

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 06/26/06		Item Number: <u>PH-3</u>	
AGENDA ITEM: Public Hearing Considering Adoption of a Resolution Approving the Engineer's Report and Ordering of the Assessment Levy for Landscaping Maintenance District No. 1 - Fiscal Year 2006/2007			
Contact Person/Dept.: Dan 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 Resolution of Intention was posted on the City's official bulletin board on April 27, 2006 and published in the April 27, June 15 and June 22, 2006 issues of Culver City News. <u>Non-Legal:</u> First Class Postcards were mailed to the property owners on April 27, June 15 and June 22, 2006. Master Notification List on April 27, June 15 and June 22, 2006			
Department Approval: Charles D. Herbertson (06/15/2006)		CAO Approval: Martin R. Cole for Jerry B. Fulwood (06/20/2006)	
City Controller Approval: Marlee Chang (06/21/2006)			
<u>RECOMMENDATION:</u> Staff recommends the City Council conduct a public hearing and adopt a Resolution approving the Engineer's Report and ordering the assessment levy for Landscape Maintenance District No. 1 for Fiscal Year July 1, 2006 to June 30, 2007. <u>PROCEDURE:</u> Mayor: Announce that this is the time and place for the public hearing to discuss the annual levy of assessments for Landscaping Maintenance District No. 1 for Fiscal Year 2006/2007. City Clerk: Announce that notice of this hearing has been given pursuant to the provisions of Chapter 15.01 of the Culver City Municipal Code, and pursuant to the provisions of the City Council's Resolution 2006-R035 and in accordance with Articles XIII C and D of the California Constitution, known as the "Right to Vote on Taxes Act" (Proposition 218), and the 1972 Landscape and Lighting Assessment District Act, and that the following affidavits are on file in his office:			

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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.

DISCUSSION

On May 8, 2006, the City Council adopted Resolution 2006-R035, ordering the preparation of the Engineer's Report, declaring its intention to order the levy of annual assessment and scheduled this public hearing for Landscape Maintenance District No. 1.

The estimated costs to be incurred during Fiscal Year 2006/07 are \$19,704.00 for Zone 1 and \$6,186.00 for Zone 2. Staff is recommending that the assessment for Zone 1 remain the same as last year (\$19,746) and that the \$42 surplus from Fiscal Year 2005/2006 be carried over to Fiscal Year 2006/2007. For Zone 2, staff

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recommends that the surplus for Fiscal Years 2003/2004 and 2004/2005 in the amounts of \$1,380 and \$1,500 respectively, be applied as a credit and that the total assessment for Zone 2 be \$3,306.00.

If a majority protest exists for continuing the existing annual assessment, Council could still impose the existing assessment with a 4/5ths majority vote. Alternatively, Council could, by simple majority, order the District disbanded and discontinue the services. A resolution implementing that disbanding action would be brought back at a subsequent meeting.

Lastly, Council could, by 4/5ths majority vote, impose the existing assessment, suspend collection of that assessment and continue the services, funding them with the City's General Fund.

Public Notification

Legal:

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Non-Legal:

First Class Postcards were mailed to the property owners on April 27 and June 15, 2006.

The City's Master Public Notification List was notified via e-mail on April 27 and June 15, 2006.

FISCAL ANALYSIS:

The Landscaping Maintenance District No. 1 budget should be 100 percent self-supporting for all expenditures. Property owners within the District are charged for their fair share of these costs, as described in the Engineer's Report.

ATTACHMENTS:

- Engineer's Report
- Resolution
- Notification Postcards

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MOTION:

Adopt a Resolution approving the Engineer's Report and Ordering the Levy of annual assessment for Landscaping Maintenance District #1 for the Fiscal Year 2006/2007.