

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

Meeting Date: 06/23/2014		Item Number: PH-3	
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 2014/2015			
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 (06/17/2014); Public Hearing published in the Culver City News on June 12, 2014. Property owners were mailed a courtesy notice on June 10, 2014.			
Department Approval: Charles D. Herbertson (06/12/14)		City Attorney Approval: Carol Schwab (by H. Baker) (06/16/14)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (06/17/14)		City Manager Approval: John M. Nachbar (06/17/14)	
<u>RECOMMENDATION:</u> Staff recommends the City Council adopt a resolution confirming the assessment and ordering the levy for the Albright Avenue Street Lighting Assessment District for Fiscal Year 2014/2015. <u>PROCEDURE:</u> 1. Mayor seeks motion to receive and file the affidavits of publication and posting of notices and correspondence received in response to the public hearing notices; and, 2. Mayor calls for a staff report and the City Council Members may pose questions to staff as desired; and, 3. Mayor seeks a motion to open the public hearing; and, 4. Mayor seeks a motion to close the public hearing after all public testimony has been presented; and, 5. City Council discusses the item and arrives at its decision.			

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BACKGROUND:

On May 27, 2014, the City Council adopted a Resolution which 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.

DISCUSSION:

The total cost incurred for the improvement was \$53,152 which was the basis for the subject assessment levy. The cost to be assessed during each fiscal year beginning in Fiscal Year 2005/2006 is \$6,552.00, including Fiscal Year 2014/2015. This is the tenth and final year of the ten year assessment plan to recoup the cost of the project.

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) until the conclusion of the Public Hearing. Pursuant to CCMC Section 15.01.070.K, the City Council shall not impose an **increased** assessment if there is a majority protest. In this case, for Fiscal Year 2014/2015, the Engineer's Report does not propose an increased assessment. Therefore, notwithstanding any written protests received, the City Council may adopt the resolution confirming the assessment as determined by the Engineer's Report.

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 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 (if such formula received prior voter approval), or it may choose to adopt a resolution confirming the diagram and assessment, either as originally proposed or as changed by it. Adoption of such resolution constitutes the assessment levy for Fiscal Year 2014/2015. 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.

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ATTACHMENT:

1. Proposed Resolution

MOTION:

That the City Council:

Adopt a resolution confirming the assessment and ordering the levy for the Albright Avenue Street Lighting Assessment District - Fiscal Year 2014/2015.