

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

Meeting Date: 07/23/2012		Item Number: PH-4	
CITY COUNCIL AGENDA ITEM: PUBLIC HEARING Adoption of a Resolution Confirming the Assessment and Ordering the Levy for the Albright Avenue Street Lighting Assessment District - Fiscal Year 2012/2013 (Note: Staff Recommendation is to Continue this Public Hearing to August 6, 2012)			
Contact Person/Dept.: Mate Gaspar/PW		Phone Number: 310-253-5602	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☒		Action Item: ☐ Attachments: ☐	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (E-Mail) Agenda and Meetings – City Council (07/20/2012); (Letter) Property Owners within the Assessment District (07/18/2012);			
Department Approval: Charles D. Herbertson (07/11/12)		City Attorney Approval: Carol Schwab (by H. Baker) (07/17/12)	
Chief Financial Officer Approval: Jeff Muir (07/19/12)		City Manager Approval: John M. Nachbar (07/20/12)	
<u>RECOMMENDATION:</u> Staff recommends the City Council take no action and continue this public hearing to August 6, 2012. <u>PROCEDURE:</u> 1. Staff recommends the City Council continue this public hearing to August 6, 2012 2. 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, 3. Mayor calls for a staff report and the City Council Members may pose questions to staff as desired; and, 4. Mayor seeks a motion to open the public hearing; and, 5. Mayor seeks a motion to close the public hearing after all public testimony has been presented; and, 6. City Council discusses the item and arrives at its decision. <u>BACKGROUND:</u> On July 2, 2012, 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 Albright Avenue Streetlight Assessment District.			

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Unfortunately, due to a communications error, the required published notice for this evening's public hearing was not completed in a timely manner. Therefore, staff recommends the City Council take no action on this item this evening and continue this item to August 6, 2012.

DISCUSSION:

The total cost incurred for the improvement was \$53,152 which was the basis for the subject assessment levy. The costs to be assessed during each fiscal year beginning in Fiscal Year 2005/2006 are \$6,552.00, including Fiscal Year 2012/2013. This is the eighth year of the ten year assessment plan to recoup the cost of the project. One property owner has entirely paid the remaining principal for their portion of the assessment levy and will no longer receive an assessment levy on their property tax bill.

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) prior to the conclusion of the Public Hearing.

Should a majority protest exist against the increased levy of an annual assessment, the City Council cannot impose the increase to 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, 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, 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. Adoption of such resolution constitutes the assessment levy for Fiscal Year 2012/2013. 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 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 Engineer's Report. The cost of operations and maintenance are assumed by the City as part of the City's street lighting system grid.

ATTACHMENT:

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None

MOTION:

That the City Council:

Take no action and continue this item to August 6, 2012.