

MEETING DATE: 8/03/09

AGENDA ITEM: AGENDA ITEM: PUBLIC HEARING Adoption of a Resolution Approving the Engineer's Report and Affirming the Existing Annual Assessment Levy for Landscaping Maintenance District No. 1, – Zone 2 - Fiscal Year 2009/2010

ATTACHMENTS

	<u>Pages</u>
1 Resolution	1-3
2 Final Engineer's Report	4-10

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

3 1. Upon the conclusion of the public hearing, written protests filed and
4 not withdrawn did not represent property owners owning more than fifty percent (50%) of
5 the area of assessable lands within the Assessment District.

6 2. The Engineer's Report is hereby approved and the annual levy of the
7 Assessment District, as set forth and described in the Engineer's Report, is hereby
8 ordered.
9

10 3. The diagram and existing assessment as set forth and contained in
11 the Engineer's Report are hereby confirmed and adopted.

12 4. The adoption of this Resolution constitutes the levy of the existing
13 assessment for the fiscal year commencing July 1, 2009 and ending June 30, 2010.

14 5. The estimates of costs, the assessment diagram, the existing
15 assessments, and all other matters as set forth in the Engineer's Report as submitted
16 pursuant to CCMC §15.01.055, are hereby approved and adopted.
17

18 6. The existing assessment for improvements as set forth in the
19 Engineer's Report shall be performed pursuant to law. The County Auditor shall enter on
20 the County Assessment Roll the amount of the assessment and the assessment shall be
21 collected at the same time and in the same manner as the County property taxes are
22 collected. After collection by the County, the net amount of the assessment shall be paid
23 to the City Treasurer of the City of Culver City.
24

25 7. Upon receipt of monies representing assessments collected by the
26 County, the City Treasurer for the City of Culver City shall deposit the monies into a
27 special fund known as the "Fund for Landscaping Maintenance District No. 1, Zone 2,
28

1 Assessment," which was previously established upon the creation of the Assessment
2 District.

3 8. Immediately upon the adoption of this Resolution, the City Clerk shall
4 file a certified copy of this Resolution, which includes the Engineer's Report containing
5 the diagram and existing assessment, with the County Auditor.

6 9. A certified copy of the Engineer's Report shall also be filed in the
7 Office of the City Engineer, with a duplicate copy on file in the Office of the City Clerk,
8 and shall be open for public inspection.
9

10 APPROVED and ADOPTED this _____ day of _____, 2009.

11
12
13 _____
14 ANDREW WEISSMAN, MAYOR
City of Culver City, California

15 ATTEST:

16 APPROVED AS TO FORM:

17 _____
18 MARTIN R. COLE, City Clerk

19 
20 CAROL A. SCHWAB, City Attorney
21 for

22 A09-00313
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PUBLIC WORKS DEPARTMENT

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507
(310) 253-5600 • FAX (310) 253-5626



CHARLES D. HERBERTSON, PE, LS
Public Works Director and
City Engineer

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

2009-2010

LANDSCAPING MAINTENANCE DISTRICT NO. 1, ZONE 2

**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 August 3, 2009

PRESENTED to the City Council

and APPROVED by Resolution
No. 2009-R____, adopted by said
City Council on August 3, 2009
and thereafter filed in the
Office of the City Clerk

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: LANDSCAPING MAINTENANCE DISTRICT NO. 1, ZONE 2
FISCAL YEAR 2009-2010 FINAL ASSESSMENT ENGINEER'S REPORT**

LANDSCAPING MAINTENANCE DISTRICT NO. 1, ZONE 2 (hereinafter referred to as "District"), described herein, has been formed in accordance Chapter 15.01 of the Code of the City of Culver City, California.

Landscaping Maintenance District No. 1, Zone 2, consisting of certain public property and the real property within the District subject to assessment, is shown on maps consisting of two pages which have been filed in the Office of the City Clerk on May 21, 1979; April 21, 1980; April 12, 1982, and April 11, 1983; and by this reference are made a part hereof .

Landscaping and Irrigation System Plans

The landscaping maintenance areas were constructed in several phases and improved with irrigation systems. The plans for the initial improvements for Zone 2 consist of landscaping, planting and irrigation plans, Drawing No. 5024-55 (four sheets) approved May 3, 1978. The plans for the initial improvements of Annexation No. 1 to Zone 2 consist of landscaping plans, Drawing No. 5049-55g (sheet 16 of 19) approved April 1, 1982, and landscape irrigation system plans, Drawing no. 5049-55g (sheet 17 of 19 sheets) approved April 1, 1982.

Performance of Maintenance by City Forces and/or Contractor

The maintenance of the improvements is provided by City of Culver City forces and/or maintenance contractors through contracts awarded by the City, and the costs thereof shall be assessed to the benefiting properties within the District.

Parcel Assessments Based Upon Benefit Received

It is proposed to assess the total amount of maintenance and incidental costs for maintaining the landscaped areas to the individual parcels of real property within the District in proportion to the estimated benefit to be received by such parcels of real property. The assessments of such costs commenced upon acceptance of the improvements by the City of Culver City and the commencement of maintenance. This fiscal year assessment is calculated to be \$.0213 per square foot of assessable land for Zone 2, which represents zero increase from the current assessments, based on the data shown in Tables I, II, III, IV, and V. The proposed individual assessments are shown on the attached assessment roll.

Method of Assessment

The District is divided into two zones, Zone 1 and Zone 2. The assessment for Zone 1 was approved on July 13, 2009 and is not further discussed in this report. Zone 2 consists of the Westside Business Park and eight other parcels of land adjoining Westside Business Park on the west. Each parcel in Zone 2 derives a benefit from the Zone 2 landscaping based upon the area of that parcel. The assessments will be spread in accordance with the following formula.

Zone 2 Annual Rate Per Parcel =

Estimated Cost of Maintenance and Administration for Zone 2

Multiplied by:

Square Footage of Each Parcel

Divided by:

Total Square Footage of All parcels in Zone 2

Estimated Cost of Maintenance and Improvements

The estimated cost of maintenance and improvements for each zone for the fiscal year shall include, in total or in part, the following:

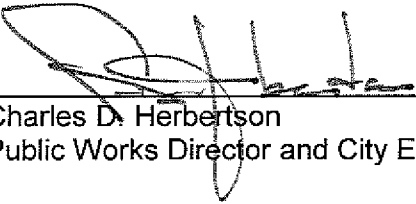
- A. The total cost of constructing or installing all proposed improvements and maintaining and servicing all existing and proposed improvements, including all incidental expenses.
- B. The amount of any surplus or deficit in the District Fund to be carried over from the previous fiscal year.
- C. The 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 for 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 District shall be the total maintenance and improvement costs, as referred to in A., above, increased or decreased, as the case may be, by any of the amounts referred to in B., C., or D., above.
- 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.

Recommended Assessment:

In light of the recent failure of the proposed assessment increase, it is recommended for Fiscal Year 2009-2010 that the District be assessed a total of \$12,915 (zero percent increase from the current assessments). A report will be presented to the City Council at a later date with recommendations for reducing the cost of maintaining the District so that the District revenues and expenditures will be approximately equal. Recommendations may include reductions to landscape maintenance scope and/or frequency and/or other reductions in levels of maintenance for the District.

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

Respectfully submitted,



Charles D. Herbertson RCE 46658
Public Works Director and City Engineer

attachments

TABLE I
COST ESTIMATE PER PARCEL (FISCAL YEAR 2009/2010)

Landscaping Maintenance District No. 1 has been formed to assess directly to the property owners, on a benefit basis, the landscaping maintenance costs that will be incurred in the ensuing fiscal year.

<u>ZONE 2 (Ballona Creek)</u>	Current (2008-09)	Proposed (2009-10)
Number of Parcels	9	9
Landscaped Area	Approx. 44,000 Sq. Ft.	Approx. 44,000 Sq. Ft.
Total Assessment	\$12,915	\$12,915
Cost Per Sq. Ft. to Maintain	\$0.2935	\$0.2935
Cost Per Sq. Ft. of Assessable Land	<u>\$0.0213</u>	<u>\$0.0213</u>

1. Parcel No. 914 is a parking lot owned by the Culver City Redevelopment Agency and will be hand-billed by the City Treasurer and posted in this District's Fund.

TABLE II
LANDSCAPING MAINTENANCE DISTRICT NO. 1, ZONE 2
ASSESSMENT DISTRICT DIAGRAM

DISTRICT BOUNDARY DESCRIPTIONS

Zone 2: The general location is the central portion of the City. Zone 2 of the Maintenance District includes 9 parcels of land located on the northwesterly side of Jefferson Boulevard east of Overland Avenue' bounded by Jefferson Boulevard on the south; by Overland Avenue, Virginia Avenue and Jordan Way on the southwest; by the Los

Angeles County Flood Control District right-of-way for Ballona Creek on the north; and by the northeasterly line of Westside Business Park on the northeast. Maintenance will be performed on the southeasterly twenty-foot section of said Los Angeles County Flood Control District right-of-way, all as more specifically shown on the Diagram of Landscaping Maintenance District No. 1, Zone 2, on file in the Office of the City Engineer, City of Culver City. A reduced -scale copy of said Diagram is attached hereto.

Exhibit A

Landscape Maintenance District #1 – Zone 2 – Ballona Creek	
2009-10 Expenditures and Income	
Force account and/or contract	\$18,120.00
General Fund (personnel)	\$1,000.00
General Fund (materials)	\$250.00
Irrigation Cost of Median and Parkway Landscape	\$634.00
Assessment Procedure (City Engineer's Cost)	\$3,500
TOTAL	\$23,504
Proposed reduction in maintenance	-\$10,589
TOTAL	\$12,915
Total Proposed Assessment	\$12,915
Total Current Assessment	\$12,915

Exhibit B

Assessor's Parcel	Owner	Property Address	Mailing Address	Square Footage	Current Assessment
4209-027-012	GAFFEY STREET PROPERTIES INC	5000 Overland	4161 Redondo Beach Blvd, 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 Los Angeles 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 Los Angeles 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
4209-029-923,924,925	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
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EXHIBIT C:

