

MEETING DATE: 05/28/13

AGENDA ITEM: Adoption of a Resolution Approving the Engineer's Report, Declaring the Intention to Order the Levy of Annual Assessments therein, and Setting the Date, Time, and Place for the Public Hearing to be Monday, June 24, 2013 at 7:00 PM in the City Council Chambers for the Landscape Maintenance District Number 1

ATTACHMENTS

		<u>Pages</u>
1	Engineer's Report	1 - 10
2	Resolution	11- 13



PUBLIC WORKS DEPARTMENT

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

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

2013-2014

LANDSCAPING MAINTENANCE DISTRICT NO. 1

**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 May 22, 2013

PRESENTED to the City Council

and APPROVED by Resolution
No. 2013-R____, adopted by said
City Council on May 28, 2013
and thereafter filed in the
Office of the City Clerk

Martin Cole
City Clerk
City of Culver City

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
FISCAL YEAR 2012-2013 ASSESSMENT ENGINEER'S REPORT**

LANDSCAPING MAINTENANCE DISTRICT NO. 1 (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, 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 (pages 10 and 11).

Landscaping and Irrigation System Plans

The landscaping maintenance areas were constructed in several phases and improved with irrigation systems. The initial improvements for Zone 1 (Studio Estates) were constructed by a developer in accordance with approved plans under separate bonded agreement. The plans for the initial improvements for Zone 1 consist of landscaping plans, Drawing No. 5024-39g (one sheet) approved January 21, 1980, and landscape irrigation system plans, Drawing No. 4024-39g (two sheets) approved January 3, 1979. Zone 2 was disbanded by the City Council in August 2010.

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. The proposed individual assessments are shown on the attached assessment roll.

Method of Assessment

The District consists of all the lots in Tracts 34390, 34371, 36218, eight of the nine lots of Tract 33484, and thirty-one of the thirty-two lots of Tract 28805, all of which derive an equal benefit from the Zone 1 landscaping. The assessments will be spread in accordance with the following formula.

Zone 1 Annual Rate Per Parcel =

Estimated Cost of Maintenance and Administration for Zone 1

Divided by:

Number of Parcels in Zone 1

Estimated Cost of Maintenance and Improvements

The estimated cost of maintenance and improvements 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:

On July 13, 2009, the proposed assessment increase for Zone 1 was approved by a majority of the votes received from members of the District. Also, the members of the District approved an annual increase based on the February Consumer Price Index for All Urban Consumers for the Los Angeles – Riverside - Orange County area plus a 5% premium each year until the revenues generated from the District match the annual

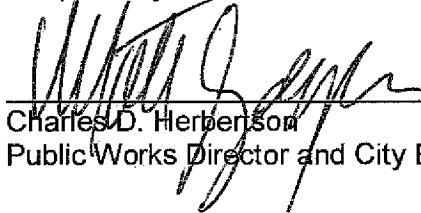
expenditures and the fund has a positive balance.

For Zone 1, staff is proposing that the City Council approve that the annual assessment district levy remain at the existing assessment levy per parcel of \$225.77 for a total amount of \$40,638.60 (180 parcels) for Fiscal Year 2013-14.

Zone 2, east of Overland and adjacent to Ballona Creek, was dissolved by the City Council in 2011.

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

Respectfully submitted,



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

attachments

TABLE I
COST ESTIMATE PER PARCEL (FISCAL YEAR 2013/2014)

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>(Studio Estates)</u>	Current (2012-13)	Proposed(2013-14)
Number of parcels	180	180
Parkway Area	Approx.22,000 sq.ft.	Approx. 22,000 sq. ft
Total Assessment	\$40,638.60	\$40,638.60
Cost Per Parcel to Maintain	<u>\$225.77</u>	<u>\$225.77</u>

TABLE II
LANDSCAPING MAINTENANCE DISTRICT NO. 1,
ASSESSMENT DISTRICT DIAGRAM
DISTRICT BOUNDARY DESCRIPTIONS

The general location is the north central portion of the City of Culver City, California. Maintenance District includes the enclosed 51 parcels of Tract No. 34390, the enclosed 45 parcels of Tract No. 34371, the enclosed 45 parcels of Tract No. 36218, the enclosed 8 parcels of Tract No. 33484, and the enclosed 31 parcels of Tract No. 28805, for a total number of 180 parcels; surrounded on the southeast by Culver Boulevard; on the southwest by Elenda Street; on the northwest by Arizona Avenue and the most northerly line of Tract No. 34371 and Tract No. 28805; and on the northeast by the northeasterly line of Tract No. 28805; all as more specifically shown on the Diagram of Landscaping Maintenance District No. 1, on file in the office of the City Engineer, City of Culver City.

Exhibit A

Landscape Maintenance District #1 Studios Estates	
2013-14 Expenditures	
Maintenance Contract	\$16,800
General Fund (personnel)	\$3,000
General Fund (materials)	\$4,434
Irrigation Cost	\$1,180
Tree Costs (trimming every 4 years)	0
Assessment Procedure (City Engineer's Cost)	\$1,500
TOTAL	\$26,914
Total Proposed Assessment	\$40,638.60
2012/2013 Fund Reserve	\$2,570.00
Net Amount Added to fund balance	\$13,724.60
2013/2014 Fund Reserve	\$16,294.60

Exhibit B Zone 1

APN	Mailing Address	Proposed Assessment
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4208-028-002	10884 ARIZONA AVE	\$225.77
4208-028-003	10878 ARIZONA AVE	\$225.77
4208-028-004	10872 ARIZONA AVE	\$225.77
4208-028-005	10866 ARIZONA AVE	\$225.77
4208-028-006	10860 ARIZONA AVE	\$225.77
4208-028-007	10854 ARIZONA AVE	\$225.77
4208-028-008	10833 MARIETTA AVE	\$225.77
4208-028-009	10839 MARIETTA AVE	\$225.77
4208-028-010	10845 MARIETTA AVE	\$225.77
4208-028-011	10853 MARIETTA AVE	\$225.77
4208-028-012	4243 229TH ST	\$225.77
4208-028-013	10869 MARIETTA AVE	\$225.77
4208-028-014	10877 MARIETTA AVE	\$225.77
4208-028-016	10890 ARIZONA AVE	\$225.77
4208-028-017	10885 MARIETTA AVE	\$225.77
4208-028-030	1048 IRVINE AVE	\$225.77
4208-028-031	3980 ASTAIRE AVE	\$225.77
4208-028-032	3974 ASTAIRE AVE	\$225.77
4208-028-033	3968 ASTAIRE AVE	\$225.77
4208-028-034	3962 ASTAIRE AVE	\$225.77
4208-028-035	10821 MARIETTA AVE	\$225.77
4208-028-036	4049 COOGAN CIR	\$225.77
4208-028-037	10848 ARIZONA AVE	\$225.77
4208-028-038	10842 ARIZONA AVE	\$225.77
4208-028-039	10350 SANTA MONICA BLVD	\$225.77
4208-028-040	10830 ARIZONA AVE	\$225.77
4208-028-041	5366 SUNLIGHT PL	\$225.77
4208-028-042	P O BOX 10639	\$225.77
4208-028-043	3959 MIDWAY AVE	\$225.77
4208-028-045	3971 MIDWAY AVE	\$225.77
4208-028-046	3977 MIDWAY AVE	\$225.77
4208-028-047	3983 MIDWAY AVE	\$225.77
4208-028-048	3965 MIDWAY AVE	\$225.77
4208-029-002	10884 MARIETTA AVE	\$225.77
4208-029-003	10876 MARIETTA AVE	\$225.77
4208-029-004	10868 MARIETTA AVE	\$225.77
4208-029-005	P O BOX 546	\$225.77
4208-029-006	10852 MARIETTA AVE	\$225.77
4208-029-007	10844 MARIETTA AVE	\$225.77
4208-029-008	10836 MARIETTA AVE	\$225.77
4208-029-009	10830 MARIETTA AVE	\$225.77
4208-029-010	10823 GARLAND DR	\$225.77
4208-029-011	10829 GARLAND DR	\$225.77
4208-029-012	10835 GARLAND DR	\$225.77
4208-029-013	10841 GARLAND DR	\$225.77
4208-029-014	10847 GARLAND DR	\$225.77
4208-029-015	10853 GARLAND DR	\$225.77

4208-029-016	10859 GARLAND DR	\$225.77
4208-029-017	10865 GARLAND DR	\$225.77
4208-029-028	4050 COOGAN CIR	\$225.77
4208-029-029	4044 COOGAN CIR	\$225.77
4208-029-030	4038 COOGAN CIR	\$225.77
4208-029-031	4032 COOGAN CIR	\$225.77
4208-029-032	4026 COOGAN CIR	\$225.77
4208-029-033	4020 COOGAN CIR	\$225.77
4208-029-034	10862 GARLAND DR	\$225.77
4208-029-035	10856 GARLAND DR	\$225.77
4208-029-036	3130 WILSHIRE BLVD	\$225.77
4208-029-037	10892 MARIETTA AVE	\$225.77
4208-029-038	10873 GARLAND DR	\$225.77
4208-029-039	4001 COOGAN CIR	\$225.77
4208-029-040	4007 COOGAN CIR	\$225.77
4208-029-041	4013 COOGAN CIR	\$225.77
4208-029-042	4019 COOGAN CIR	\$225.77
4208-029-043	4025 COOGAN CIR	\$225.77
4208-029-044	4031 COOGAN CIR	\$225.77
4208-029-045	4037 COOGAN CIR	\$225.77
4208-029-046	4043 COOGAN CIR	\$225.77
4208-029-047	4049 COOGAN CIR	\$225.77
4208-029-048	10824 GARLAND DR	\$225.77
4208-029-049	10830 GARLAND DR	\$225.77
4208-029-050	10836 GARLAND DR	\$225.77
4208-029-051	4018 SKELTON CIR	\$225.77
4208-029-052	4024 SKELTON CIR	\$225.77
4208-029-053	4030 SKELTON CIR	\$225.77
4208-029-054	4036 SKELTON CIR	\$225.77
4208-029-055	4042 SKELTON CIR	\$225.77
4208-029-056	4048 SKELTON CIR	\$225.77
4208-029-057	4047 SKELTON CIR	\$225.77
4208-029-058	4041 SKELTON CIR	\$225.77
4208-029-059	4035 SKELTON CIR	\$225.77
4208-029-060	4029 SKELTON CIR	\$225.77
4208-029-061	4018 SKELTON CIR	\$225.77
4208-029-062	8383 WILSHIRE BLVD	\$225.77
4208-029-063	4015 ASTAIRE AVE	\$225.77
4208-029-064	4021 ASTAIRE AVE	\$225.77
4208-029-065	4027 ASTAIRE AVE	\$225.77
4208-029-066	4033 ASTAIRE AVE	\$225.77
4208-029-067	4039 ASTAIRE AVE	\$225.77
4208-029-070	4045 ASTAIRE AVE	\$225.77
4208-030-001	10802 GARLAND DR	\$225.77
4208-030-002	10808 GARLAND DR	\$225.77
4208-030-003	10814 GARLAND DR	\$225.77
4208-030-005	4040 ASTAIRE AVE	\$225.77

4208-030-006	4034 ASTAIRE AVE	\$225.77
4208-030-007	4028 ASTAIRE AVE	\$225.77
4208-030-008	4022 ASTAIRE AVE	\$225.77
4208-030-009	4016 ASTAIRE AVE	\$225.77
4208-030-010	4011 MIDWAY AVE	\$225.77
4208-030-011	4019 MIDWAY AVE	\$225.77
4208-030-012	4027 MIDWAY AVE	\$225.77
4208-030-013	4033 MIDWAY AVE	\$225.77
4208-030-014	4041 MIDWAY AVE	\$225.77
4208-030-015	4049 MIDWAY AVE	\$225.77
4208-030-016	4050 MIDWAY AVE	\$225.77
4208-030-017	4042 MIDWAY AVE	\$225.77
4208-030-018	4036 MIDWAY AVE	\$225.77
4208-030-019	4028 MIDWAY AVE	\$225.77
4208-030-020	4020 MIDWAY AVE	\$225.77
4208-030-021	4012 MIDWAY AVE	\$225.77
4208-030-022	10784 GARLAND DR	\$225.77
4208-030-023	10778 GARLAND DR	\$225.77
4208-030-024	10772 GARLAND DR	\$225.77
4208-030-025	4009 LAMARR AVE	\$225.77
4208-030-026	4015 LAMARR AVE	\$225.77
4208-030-027	4021 LAMARR AVE	\$225.77
4208-030-028	4027 LAMARR AVE	\$225.77
4208-030-029	4033 LAMARR AVE	\$225.77
4208-030-030	3259 BEVERLY DR	\$225.77
4208-030-031	4040 LAMARR AVE	\$225.77
4208-030-032	9229 SUNSET BLVD	\$225.77
4208-030-033	4028 LAMARR AVE	\$225.77
4208-030-034	4022 LAMARR AVE	\$225.77
4208-030-036	4046 ASTAIRE AVE	\$225.77
4208-030-037	4016 LAMARR AVE	\$225.77
4208-030-038	10700 GARLAND DR	\$225.77
4208-030-039	10710 GARLAND DR	\$225.77
4208-030-040	10726 GARLAND DR	\$225.77
4208-030-041	10754 GARLAND DR	\$225.77
4208-030-042	10760 GARLAND DR	\$225.77
4208-031-001	3259 BEVERLY DR	\$225.77
4208-031-002	PO BOX 642479	\$225.77
4208-031-003	3948 MIDWAY AVE	\$225.77
4208-031-004	3954 MIDWAY AVE	\$225.77
4208-031-005	3960 MIDWAY AVE	\$225.77
4208-031-006	3966 MIDWAY AVE	\$225.77
4208-031-007	3972 MIDWAY AVE	\$225.77
4208-031-008	3978 MIDWAY AVE	\$225.77
4208-031-009	3984 MIDWAY AVE	\$225.77
4208-031-010	3981 LAMARR AVE	\$225.77
4208-031-011	3975 LAMARR AVE	\$225.77
4208-031-012	3969 LAMARR AVE	\$225.77

4208-031-013	3963 LAMARR AVE	\$225.77
4208-031-014	3957 LAMARR AVE	\$225.77
4208-031-015	3953 LAMARR AVE	\$225.77
4208-031-016	3949 LAMARR AVE	\$225.77
4208-031-017	3945 LAMARR AVE	\$225.77
4208-032-002	3994 LAMARR AVE	\$225.77
4208-032-003	3988 LAMARR AVE	\$225.77
4208-032-004	3982 LAMARR AVE	\$225.77
4208-032-005	3976 LAMARR AVE	\$225.77
4208-032-006	3964 LAMARR AVE	\$225.77
4208-032-007	3958 LAMARR AVE	\$225.77
4208-032-008	3952 LAMARR AVE	\$225.77
4208-032-010	3939 LAMARR AVE	\$225.77
4208-032-011	3933 LAMARR AVE	\$225.77
4208-032-012	3927 LAMARR AVE	\$225.77
4208-032-013	3921 LAMARR AVE	\$225.77
4208-032-014	3915 LAMARR AVE	\$225.77
4208-032-015	3909 LAMARR AVE	\$225.77
4208-032-016	1418 BARRINGTON AVE	\$225.77
4208-032-017	PO BOX 455	\$225.77
4208-032-018	3910 LAMARR AVE	\$225.77
4208-032-019	3916 LAMARR AVE	\$225.77
4208-032-020	3920 LAMARR AVE	\$225.77
4208-032-021	3940 LAMARR AVE	\$225.77
4208-032-022	10721 HEPBURN CIR	\$225.77
4208-032-023	10715 HEPBURN CIR	\$225.77
4208-032-024	10711 HEPBURN CIR	\$225.77
4208-032-025	10705 HEPBURN CIR	\$225.77
4208-032-026	10701 HEPBURN CIR	\$225.77
4208-032-027	10704 HEPBURN CIR	\$225.77
4208-032-028	10710 HEPBURN CIR	\$225.77
4208-032-029	10714 HEPBURN CIR	\$225.77
4208-032-030	10720 HEPBURN CIR	\$225.77
4208-032-031	2476 OVERLAND AVE	\$225.77
4208-032-032	10755 GARLAND DR	\$225.77
4208-032-033	10745 GARLAND DR	\$225.77
4208-032-034	10735 GARLAND DR	\$225.77
4208-032-035	10725 GARLAND DR	\$225.77

Total \$40,638.60

1 RESOLUTION NO. 2013-R_____

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 CULVER CITY, CALIFORNIA, APPROVING THE ASSESSMENT
5 ENGINEER'S REPORT, DECLARING ITS INTENTION TO
6 ORDER THE ANNUAL LEVY AND COLLECTION OF
7 ASSESSMENTS FOR THE LANDSCAPING MAINTENANCE
8 ASSESSMENT DISTRICT NO. 1, AND SETTING A TIME AND
9 PLACE FOR A PUBLIC HEARING THEREON.

10 WHEREAS, the City Council previously initiated proceedings in accordance with
11 the provisions of Chapter 15.01 of the Culver City Municipal Code ("CCMC") for the levy and
12 collection of annual assessments for the Landscaping Maintenance Assessment District No. 1
13 (the "District") and ordered the preparation of an Assessment Engineer's Report (the
14 "Engineer's Report") thereon; and

15 WHEREAS, the City Council desires to declare its intention to provide for the
16 levy and collection of annual assessments for Fiscal Year 2013-2014, to provide for the costs
17 and expenses necessary to pay for the maintenance and servicing of the improvements
18 (defined below) within the District; and,

19 WHEREAS, the Engineer's Report has been prepared and filed with the City
20 Clerk and submitted to the City Council in accordance with CCMC §§15.01.055 and 15.01.070;
21 and,

22 WHEREAS, the City Council has carefully examined and reviewed the
23 Engineer's Report as presented and is preliminarily satisfied with the proposed report, each and
24 all of the budget items and documents as set forth therein and is satisfied that the levy
25 amounts, on a preliminary basis, have been allocated in accordance with the special benefit
26 received from the improvements, operation, maintenance and services within the District as set
27 forth in the Engineer's Report.

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

1 1. The Engineer's Report as presented, consisting of the following: a
2 description of improvements, the estimated costs of improvements, a diagram of the District
3 and the District assessment roll containing the Fiscal Year 2013-2014 levy for each Assessor's
4 parcel within the District, is hereby approved on a preliminary basis and on file in the Office of
5 the City Clerk as a permanent record and to remain open for public inspection.

6 2. It is the intention of the City Council to levy and collect assessments
7 within the District to pay the annual costs and expenses for the maintenance and servicing of
8 the improvements authorized to be maintained and serviced for the fiscal year commencing
9 July 1, 2013 and ending June 30, 2014. The improvements are generally described as:
10 landscape maintenance, irrigation, and tree trimming every four years. Services provided
11 include all necessary service, operations, administration and maintenance required to keep the
12 improvements in a healthy, vigorous and satisfactory condition.

13 3. The District is located generally around the perimeter of Studio Estates.
14 The District is designated by the name of "Landscaping Maintenance Assessment District No.
15 1."
16

17 4. The Engineer's Report, as preliminarily approved by the City Council, is
18 on file with the City Clerk and open for public inspection. Reference is made to the Engineer's
19 Report for a full detailed description of the improvements to be maintained, the boundaries of
20 the District and the proposed assessments upon assessable lots and parcels of land within the
21 District.

22 5. The maximum assessment is not proposed to increase from the previous
23 year above that previously approved by the property owners (as "increased assessment" is
24 defined in California Government Code §54954.6).

25 6. Notice is hereby given that a Public Hearing is scheduled to be held at
26 the Mike Balkman Council Chambers, 9770 Culver Boulevard, Culver City, California, on June
27 24, 2013 at 7:00pm or as soon thereafter as the matter may be heard. All interested persons,
28

1 prior to the conclusion of the hearing, shall be afforded the opportunity to hear and be heard.
2 The City Council shall consider all oral statements or written communication made or filed by
3 any interested person.

4 7. The City Clerk is hereby directed to give notice of the Public Hearing by
5 causing the resolution of intention, or summary thereof, to be published, posted and mailed as
6 provided in CCMC §15.01.050.

7
8 APPROVED and ADOPTED this _____ day of _____ 2013.

9
10
11 JEFFREY COOPER, Mayor
12 City of Culver City, California

13 ATTEST:

APPROVED AS TO FORM:

14
15 MARTIN R. COLE, City Clerk

16 A13-00259

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for CAROL A. SCHWAB, City Attorney