

MEETING DATE: 06/27/11

AGENDA ITEM: A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF CULVER CITY, CALIFORNIA,
CONFIRMING THE ASSESSMENT AND
ORDERING THE LEVY FOR THE HIGUERA
STREET LANDSCAPING AND LIGHTING
ASSESSMENT DISTRICT FOR FISCAL YEAR
2011-2012

ATTACHMENTS

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1	Proposed Resolution	1-2
2	Engineer's Report	3-11

1 RESOLUTION NO. 2011-R_____

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 CULVER CITY, CALIFORNIA, CONFIRMING THE
5 ASSESSMENT AND ORDERING THE LEVY FOR THE
6 HIGUERA STREET LANDSCAPING AND LIGHTING
7 ASSESSMENT DISTRICT FOR FISCAL YEAR 2011-2012.

8 WHEREAS, the City Council previously completed proceedings in accordance
9 with the provisions of Chapter 15.01 of the Culver City Municipal Code ("CCMC") for the levy
10 and collection of annual assessments for the Higuera Street Landscaping and Lighting
11 Assessment District (the "District"); and,

12 WHEREAS, on June 6, 2011, the City Council approved the Assessment
13 Engineer's Report (the "Engineer's Report") and declared its intention to provide for the levy
14 and collection of annual assessments for Fiscal Year 2011-2012, to provide for the costs and
15 expenses necessary to pay for the maintenance and services of all improvements and facilities
16 within the District; and,

17 WHEREAS, the City Council has heard all testimony and considered all
18 objections to the assessment at a duly noticed public hearing held on June 27, 2011 and has
19 determined to proceed with the levy of annual assessments for the District.

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

22 1. The City Council hereby confirms the assessment and the diagram as is
23 described in full detail in the Engineer's Report on file with the Clerk.

24 2. The adoption of this resolution shall constitute the levy of an assessment
25 for the fiscal year commencing July 1, 2011 and ending June 30, 2012.

26 3. The assessment for improvements as set forth in the Engineer's Report
27 shall be performed pursuant to law. The County Auditor shall enter on the County Assessment
28 Roll the amount of the assessment and the assessment shall be collected at the same time and

1 in the same manner as the County property taxes are collected. After collection by the County,
2 the net amount of the assessment shall be paid to the City of Culver City.

3 4. Upon receipt of monies representing assessments collected by the
4 County, the City shall deposit the monies into a special fund known as the "Fund for Higuera
5 Street Landscaping and Lighting Assessment District" which was previously established upon
6 the creation of the District.

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

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

13
14 APPROVED and ADOPTED this _____ day of _____ 2011.

15
16
17 MICHEÁL O'LEARY, Mayor
18 City of Culver City, California

19 ATTEST:

20 APPROVED AS TO FORM:

21
22 MARTIN R. COLE, City Clerk

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28
CAROL A. SCHWAB, City Attorney

A11-00312

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

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

2011 -2012

**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 June 1, 2011

PRESENTED to the City Council

and APPROVED by Resolution
No. 2011-R____, adopted by said
City Council on June 27, 2011
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: HIGUERA STREET LANDSCAPING AND LIGHTING
MAINTENANCE DISTRICT
FISCAL YEAR 2011-2012 ASSESSMENT
FINAL 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 luminaries 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 2011-2012.

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 2011-2012, 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 approved by 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.

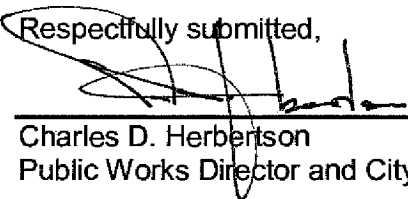
In December 2009, the City Council approved a reduced maintenance schedule from 4 times a month to 2 times a month in order to have expenditures be in line with assessment revenues. Also the lanterns around the tree wells were approved to be removed and irrigation water usage was reduced by 30%.

Recommended District Assessment for Fiscal Year 2010-2011

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 2011-2012. 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,


Charles D. Herbertson
Public Works Director and City Engineer

RCE 46658

Signed: 06/20/2011

attachments

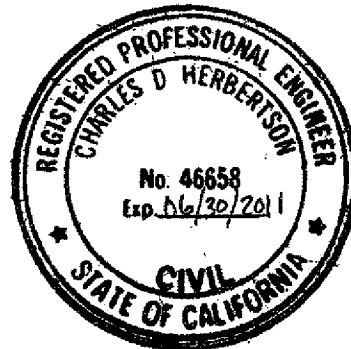


EXHIBIT A

HIGUERA Landscaping/Lighting Maintenance District	
PROPOSED 2011/12	
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	\$3,448
Amortization of three controllers over 5 years (Year 2 of 5)	\$6,000
Streetlights differential Energy and Maintenance Cost estimated	\$427
Assessment Procedure (City Engineer's Cost)	\$1,500
Total Proposed Expenditures	\$22,315
Total Current Assessment	\$19,402.24
Negative fund balance	\$12,145.52

General Fund irrigation costs are high due to the purchase of three new irrigation controllers. Each controller cost \$10,000 in Fiscal Year 2010/11. The new irrigation controllers will be amortized over the next 5 years. The negative fund balance will be carried over to future years and recovered either by increases to the assessment levy as approved by the majority of property owners or further reductions to maintenance.

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

