

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

Meeting Date: 07/28/14		Item Number: PH-1	
CITY COUNCIL AGENDA ITEM: PUBLIC HEARING - Adoption of a Resolution Confirming the Assessment and Ordering the Levy for the Sewer User's Service Charge - Fiscal Year 2014/2015			
Contact Person/Dept.: Mate Gaspar/PW		Phone Number: (310) 253-5602	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☒		Action Item: ☐ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (E-Mail) Agenda and Meetings – City Council (07/23/14); (Published) Notice of Public Hearing (07/10/14)			
Department Approval: Charles D. Herbertson (07/18/14)		City Attorney Approval: Carol Schwab (by H. Baker) (07/21/14)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (07/22/14)		City Manager Approval: John M. Nachbar (07/23/14)	

RECOMMENDATION:

Staff recommends the City Council adopt a Resolution confirming the assessment and ordering the levy for the Sewer User's Service Charge - Fiscal Year 2014/2015.

PROCEDURE:

1. Mayor seeks motion from City Council to receive and file the affidavits of publication and posting of notices and correspondence received in response to the public hearing notices; and,
2. Mayor calls for a staff report, and the City Council Members may pose questions to staff as desired; and,
3. Mayor seeks a motion to open the public hearing; and,
4. Mayor seeks a motion to close the public hearing after all public testimony has been presented; and,
5. City Council discusses the item and arrives at its decision.

BACKGROUND:

On July 22, 2013, following a duly noticed and conducted public hearing, the City Council adopted Resolution No. 2013-R053, increasing the Sewer User's Service Charge by 4% per year for three successive years (Fiscal Years 2013/2014, 2014/2015, and 2015/2016), with an exception of a 3% rate increase for single family residences in Fiscal Year 2015/2016 only. In addition, base charges and commodity charges were adjusted to a 60%/40% split.

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On June 23, 2014, the City Council adopted a resolution that approved the Engineer's Report, declared its intention to order the assessment levy and collection of assessments, and set the date, time, and place for this public hearing for July 28, 2014.

In accordance with Government Code Section 53756(d), a 30-day notice was mailed to all affected property owners that the Sewer User's Service Charge will be increased for Fiscal Year 2014/2015 as authorized by Resolution No. 2013-R053 (Attachment 3).

DISCUSSION:

Pursuant to Section 5.02.035.C of the Culver City Municipal Code (CCMC), any interested persons may file a written protest with the City Clerk (or withdrawal a previously filed protest) until the conclusion of the Public Hearing. Pursuant to CCMC 5.02.035.D, at the conclusion of the public hearing, the City Council shall allow or overrule any objections. Adoption of the proposed Resolution shall confirm the sewer user's service charge against each parcel, which service charge shall be a special assessment and lien on that parcel.

Copies of all written protests (if any are received) will be given to the City Council on the night of the meeting.

FISCAL ANALYSIS:

There is no fiscal impact associated with the adoption of the proposed Resolution. The Adopted Fiscal Year 2014/2015 City budget includes the approved amount of \$8,549,032 in Sewer Operating Fees (20460300.357100).

ATTACHMENT:

1. Proposed Resolution
2. Engineer's Report
3. Notice of Previously Authorized Increase in Sewer User's Service Charge

MOTION:

That the City Council:

(Absent a majority protest) Adopt a Resolution confirming the assessment and ordering the levy for Sewer User's Service Charge for Fiscal Year 2014/2015.