



City of Culver City

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Council Chambers
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Staff Report

File #: 19-1366, **Version:** 1

Item #: PH-4.

CC - PUBLIC HEARING - Adoption of a Resolution Confirming and Levying the Assessment for Landscaping Maintenance District No. 1 for Fiscal Year 2019/2020

Meeting Date: June 10, 2019

Contact Person/Dept: Mate Gaspar/Public Works

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) Meetings and Agendas - City Council (06/05/19); Culver City News (05/30/19); Property Owners were mailed a notice (05/31/19)

Department Approval: Charles D. Herbertson, Director of Public Works/City Engineer (05/30/19)

RECOMMENDATION

Staff recommends the City Council conduct a public hearing and adopt a resolution confirming and levying the assessment for Landscape Maintenance Assessment District No.1 for Fiscal Year 2019/2020.

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. The City Council discusses the item and arrives at its decision.

BACKGROUND

On April 22, 2019, the City Council 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 the Landscape Maintenance District #1.

DISCUSSION

On July 13, 2009, the members of the District approved by majority ballot, an annual increase to the assessment levy 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 fund deficit was recovered. Staff is proposing that the City Council approve increasing the annual assessment district levy by the February Consumer Price Index for All Urban Consumers for the Los Angeles area which is 2.5%. The assessment levy per parcel is proposed to be \$252.13 for a total amount of \$45,383.31 (180 parcels) for Fiscal Year 2019/20.

Pursuant to Section 15.01.070.H 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 Section 15.01.070.K, the City Council shall not impose an *increased* assessment if there is a majority protest. For Fiscal Year 2019/2020, the proposed increase set forth in the Engineer's Report, which was previously approved by the property owners, does **not** constitute an "increased assessment" as defined in California Government Code Section 54954.6. Therefore, the majority protest proceedings do not apply, and the City Council may, after receiving public comment, adopt a resolution confirming the assessment as determined by the Engineer's Report.

Pursuant to CCMC Section 15.01.070 (J and K), the City Council may choose to order changes in any of the matters provided in the report, including changes in the improvements or services, or both, any zones within the district, and the proposed diagram or proposed assessment so long as the changes do not result in an increase of the rates above the voter approved maximum rates adjusted by an inflationary formula, if any, or it may choose to adopt a resolution confirming the diagram and assessment, either as originally proposed or as changed by it. Adoption of such resolution constitutes the assessment levy for Fiscal Year 2019/2020. The City Council may also choose to dissolve the District pursuant to CCMC Section 15.01.065.A.3 or pay for the costs of the District with the City's General Fund.

FISCAL ANALYSIS

A detailed analysis of the District revenues and expenses is contained in the Engineer's Report.

ATTACHMENTS

1. Engineer's Report
2. Proposed Resolution

MOTION

That the City Council:

1. Adopt a resolution confirming and levying the assessment for Landscape Maintenance District #1 for Fiscal Year 2019/2020.