

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

Meeting Date: June 6, 2011		Item Number: <u>C-5</u>	
CITY COUNCIL AGENDA ITEM: Adoption of a Resolution (1) Approving the Engineer's Report; (2) Declaring the City Council's Intention to Order the Formation of and to Levy and Collect Assessments Pursuant Thereto; and (3) Setting the Date, Time and Place for the Public Hearing to be Monday, July 25, 2011 at 7:00 PM in the City Council Chambers forthe Proposed West Washington Boulevard Benefit Assessment District Number 3.			
Contact Person/Dept.: Elaine Warner		Phone Number: 310.253.5777	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒ Date: _____			
Public Notification: Property Owners in West Washington Assessment District No. 2 (5.13.10)			
Department Approval: Sol Blumenfeld: (05/25/11)		City Attorney Approval: Carol Schwab (by H. Baker) (05/31/11)	
Chief Financial Officer Review: Jeff Muir (by N. Kimball) (06/01/11)		City Manager Approval: John M. Nachbar (06/01/11)	
<u>RECOMMENDATION</u> Staff recommends the City Council adopt a resolution (1) approving the Engineer's Report; (2) declaring the City Council's intention to order the formation of and to levy and collect assessments pursuant thereto; and (3) setting the date, time and place for the Public Hearing to be Monday, July 25, 2011 at 7:00 PM in the City Council Chambers forthe proposed West Washington Boulevard Benefit Assessment District Number 3 (WWAD #3). <u>BACKGROUND</u> In December 2007, the City Council approved an Area Improvement Plan (AIP) along West Washington Boulevard between Centinela Avenue and Boise Avenue which includes landscaped medians. Formation of the proposed WWAD #3 is the thirdpart of a multi-phasedprogram that will enhance the Washington Boulevard corridor. (Attachment 1)The installation of landscape medians is proposed to be funded by the Culver City Redevelopment Agency. While the Agency has proposed to fund the improvements, it has expressed its intention to do so only if the on-going median maintenance is carried out through a property based assessment district.			

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On September 27, 2010, the City Council adopted a Resolution of Initiation to begin the proceedings for the formation of WWAD #3. Since adoption of the Resolution of Initiation, conceptual plans have been developed and approved by the Agency Board. The conceptual plans include two new medians, totaling 388 linear feet that will be positioned along West Washington Boulevard between Boise Avenue and Wade Avenue as well as the refurbishment of five existing medians located near Zanja Street (Attachment 2). The proposed medians will enhance the commercial area with drought tolerant and low maintenance planting to ensure that ongoing maintenance costs are minimized.

DISCUSSION:

Pursuant to the requirement of the California Constitution, a proposed Benefit Assessment District must provide a distinct and special benefit to those parcels that are within the District. The Engineer's Report recommends calculating the proposed assessment based upon linear front footage and building square footage combined. This methodology allows for each parcel to be assessed in proportion to the special benefit received. The proposed District has 1,486.57 feet of commercial linear footage and approximately 94,001 building square footage.

Pursuant to both the Resolution of Initiation and under a contract approved by the Agency Board, the Director of Public Works/City Engineer has caused the Engineer's Report to be prepared by NBS (Attachment 3) that outlines the requirements and benefits for the proposed District and details the general nature, location and extent of the improvements to be maintained, an estimate of the costs of the maintenance, operations and servicing of the improvements, a diagram showing the area and properties to be assessed, and an estimate of the costs of maintenance, operations and servicing the improvements, assessment amounts upon all assessable lots and/or parcels with the District in proportion to the special benefit received.

Pursuant to the Engineer's Report, the assessments are proposed to be based on the following formula:

$$\begin{array}{r} \text{Parcels linear front footage (total maintenance costs x .70)} \\ + \\ \text{Building square footage (total maintenance costs x .30)} \\ \hline \text{= Total Annual Levy} \end{array}$$

Should the City Council adopt the proposed resolution, the public hearing during which the City Council shall provide the opportunity to receive public comments and hear the results of the assessment balloting shall be set for Monday, July 25, 2011 at 7:00 PM. Additionally, pursuant to Section 15.01.060(D) of the CCMC, the City

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Clerk shall give notice of the public hearing by causing the Resolution of Intention to be published, posted, and mailed as required by law and shall also cause the ballots to be sent to all property owners of record within the proposed District.

FISCAL ANALYSIS:

The Engineer's Report calculates the total annual maintenance assessments to be \$21,554.08, which includes the County administration cost of \$350.00, and the preparation of the annual engineer's report and City/Agency administrative costs (estimated to be \$3,500). The total annual cost includes maintenance service twice a month for the new medians. This amount also includes the delta cost of maintenance on three of the refurbished medians near Zanja Street.

The proposed assessments included in the Engineer's Report sets the initial maximum assessment for Fiscal Year 2011/2012. On February 1st of each year beginning in Fiscal Year 2012/13 the maximum assessment shall be increased by the year over year change in Consumer Price Index for all Urban Consumers for the Los Angeles, Riverside and Orange County area (CPI-U LA-Riverside-OC) through December. The annual assessment shall not exceed the maximum assessment unless the appropriate Proposition 218 proceedings are conducted by the City to authorize an increase beyond the maximum assessment amount.

As noted during conceptual plan approval, construction documents for this project would not be prepared unless the assessment district is formed.

ATTACHMENTS:

1. Area Improvement Plan Map
2. Conceptual Plans
3. Engineer's Report
4. Proposed Resolution

MOTION:

That the City Council:

Adopta resolution (1) approving the Engineer's Report; (2) declaring its intention to form the West Washington Boulevard Assessment District Number 3; and (3) setting the date, time and place for the Public Hearing for Monday, July 25, 2011 at 7:00 PM in the City Council Chambers; and (4) directing the City Clerk to publish the notice and send out the notice and ballot to all record property owners within the proposed District in compliance with Proposition 218 and Article XIID of the California Constitution.