collect assessments  
7 within the District to pay the annual costs and expenses for the maintenance and servicing of  
8 the improvements authorized to be maintained and serviced for the fiscal year commencing  
9 July 1, 2013 and ending June 30, 2014. The improvements are generally described as:  
10 irrigation and landscape maintenance of traffic circles and parkways, streetlight electrical costs,  
11 and tree trimming. Services provided include all necessary service, operations, administration  
12 and maintenance required to keep the improvements in a healthy, vigorous and satisfactory  
13 condition.

14           3.     The District is located generally Higuera Street between Lindblade Street  
15 to Hayden Avenue. The District is designated by the name of "Higuera Street Landscaping and  
16 Lighting Assessment District."

17           4.     The Engineer's Report, as preliminarily approved by the City Council, is  
18 on file with the City Clerk and open for public inspection. Reference is made to the Engineer's  
19 Report for a full detailed description of the improvements to be maintained, the boundaries of  
20 the District and the proposed assessments upon assessable lots and parcels of land within the  
21 District.

22           5.     The maximum assessment is not proposed to increase from the previous  
23 year above that previously approved by the property owners (as "increased assessment" is  
24 defined in California Government Code §54954.6).

25           6.     Notice is hereby given that a Public Hearing is scheduled to be held at  
26 the Mike Balkman Council Chambers, 9770 Culver Boulevard, Culver City, California, on June  
27  
28

1 24, 2013 at 7:00pm or as soon thereafter as the matter may be heard. All interested persons,  
2 prior to the conclusion of the hearing, shall be afforded the opportunity to hear and be heard.  
3 The City Council shall consider all oral statements or written communication made or filed by  
4 any interested person.

5 7. The City Clerk is hereby directed to give notice of the Public Hearing by  
6 causing the resolution of intention, or summary thereof, to be published, posted and mailed as  
7 provided in CCMC §15.01.050.

8  
9 APPROVED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

10  
11  
12 JEFFREY COOPER, Mayor  
City of Culver City, California

13  
14 ATTEST:

15 APPROVED AS TO FORM:

16 MARTIN R. COLE, City Clerk

17 CAROL A. SCHWAB, City Attorney  
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A13-00258