

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 07/25/05		Item Number: <u>PH-1</u>	
AGENDA ITEM: Public Hearing Concerning Adoption of a Resolution Approving the Final Engineer's Report and Confirming the Assessment Levy for the Albright Avenue Street Lighting Assessment District - Fiscal Year 2005/2006			
Contact Person/Dept.: Daniel Garcia/PW		Phone Number: (310) 253-5604	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☒		Action Item: ☐ Attachments: ☒	
Public Notification: <u>Legal:</u> The Notice of Public Hearing was posted on the City's official bulletin board on July 7, 2005 and published in the July 7, 2005 issue of Culver City News. <u>Non-Legal:</u> First Class Postcards were mailed to the property owners on July 7, 2005. Master Notification List on July 7, 2005			
Department Approval: Charles D. Herbertson 7/14/05		CAO Approval: Jerry Fulwood 7/20/05	
City Controller Approval: Marlee Chang 7/19/05			
 <u>RECOMMENDATION:</u> Staff recommends that the City Council adopt a Resolution approving the final engineer's report and confirming the assessment levy for the Albright Avenue Street Lighting Assessment District for Fiscal Year July 1, 2005 to June 30, 2006. Staff also recommends that the City Council authorize a Budget Amendment to add a Revenue Account of 'Fund for Albright Avenue Street Lighting Assessment' in the amount of \$6,552. This amount should be transferred back to the Innovation Fund which was the funding source for the initial construction of the project. A 4/5ths vote is required to approve the Budget Amendment. <u>PROCEDURE:</u> Mayor: Announce that this is the time and place for the public hearing to discuss the annual levy of assessments for the Albright Avenue Street Lighting Assessment District for Fiscal Year 2005/2006. City Clerk: Announce that notice of this hearing has been given pursuant to the provisions of the "Landscaping and Lighting Act of 1972", which is Division 15 of the Streets and Highways Code of the State of California, and pursuant to the provisions of the City			

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Council's Resolution 2004-R008, and that the following affidavits are on file in his office:

1. Affidavit of Publication; and
2. Affidavit of Posting.

Mayor and Council: Motion to receive and file all affidavits.

City Engineer: Present the City Engineer's Report and explain method of assessment for the annual levy.

City Clerk: Announce the number of written protests received, if any, and announce that copies of all such protests have been delivered to the City Council OR, summarize the contents thereof.

Mayor: First, ask to hear from those who have filed a written protest. Next, ask to hear from those in the audience wishing to speak against the proposed assessments.

Then, ask to hear from anyone who wishes to speak in favor of the proposed assessments.

Mayor and Council: Declare the Public Hearing CLOSED.

Mayor and Council: Discussion.

Mayor and Council: By Motion, overrule and deny any protests, assuming protests represent less than 50% of property interest.

Mayor and Council: By Motion, adopt the Resolution confirming the assessments and the diagrams of the District.

BACKGROUND:

Location map is included in the Engineer's Report and is labeled "Exhibit C."

The assessment for the District includes costs for providing construction, plans and specifications and City staff time for the installation of five streetlights and the appurtenant underground power distribution.

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DISCUSSION

On September 22, 2003, the City Council by City Council Action ordered the preparation of the City Engineer's Report, which is required by the State of California's Streets and Highways Code, prior to scheduling a public hearing for the formation of a street lighting assessment district.

On January 26, 2004, the City Council adopted Resolution 2004-R008, approving the City Engineer's Report that declared the intention to form the assessment district and addressed the District's annual budget and corresponding charges to be levied to cover all costs for the next fiscal year's assessment and setting March 22, 2004 as the date for the public hearing.

On April 12, 2004, the City Council adopted Resolution 2004-R022 that formed the Albright Avenue Street Lighting Assessment District. On August 3, 2004, Pacific Electric was granted a Notice to Proceed for the Albright Avenue Streetlight Improvement Project, P-800. Subsequently, authority to prepare the FY2005/2006 tax roll for the assessment district was approved and the streetlight improvements were accepted by the City Council on February 14, 2005. The total cost incurred for the improvement was \$53,152 which was the basis for the subject assessment levy.

No capital improvement funds were used last fiscal year 2004/2005 to fund this project. The Innovation Fund was used to fund this project and will be reimbursed through the Budget Amendment which is a part of this staff report.

The total cost of \$53,152 includes \$48,452 construction cost, \$2,700 for the preparation of plans and specifications and \$2,000 for engineering and legal work to form the district. The construction costs paid to Pacific Electric for the installation of the five street lights was \$53,500, but the City deducted \$5,048 for conduits and utility boxes that will be used by the City for future street lights. Thus, the \$5,048 will not be part of the assessment for this district and only \$48,452 will be assessed for construction costs. The construction costs consist of the installation of the 5 street lights, underground power and service connection conduits.

Operations and Maintenance costs to power the five new street lights is \$292.20 per year. Annual maintenance can be estimated at an additional \$165 per year. Thus, the total operations and maintenance costs is estimated to be approximately \$460 per year.

The total costs to be assessed during the 2005/06 Fiscal Year will be \$6,552.00 from the eighteen property owners. Each of the eighteen property owners is obligated and will be assessed \$364 per year including 4% interest for the next ten years as delineated in the Final Engineer's Report.

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If there is a majority protest for the annual assessment, the City Council can still impose the assessment levy with a 4/5ths majority vote. Also, the City Council could, by 4/5ths majority vote, suspend collection of that assessment and pay for the improvement, funding it with the City's General Fund.

The property owners have the choice to pay their assessment sooner if desired. A letter to that effect is attached to the report. At the time of the preparation of this report, none of the property owners contacted staff about modifying their payment schedule for the assessment.

Public Notification

Legal:

The Notice of Public Hearing regarding the proposed Resolution Confirming the Assessment Levy for Fiscal Year 2005-2006 was posted on the City's official bulletin board on July 7, 2005 and published in the July 7, 2005 issue of Culver City News.

Non-Legal:

First Class Postcards were mailed to the property owners on July 7, 2005.

The City's Master Public Notification List was notified via e-mail on July 7, 2005.

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 City Engineer's Report. The cost of operations and maintenance shall be assumed by the City as part of the City's street lighting system grid.

ATTACHMENTS:

- City Engineer's Report
- Recommended Resolution
- Notification Postcards
- Letter dated June 22, 2005

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MOTION:

That the City Council:

1. Adopt a Resolution approving the final engineer's report and confirming the annual assessment levy for the Albright Avenue Street Lighting Assessment District for Fiscal Year 2005/2006; and

2. Authorize a Budget Amendment to add a Revenue Account of "Fund for the Albright Avenue Street Lighting Assessment" in the amount of \$6,552. This amount should be transferred back to the Innovation Fund which was the funding source for the initial construction of the project.

A 4/5ths Vote is required to approve the Budget Amendment.