

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

Meeting Date: 08/23/10	Item Number: PH-2
CITY COUNCIL AGENDA ITEM: PUBLIC HEARING - Adoption of a Resolution Ordering the Dissolution of Landscaping Maintenance District No. 1 – Zone 2	
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 (08/04/10) Property owners were mailed a notice on (08/10/10).	
Department Approval: Charles D. Herbertson 08/12/10	City Attorney Approval: Carol Schwab (by H. Baker) (08/18/10)
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (08/18/10)	City Manager Approval: John M. Nachbar (08/18/10)

RECOMMENDATION:

Staff recommends the City Council adopt a Resolution ordering the dissolution of Landscape Maintenance Assessment District, No.1 – Zone 2, discontinuance of the maintenance efforts previously funded by the District, and refund of the Fund Balance to the District's property owners.

BACKGROUND:

Landscaping Maintenance District No. 1, consisting of two zones, was created for the purpose of providing on-going maintenance of landscaping along:

- “Zone 1” (Studio Estates), being the periphery of the MGM Lot 2 residential subdivision; and,
- “Zone 2” (Ballona Creek), being the 20-foot wide strip along the southerly side of Ballona Creek from the easterly side of Overland Avenue to the northeasterly line of Westside Business Park, a distance of about 2,200 feet.

On August 9, 2010, the City Council adopted a resolution of intention declaring its intention to hold a public hearing to consider the dissolution of Landscaping Maintenance District No. 1 – Zone 2, discontinuance of services previously funded by the District, and refund of the Fund Balance of \$7,060 to the property owners.

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DISCUSSION:

The City Council directed staff to contact by telephone the property owners within Zone 2 to inform them of the date and time of tonight's public hearing..

The following table is a breakdown of the property owners in the Assessment District and the current amount of the assessment (for Fiscal Year 2009/2010).

Assessor's Parcel	Owner	Property Address	Mailing Address	Square Footage	Current Assessment
4209-027-012	GAFFEY STREET PROPERTIES INC	5000 Overland	4161 Redondo Beach Bl., Lawndale, 90260	22,431.00	\$488.96
4209-027-015	RENKOW PARTNERSHIP	10555 Virginia	10601 Virginia Ave Culver City, 90232	48,738.00	\$1,031.07
4209-029-016	RODGERS JAMES R & KATHLEEN A	10401 Jefferson	2558 Catalina St Los Angeles 90027	19,695.00	\$425.19
4209-029-021	TRENTON PROPERTY LLC	10567 Jefferson	PO Box 3066 Beverly Hills 90212	136,328.00	\$3,369.59
4209-029-022	10TH STREET ENTERTAINMENT ASSOCIATES LLC	10441 Jefferson	12301 Wilshire Bl #505 L.A., 90025	30,694.00	\$733.44
4209-029-025	10451/9 JEFFERSON BOULEVARD	10451 Jefferson	411 Central Av #600 Glendale 91203	60,936.00	\$1,456.26
4209-029-026	LIND HARVEY J & LAUREN J	10555 Jefferson	13101 Washington Bl # 136 L.A., 90066	52,612.00	\$1,169.25
4209-030-009	WESTSIDE BUSINESS PARK LLC	10301 Jefferson	2235 Faraday Ave Carlsbad 92009	164,037.00	\$3,188.89
4209-029-923	REDEVELOPMENT AGENCY OF CULVER CITY	Agency Lot Parcel 914	9770 Culver Blvd Culver City 90232	14,246.00	\$350.77
4209-029-924	REDEVELOPMENT AGENCY OF CULVER CITY	Agency Lot Parcel 914	9770 Culver Blvd Culver City 90232	16,376.00	\$350.78
4209-029-925	REDEVELOPMENT AGENCY OF CULVER CITY	Agency Lot Parcel 914	9770 Culver Blvd Culver City 90232	16,727.00	\$350.79

As mentioned in the City Council report on August 9, 2010, the maintenance area for Zone 2 is a 20 foot wide and 2,200 foot long strip of land, located on the southerly portion of the Los Angeles County Flood Control – Ballona Creek Channel. The existing maintenance activities are the removal of debris, maintaining the landscape plants, weeding, trimming the trees once every 5 years, and irrigating the landscape. The maintenance area has not had any new capital improvements in many years. The maintenance area has few remaining landscape plants. It does not have any constructed pathways. There are large trees and a boundary wall with 5 access doors from the Westside and Jefferson Business Parks. All but one of the access doors have been locked shut. The other one looks to have been forced open. The area does not appear to be ever accessed by the adjacent businesses and is rather secluded.

Without extensive capital improvements it is staff's opinion that Zone 2 does not provide the adjacent businesses or the general public any value or enjoyment. The area is within the jurisdiction of the Los Angeles County Flood Control District, and

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staff will mail a letter and call the Los Angeles County Department of Public Works notifying them that the City will no longer maintain it and request them to maintain it.

As directed by the City Council at the meeting on August 9, 2010, staff will request the Los Angeles County Department of Public Works maintain this area as well as other areas along the Ballona Creek Channel.

Culver City Municipal Code (CCMC) § 15.01.065.A.3 authorizes, by resolution of the City Council, the dissolution of an existing benefit assessment district. Pursuant to CCMC § 15.01.065.H, if the City Council orders the dissolution of an existing district, any monies in the improvement fund for the district shall be transferred to the general fund of the City. Given the circumstances described above, in that the property owners are gaining little if any value or enjoyment from the District, staff recommends the City Council authorize these monies be refunded to the property owners rather than returned to the City's general fund.

FISCAL ANALYSIS:

There are \$7,060 remaining in the Fund Balance for Zone 2 and this amount will be refunded proportionality to the property owners per square footage as shown in the following table:

Assessor's Parcel	Owner	Property Address	Mailing Address	Square Footage	Refund Amount
4209-027-012	GAFFEY STREET PROPERTIES INC	5000 Overland	4161 Redondo Beach Bl., Lawndale, 90260	22,431.00	\$271.72
4209-027-015	RENKOW PARTNERSHIP	10555 Virginia	10601 Virginia Ave Culver City, 90232	48,738.00	\$590.39
4209-029-016	RODGERS JAMES R & KATHLEEN A	10401 Jefferson	2558 Catalina St Los Angeles 90027	19,695.00	\$238.58
4209-029-021	TRENTON PROPERTY LLC	10567 Jefferson	PO Box 3066 Beverly Hills 90212	136,328.00	\$1,651.41
4209-029-022	10TH STREET ENTERTAINMENT ASSOCIATES LLC	10441 Jefferson	12301 Wilshire Bl #505 L.A., 90025	30,694.00	\$371.81
4209-029-025	10451/9 JEFFERSON BOULEVARD	10451 Jefferson	411 Central Av #600 Glendale 91203	60,936.00	\$738.15
4209-029-026	LIND HARVEY J & LAUREN J	10555 Jefferson	13101 Washington Bl # 136, L.A., 90066	52,612.00	\$637.32
4209-030-009	WESTSIDE BUSINESS PARK LLC	10301 Jefferson	2235 Faraday Ave Carlsbad 92009	164,037.00	\$1,984.06
4209-029-923	REDEVELOPMENT AGENCY OF CULVER CITY	Agency Lot Parcel 914	9770 Culver Blvd Culver City 90232	14,246.00	\$175.57
4209-029-924	REDEVELOPMENT AGENCY OF CULVER CITY	Agency Lot Parcel 914	9770 Culver Blvd Culver City 90232	16,376.00	\$198.37
4209-029-925	REDEVELOPMENT AGENCY OF CULVER CITY	Agency Lot Parcel 914	9770 Culver Blvd Culver City 90232	16,727.00	\$202.62
			TOTAL	582,820	\$7,060

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This funding is in Fund 425 – Landscape Maintenance Fund, and will have no impact on the General Fund when refunded to the property owners.

ATTACHMENTS:

1. Proposed Resolution

MOTION:

That the City Council:

Adopt a Resolution ordering the dissolution of Landscaping Maintenance District No. 1 – Zone 2, thereby discontinuing the services funded by the District, and refunding the Fund Balance of \$7,060 to the adjacent property owners as calculated in the staff report.