

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

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| Meeting Date: 06/11/07                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  | Item Number: <u>PH-3</u>                                                               |  |
| <b>AGENDA ITEM: Public Hearing to Consider the Adoption of a Resolution Approving the Engineer's Report and Ordering the Annual Assessment Levy for the Albright Avenue Street Lighting Assessment District - Fiscal Year 2007/2008</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                                                                                        |  |
| Contact Person/Dept.: Mate Gaspar/PW                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  | Phone Number: (310) 253-5602                                                           |  |
| Fiscal Impact: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  | General Fund: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>      |  |
| Public Hearing: <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  | Action Item: <input type="checkbox"/> Attachments: <input checked="" type="checkbox"/> |  |
| <b>Public Notification:</b><br><u>Legal:</u><br>The Resolution of Intention was posted on the City's official bulletin board on April 23 2007 and published in the April 26, 2007 issue of Culver City News.<br><br><u>Non-Legal:</u><br>First Class Postcards were mailed to the property owners on April 27, 2007<br><br>Master Notification List on June 6, 2007                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |                                                                                        |  |
| Department Approval:<br>Charles D. Herbertson 5/21/07                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  | City Attorney Approval:<br>Carol Schwab (by H. Iker) (06/04/07)                        |  |
| City Controller Approval:<br>Marlee Chang (06/06/07)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  | City Manager Approval:<br>Jerry B. Fulwood (06/06/07)                                  |  |
| <b><u>RECOMMENDATION:</u></b><br><br>Staff recommends that the City Council adopt a resolution approving the Engineer's Report and ordering the assessment levy for the Albright Street Lighting Assessment District for Fiscal Year July 1, 2007 to June 30, 2008.<br><br><b><u>PROCEDURE:</u></b><br><br>Mayor:<br><br>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 2007/2008.<br><br>City Clerk:<br><br>Announce that notice of this hearing has been given pursuant to the provisions of Chapter 15.01 of Code of the City of Culver City, California, and pursuant to the provisions of the City Council's Resolution 2007-R019 and in accordance with Articles XIII C and D of the California Constitution, known as the "Right to Vote on |  |                                                                                        |  |

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Taxes Act” or more commonly known as Prop 218 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 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 April 23, 2007, the City Council ordered the preparation of the Engineer's Report, declared its intention to order the assessment levy and set the date, time and place for this public hearing per Resolution No. 2007-R019.

The total cost incurred for the improvement was \$53,152 which was the basis for the subject assessment levy. The costs to be assessed during each fiscal year beginning in the 2005/06 Fiscal Year will be \$6,552.00, including this Fiscal Year 2007/2008. This is the third year of the ten year assessment plan to recoup the cost of the project.

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

**Public Notification**

**Legal:**

The Notice of Public Hearing regarding the proposed Resolution was posted on the City's official bulletin board on April 23, 2007, and published in the April 26, 2007 issue of Culver City News.

**Non-Legal:**

First Class Postcards were mailed to the property owners on April 27, 2007.

The City's Master Public Notification List was notified via e-mail on April 18, 2007.

**FISCAL ANALYSIS:**

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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 are assumed by the City as part of the City's street lighting system grid.

**ATTACHMENTS:**

1. Engineer's Report
2. Resolution
3. Notification Postcards

**MOTION:**

That the City Council:

Adopt a Resolution approving the Engineer's Report and ordering the annual assessment levy for the Albright Avenue Street Lighting Assessment District for Fiscal Year 2007/2008.