

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

Meeting Date: 06/14/10		Item Number: PH - 3	
CITY COUNCIL AGENDA ITEM: PUBLIC HEARING - Adoption of a Resolution Approving the Engineer's Report and Approving the Annual Assessment Levy for Landscaping Maintenance District No. 1 - Fiscal Year 2010/2011			
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 (06/09/10) Property owners were mailed a courtesy notice on (05/27/10).			
Department Approval: Charles D. Herbertson (06/03/10)		City Attorney Approval: Carol Schwab (by H. Baker) (06/10/10)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (06/09/10)		City Manager Approval: P. Lamont Ewell (06/10/10)	

RECOMMENDATION:

Staff recommends the City Council adopt a Resolution:

1. Approving the Engineer's Report for Landscape Maintenance Assessment District No.1, for Fiscal Year 2010/2011; and
2. Approving the annual assessment levy for Fiscal Year July 1, 2010 to June 30, 2011.

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 all ballots have been tabulated; and,
5. City Council discusses the item and arrives at its decision.

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BACKGROUND:

Landscaping Maintenance District No. 1, consisting of two zones, was created for the purpose of providing on-going maintenance of landscaping along:

- “Zone 1” (Studio Estates), being the periphery of the MGM Lot 2 residential subdivision; and,
- “Zone 2” (Ballona Creek), being the 20-foot wide strip along the southerly side of Ballona Creek from the easterly side of Overland Avenue to the northeasterly line of Westside Business Park, a distance of about 2,200 feet.

On July 13, 2009, the proposed assessment increase for Zone 1 was approved by a majority of the votes received from members of the District. Also, the members of the District approved an annual increase based on the February Consumer Price Index for All Urban Consumers for the Los Angeles – Riverside - Orange County area plus a 5% premium each year until the revenues generated from the District match the annual expenditures and the fund has a positive balance.

The proposed assessment increase for Zone 2 did not pass as result of a majority protest.

DISCUSSION:

For Zone 1, staff is proposing the City Council approve that the assessment district levy be modified to provide for an annual increase based on the Consumer Price Index (CPI) plus 5%. Based on the information provided by the United States Department of Labor, the CPI increase is 1.44%. Therefore, the proposed total increase to the assessment levy is 6.44%. The existing assessment levy per parcel is \$184.92. The proposed assessment levy will be \$196.83 per parcel for a total amount of \$35,429.40 (180 parcels) for Fiscal Year 2010/2011.

For Zone 2, staff is proposing that the City Council reaffirm the existing assessment levy at \$.0213 per square foot of 9 parcels for a total amount of \$12,915 for Fiscal Year 2010/2011. Last year, staff worked with Marina Landscaping to reduce the maintenance frequency in order to keep costs below the total amount levied. Marina is still providing this service now.

Other options available to the City Council include:

- By 4/5ths majority vote, approve a budget amendment and subsidize the District with City's General Funds.

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- By simple majority vote, order the District be disbanded and discontinue the services. A resolution implementing that disbanding action would be brought to the City Council at a subsequent meeting.
- By 4/5ths majority vote, suspend collection of said assessment and continue the services, funding them with the City's General Fund. This would also require a budget amendment.

FISCAL ANALYSIS:

The Landscape Maintenance District #1 budget is proposed to be 100 percent self-supporting for all expenditures. Property owners within the District are charged their fair share of these costs, as described in the City Engineer's Report.

ATTACHMENTS:

1. City Engineer's Report
2. Resolution

MOTION:

That the City Council:

(Absent a majority protest) Adopt a Resolution approving the Engineer's Report and assessment levy for Landscape Maintenance District #1 for Fiscal Year July 1, 2010 to June 30, 2011