

MEETING DATE: 06/25/07

AGENDA ITEM: AGENDA ITEM: Consideration of Adoption of a Resolution Approving the Engineer's Report and Ordering the Annual Assessment Levy and Collection for the Higuera Street Landscaping and Lighting Maintenance District - Fiscal Year 2007/2008

ATTACHMENTS

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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**

2007-2008

**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 25, 2007

PRESENTED to the City Council

and APPROVED by Resolution
No. 2006-R0__, adopted by said
City Council on June 25, 2007
and thereafter filed in the
Office of the City Clerk

Christopher Armenta
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, Public Works Director and City Engineer

**SUBJECT: HIGUERA STREET LANDSCAPING AND LIGHTING
MAINTENANCE DISTRICT
FISCAL YEAR 2007-2008 ASSESSMENT
ENGINEER'S REPORT**

In accordance with the provisions of Resolution No. 2006-R0__ dated April 23, 2007, I have prepared and hereby submit this 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, being a part of this Report which was ordered by the City Council by Resolution 2006-R0__ and by this reference is made a part hereof (as Exhibit B). 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 will be maintained by the District.
- 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.

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 forces and/or pursuant to maintenance contracts awarded by the City, and the costs thereof shall be 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.

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 "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 2007-2008, 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.

Recommended District Assessment for Fiscal Year 2007-2008

For fiscal year 2007-2008, the costs for the District are \$19,324.00 which is the same amount assessed last year. It is recommended that proceedings to increase this assessment be triggered when an estimated deficit reaches \$2,160. This is the estimated cost to the City in staff time to complete the procedure required to increase an assessment per Proposition 218. This threshold has not been reached this year. Thus, no increase is proposed to the District within these proceedings.

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

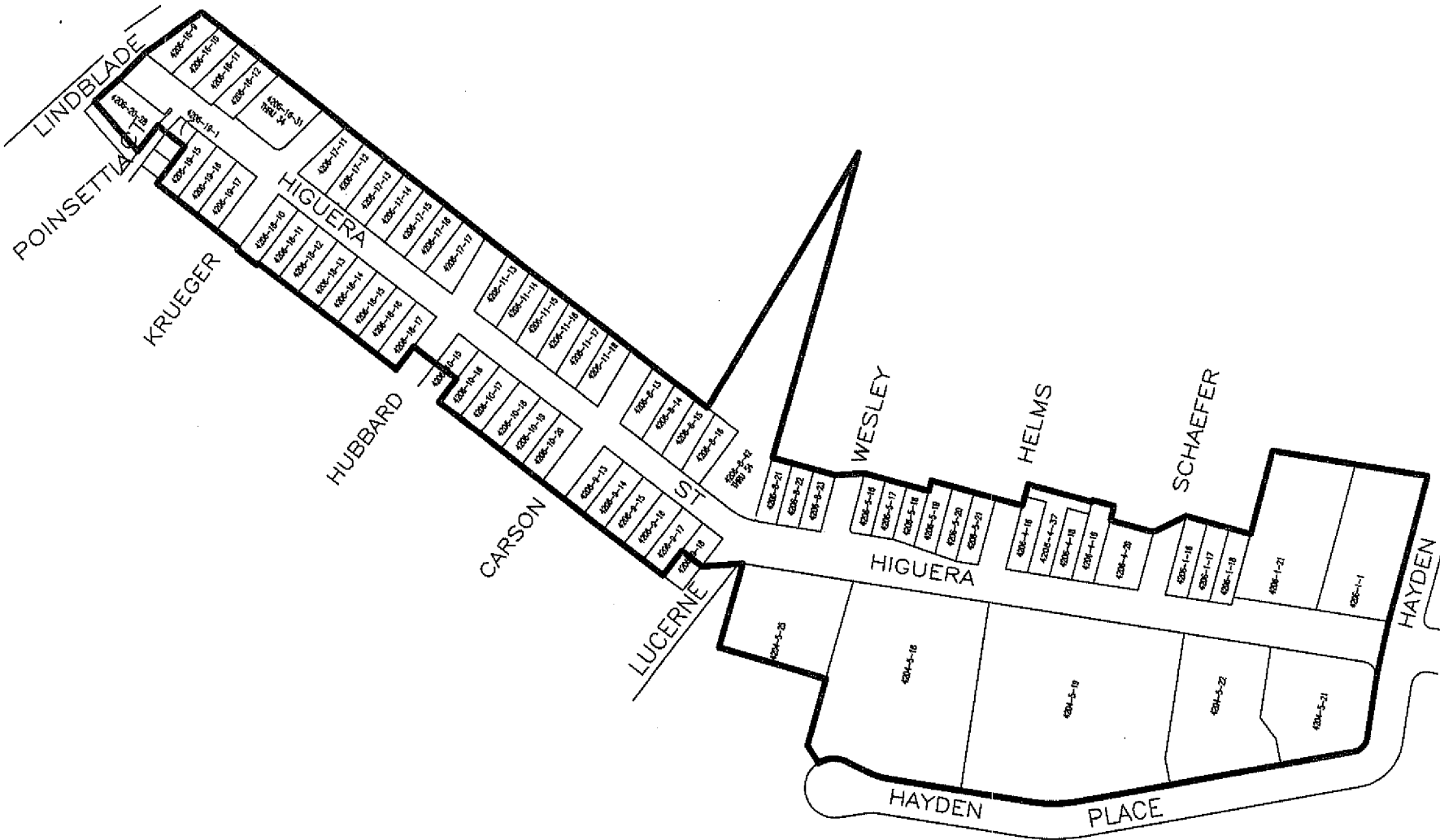
Respectfully submitted,

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

attachments

Landscape Maintenance District)			
last increased Assessment FY 03-04 (Expenditures and Revenues)	(CURRENT)	Plus 4% cola)	Enhanced Maintenance
	<u>Higuera</u>	<u>Higuera</u>	<u>Higuera</u>
2006-07 Expenditures and Income			
Contractor (Proscape)	\$12,288	\$12,780	\$13,909
General Fund (personnel)	\$1,706	\$1,774	\$1,774
General Fund (materials)	\$700	\$728	\$728
Irrigation Cost of Median and Parkway Landscape	\$4,618	\$4,802	\$4,802
Streetlights differential Energy and Maintenance Cost	\$521	\$541	\$541
Assessment Procedure (City Engineers Cost)	\$3,124	\$3,124	\$3,124
Total Costs (Actual)	\$22,956	\$23,750	\$24,879
Total Current Assessment	\$19,324	\$19,324	\$19,324
Difference in Actual Total Cost and Total Current Assessment	(\$3,632)	(\$4,426)	(\$5,555)

9



SCALE: 1"= 350'

EXHIBIT A

Myron D. Hawk

11,190 5/4/01
SCE No. DATE

Design	
Drawn	
Check	
Review	
Survey	
F.B. No.	
W.G.	
P. --	
Rev. May 2001	
Rev.	
Rev.	
Rev.	
Rev.	

Reference:	
Approved	
CITY ENGINEER	

CITY OF CULVER CITY
PUBLIC WORKS
DEPARTMENT
ENGINEERING DIVISION - CULVER CITY, CALIF.

ASSESSMENT DISTRICT DIAGRAM
HIGUERA STREET
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT

Drawing No.

CITY ENGINEER

DATE

Sheet 1 of 1

[illegible]

(jam)

13 WHEREAS, the City Council of the City of Culver City ordered the
14 preparation of a "Report on the Annual Levy 2007-2008, Higuera Street Landscaping and
15 Lighting Assessment District. and the City Engineer has prepared and filed this
16 Engineer's Report (hereinafter "Report" attached hereto as Exhibit "A"), with this City
17 Council pursuant to law, for its consideration, and subsequently thereto the City Council
18 approved the Report by Resolution of Intention, 2007-R019 proposing to order the annual
19 assessment levy and to collect the assessments, and to carry on all other proceedings
20 necessary for the levy of annual assessments for the Assessment District; and
21

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

1 1. Upon the conclusion of the public hearing and counting of ballots and
2 any written protests received, it has been determined that:

3 a.) More than fifty percent of property owners within the district that
4 responded to the ballot measure Support/do not support: a 4% cost of living increase in
5 the assessment as outlined in Ballot Measure No. 1.

6 b.) More than fifty percent of property owners within the district that
7 responded to the ballot measure Support/do not support the assessment for enhanced
8 maintenance services as outlined in Ballot Measure No. 2.

9 c.) Written protests filed and not withdrawn did not represent property
10 owners owning more than fifty percent (50%) of the area of assessable lands within the
11 Assessment District.
12

13 2. The Engineer's Report is hereby approved and the appropriate
14 annual levy of the Assessment District as determined in No. 1 above and as set forth and
15 described in the Engineer's Report and the Resolution of Intention, No. 2007-R019.
16

17 3. The diagram and assessment as set forth and contained in the
18 Report are hereby confirmed and adopted by the City Council.

19 4. The adoption of this Resolution constitutes the levy of the
20 assessment for the fiscal year commencing July 1, 2007 and ending June 30, 2008.

21 5. The estimates of costs, the assessment diagram, the assessments,
22 and all other matters as set forth in the Report pursuant to said Chapter 15.01 as
23 submitted, are hereby approved, and adopted by the City Council.
24

25 6. The assessment for improvements set forth in the Report and the
26 Resolution of Intention shall be performed pursuant to law, and the County Auditor shall
27 enter on the County Assessment Roll the amount of the assessment, and the
28

1 assessment shall then be collected at the same time and in the same manner as the
2 County property taxes are collected. After collection by said County, the net amount of
3 the assessment shall be paid to the City Treasurer of the City of Culver City.

4 7. The City Treasurer has previously established a special fund known
5 as the "Fund for Albright Avenue Street Lighting Assessment" into which the City
6 Treasurer shall place all monies collected by the Tax Collector pursuant to the provisions
7 of this Resolution and law, and the transfer shall be made and accomplished as soon as
8 the monies have been made available to the City Treasurer.

10 8. The City Clerk is hereby ordered and directed to file a certified copy
11 of the report and diagram, attached hereto as Exhibit "A", and the assessment roll with
12 the County Auditor, together with a certified copy of this Resolution upon its adoption.

13 9. A certified copy of the report and diagram, attached hereto as Exhibit
14 "A", and the assessment roll shall be filed in the Office of the City Engineer, with a
15 duplicate copy on file in the Office of the City Clerk and shall be open for public
16 inspection.

18 APPROVED and ADOPTED this 11th day of June 2007.

21 _____
ALAN CORLIN, MAYOR
City of Culver City, California

23 ATTEST:

APPROVED AS TO FORM:

25 _____
26 CHRISTOPHER ARMENTA, City Clerk

25 _____
CAROL A. SCHWAB, City Attorney

**CORRECTED BALLOT – MAY 12, 2007
HIGUERA STREET LANDSCAPING &
LIGHTING ASSESSMENT DISTRICT**

BALLOT MEASURE #1

I APPROVE A 23% INCREASE TO MY EXISTING ASSESSMENT FROM \$ _____ TO \$ _____ PER YEAR, FOR THE CURRENT LEVEL OF SERVICE OF MAINTENANCE AND IRRIGATION OCCURRING ONCE A WEEK TO PAY FOR MY SHARE OF THE DISTRICT'S COSTS. (PLEASE CIRCLE ONE).

YES

NO*

BALLOT MEASURE #2

I APPROVE A 29% INCREASE TO MY EXISTING ASSESSMENT FROM \$ _____ TO \$ _____ PER YEAR, FOR THE ENHANCED LEVEL OF SERVICE OF MAINTENANCE AND IRRIGATION OCCURRING ONCE A WEEK TO PAY FOR MY SHARE OF THE DISTRICT'S COSTS. (PLEASE CIRCLE ONE).

YES

NO*

Only returned ballots will be counted to determine the result of the assessment vote. This ballot must be returned in person or by mail (a self-addressed and stamped envelope is enclosed for your use), to:

City Engineer
Culver City Public Works Department
9770 Culver Boulevard
Culver City, Ca 90232

In order for your ballot to be counted, the completed ballot must be sealed within the envelope and received by the City no later than 7:00PM on June 11, 2007.

I am the owner of the property within the District, identified as

Address: _____

Printed Name: _____

Signature: _____

* A no vote on both Ballot Measures #1 and #2 will mean that your existing Assessment Amount will remain the same as it was last year. If this is the case, the level of maintenance in the District may have to be reduced.