

MEETING DATE: July 2, 2012

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 July 23, 2012 at 7:00 PM in the City Council Chambers for the Higuera Street Landscaping and Lighting Maintenance District

ATTACHMENTS

	<u>Pages</u>
1. Final Engineer's Report	1-9
2. Proposed Resolution	10-12



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

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

2012 -2013

**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 6, 2012

PRESENTED to the City Council

and APPROVED by Resolution
No. 2012-R___, adopted by said
City Council on June 25, 2012
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 2012-2013 ASSESSMENT
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 luminaires 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 2012-2013.

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 2012-2013, 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 for 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 lantanas around the tree wells were approved to be removed and irrigation water usage was reduced by 30%.

Recommended District Assessment for Fiscal Year 2012-2013

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 2012-2013. 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 RCE 46658
Public Works Director and City Engineer

attachments

EXHIBIT A

HIGUERA Landscaping/Lighting Maintenance District	
PROPOSED 2012/13	
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	\$1,200
Amortization of three controllers over 5 years (Year 3 of 5)	\$6,000
Streetlights differential Energy and Maintenance Cost estimated	\$427
Assessment Procedure (City Engineer's Cost)	\$1,500
Total Proposed Expenditures	\$20,067
Total Current Assessment	\$19,402.24
Negative fund balance	\$12,810.28

General Fund irrigation costs are high due to the purchase of three new irrigation controllers about 2 years ago. Each controller cost \$10,000. 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

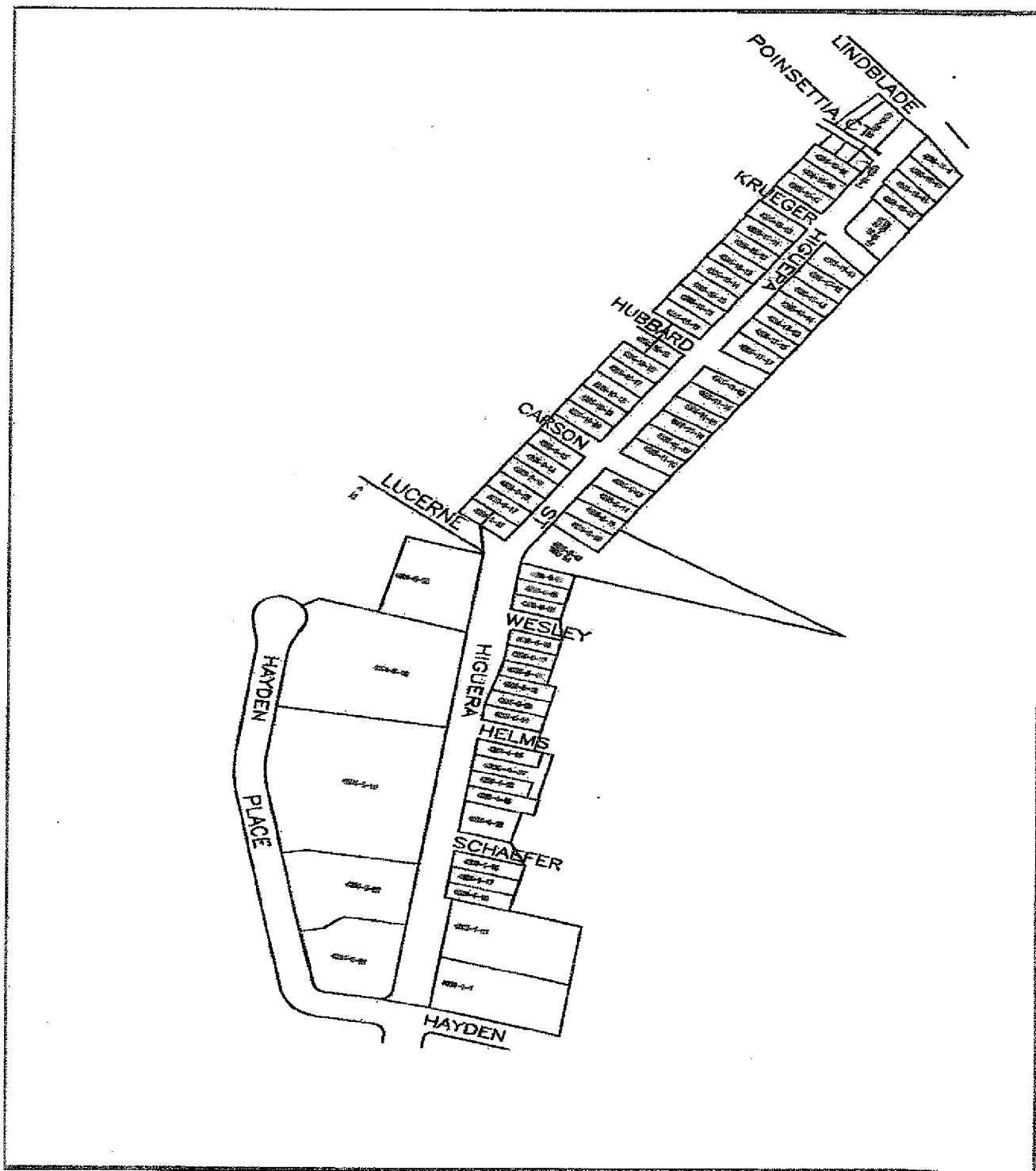


EXHIBIT C

1 RESOLUTION NO. 2012-R_____

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 CULVER CITY, CALIFORNIA, APPROVING THE ASSESSMENT
4 ENGINEER'S REPORT, DECLARING ITS INTENTION TO
5 ORDER THE ANNUAL LEVY AND COLLECTION OF
6 ASSESSMENTS FOR THE HIGUERA STREET LANDSCAPING
AND LIGHTING ASSESSMENT DISTRICT, AND SETTING A
TIME AND PLACE FOR A PUBLIC HEARING THEREON.

7 WHEREAS, the City Council previously initiated proceedings in accordance with
8 the provisions of Chapter 15.01 of the Culver City Municipal Code ("CCMC") for the levy and
9 collection of annual assessments for the Higuera Street Landscaping and Lighting Assessment
10 District (the "District") and ordered the preparation of an Assessment Engineer's Report (the
11 "Engineer's Report") thereon; and

12 WHEREAS, the City Council desires to declare its intention to provide for the
13 levy and collection of annual assessments for Fiscal Year 2012-2013, to provide for the costs
14 and expenses necessary to pay for the maintenance and servicing of the improvements
15 (defined below) within the District; and,

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

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

24 NOW, THEREFORE, the City Council of the City of Culver City, DOES HEREBY
25 RESOLVE as follows:
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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 2012-2013 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, 2012 and ending June 30, 2013. The improvements are generally described as:
10 irrigation and landscape maintenance of traffic circles and parkways, streetlight electrical costs,
11 and tree trimming. Services provided include all necessary service, operations, administration
12 and maintenance required to keep the improvements in a healthy, vigorous and satisfactory
13 condition.

14 3. The District is located generally Higuera Street between Lindblade Street
15 to Hayden Avenue. The District is designated by the name of "Higuera Street Landscaping and
16 Lighting Assessment District."

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 July
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1 23, 2012 at 7:00pm or as soon thereafter as the matter may be heard. All interested persons,
2 prior to the conclusion of the hearing, shall be afforded the opportunity to hear and be heard.
3 The City Council shall consider all oral statements or written communication made or filed by
4 any interested person.

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

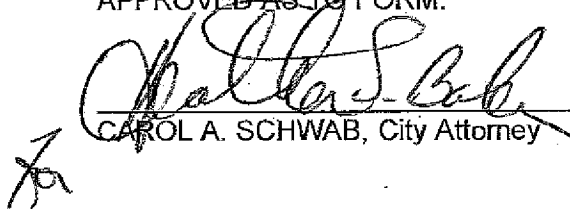
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9 APPROVED and ADOPTED this _____ day of _____ 2012.

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12 _____
ANDREW WEISSMAN, Mayor
City of Culver City, California

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14 ATTEST:

APPROVED AS TO FORM:

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16 _____
MARTIN R. COLE, City Clerk

17  _____
CAROL A. SCHWAB, City Attorney

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