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## RESOLUTION NO. 2019-R

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA. **DECLARING** CULVER CITY. **RESULTS OF** THE **ASSESSMENT BALLOT** TABULATION, ORDERING THE IMPROVEMENTS AND SERVICES, FORMING BENEFIT ASSESSMENT DISTRICT WEST WASHINGTON BOULEVARD NO. 3. ORDERING MAINTENANCE WORK THEREIN, CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE LEVY OF AN ANNUAL ASSESSMENT THEREIN

WHEREAS, the City Council of the City of Culver City on May 13, 2019, initiated proceedings for the formation and for the levy and collection of annual assessments within said District, pursuant to the terms of the Culver City Municipal Code ("CCMC") and Article XIIID of the Constitution of the State of California ("Article XIIID"). Such District shall be known and designated as City of Culver City "Benefit Assessment District West Washington Boulevard No. 3" (the "District"); and,

WHEREAS, the City Council ordered and subsequently received an Assessment Engineer's Report (hereafter referred to as the "Engineer's Report") in accordance with the CCMC and Article XIIID; and,

WHEREAS, on May 28, 2019, the City Council preliminarily approved the Engineer's Report and set the time and place for a Public Hearing to consider the formation of the District and for the authorization to levy annual assessments therein. The City Council also ordered a notice of Public Hearing on August 12, 2019, accompanied by assessment ballots, be given to the record owners of all property within the proposed District in accordance with the provisions of the CCMC and Article XIIID; and,

WHEREAS, notice of the August 12, 2019 Public Hearing accompanied by assessment ballots were mailed to the record owners of all property within the proposed District in accordance with the provisions of the CCMC and Article XIIID; and,

WHEREAS, on August 12, 2019, the City Council continued the public hearing to August 26, 2019.

NOW, THEREFORE, the City Council of the City of Culver City, DOES HEREBY RESOLVE as follows:

- 1. The above recitals are true and correct.
- 2. The City Council hereby finds and determines that the procedures for the consideration of the formation and the levy of annual assessments have been undertaken in accordance with the CCMC and Article XIIID.
- 3. Assessment ballots were mailed, as required by the CCMC and Article XIIID, to the record owners of all properties proposed to be assessed within the District. The assessment ballots that were completed and received by the City Clerk, prior to the close of the Public Hearing, have been tabulated in accordance with the procedures established under the CCMC and Article XIIID and the results of such tabulation have been submitted to this City Council.
- 4. This City Council hereby finds that the assessment ballots submitted in favor of the levy of assessments exceed the assessment ballots submitted in opposition to such levy as weighted in accordance with the CCMC and Article XIIID. Therefore, no majority protest to the levy of assessments within the District has been found to exist.
  - 5. The City Council hereby orders the formation of the District.
- 6. Based upon the Engineer's Report and the testimony and other evidence presented at the August 26, 2019 Public Hearing, the City Council hereby makes the following determinations regarding the assessments to be levied for Fiscal Year 2019-2020. Assessments will be levied to pay for the estimated costs to maintain all the improvements ultimately to be installed within the District:

- a. The proportionate special benefit derived by each assessable parcel has been determined in relationship to the entirety of the cost of the operations and maintenance expenses.
- b. The assessments do not exceed the reasonable cost of the proportional special benefit conferred on each parcel.
  - c. Only special benefits have been assessed.
- 7. The assessments for the District contained in the Engineer's Report for Fiscal Year 2019-2020 hereby confirmed and levied upon the respective lots or parcels within the District as set forth in said Engineer's Report. Subsequent annual assessments, in amounts not to exceed an established maximum annual assessment may be confirmed and levied without further assessment ballot proceedings pursuant to CCMC and Article XIIID. Each fiscal year beginning Fiscal Year 2020-2021, the maximum amount of each assessment (the "Maximum Assessment") shall be increased by the February Consumer Price Index for all Urban Consumers for Los Angeles Riverside Orange County area without further compliance with the assessment ballot procedures required under the CCMC and Article XIIID.
- 8. The public interest and convenience require, and this legislative body does hereby order the maintenance work to be made and performed as set forth in the Engineer's Report.
- 9. The diagram and assessment shall be filed in the Office of the City Clerk. Said diagram and assessment, and the certified copy thereof, shall be open for public inspection.
- 10. The City Clerk is hereby ordered and directed to immediately file a certified copy of the diagram and assessment with the County Auditor.
- 11. After the filing of the diagram and assessment, the County Auditor shall enter onto the County assessment roll opposite each lot or parcel of land, the amount assessed thereon as shown in the assessment.

1	12. The assessments shall be collected at the same time and in the
2	same manner as County taxes are collected and all laws providing for the collection and
3	enforcement of County taxes shall apply to the collection of the assessments.
4	13. The assessments as above confirmed and levied for these
5	proceedings will provide revenue to finance the maintenance of authorized
6	improvements in the fiscal year commencing July 1, 2019 and ending June 30, 2020.
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8	APPROVED, AND ADOPTED this day of, 2019.
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11	MEGHAN SAHLI-WELLS, MAYOR
12	City of Culver City, California
13	ATTEST: APPRQVED AS TO FORM:
14	ATTEST: APPROVED AS TO FORM:
15	flattet Saller
16	JEREMY GREEN, City Clerk  CAROL A. SCHWAB, City Attorney
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