



Staff Report

City of Manhattan Beach

TO: Honorable Mayor Montgomery and Members of the City Council

THROUGH: Geoff Dolan, City Manager

FROM: Bruce Moe, Finance Director
Henry Mitzner, Controller

DATE: June 3, 2008

SUBJECT: Consideration of Resolutions Approving Assessment Engineer's Report for Annual Levy of Street Lighting Assessments for Fiscal Year 2008-2009, and Declaration of City Council Intention to Provide for Annual Levy and Collection of Assessments for Street Maintenance and Setting of Public Hearing for July 1, 2008.

RECOMMENDATION:

Staff recommends that the City Council: a) adopt Resolution No. 6140 approving the Assessment Engineer's report for the annual levy of Street Lighting Assessments for the Fiscal Year 2008-2009, and b) adopt Resolution No. 6141 declaring City Council's intention to provide for the annual levy and collection of assessments for the Street Lighting and Landscaping Maintenance Fund, and c) set July 1, 2008 for the public hearing.

FISCAL IMPLICATION:

The assessment rates remain unchanged from fiscal year 2007-2008. The total assessment for fiscal year 2008-2009 in accordance with the Assessment Engineer's report is \$379,086 and is reflected in the FY 2008-2009 budget.

BACKGROUND:

At the May 6, 2008 meeting, Council adopted Resolution 6135, which ordered the preparation of the Assessment Engineer's Report. This report, submitted by the firm of Harris & Associates, has been prepared in accordance with the Street Lighting and Landscaping Act of 1972. The method for the allocation of assessments, which remains unchanged from Fiscal Year 2007-2008, is discussed in Part D of the Engineer's Report (Attachment "C").

DISCUSSION:

Assessments are levied on the basis of benefit. The basic unit for allocation of benefit is the single family home which is equal to one Equivalent Dwelling Unit (EDU). All other land use is converted into this measure based on dwelling units or lot size of the parcel.

The Engineer has established six zones of benefit to allocate assessments, five of which employ the EDU method of benefit measure. For zone 10, which includes certain downtown business properties, the Assessment Engineer has determined that frontal footage is the best measure of benefit and uses the Adjusted Front Footage (AFF) basis.

The Assessment Engineer was supplied with revenue, cost estimates and estimated opening fund balance. The preliminary total assessment of \$379,086 is based on the property tax final roll for fiscal year 2007-2008. Upon receipt of the final roll for fiscal year 2008-2009, which will reflect parcel changes for the new fiscal year, Harris & Associates will recalculate the total assessment using the rates as shown in the report. Based on history, the difference between the total assessment for the prior year and current year should be less than \$1,000.

Expenditures - Street Lighting Zones 1-9 (Standard lighting) & Street Lighting Zone 10 (Streetscape)

In the report to City Council of May 6, 2008, staff indicated that the opening balance for the Street Lighting and Landscaping Fund is \$-0- and that subsidies for both zone 1-9 and zone 10 will be required. These subsidies are \$108,000 (zone 1-9) and \$67,000 (zone 10). In addition, the City contributes \$19,455 to Zone 10 for the City's direct benefit from having City Hall located within the Streetscape zone (please refer to the Engineer's report for schedules of assessments, contributions, and expenditures for this fund). These contributions and transfers will be ongoing and will increase in future years as assessments remain fixed and costs continue to rise. Assessments, which were last adjusted in 1996, can only be increased by a Proposition 218 vote. The five year forecast indicates that subsidies will increase from \$175,000 in fiscal 2008-2009 to \$285,000 in fiscal 2012-2013.

Subject to City Council approval of Resolutions 6140 and 6141, a public hearing will be held on July 1, 2008, after which City Council will be asked to adopt a resolution providing for the levy and collection of street lighting assessments. The assessments are collected via the consolidated property tax bills issued in October of each year.

- Attachments: A) Resolution No. 6140
B) Resolution No. 6141
C) Assessment Engineer's Report

RESOLUTION NO. 6140

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, PRELIMINARILY APPROVING THE ENGINEER'S REPORT FOR ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2008-2009 IN THE MAINTENANCE DISTRICT WITHIN SAID CITY

WHEREAS, pursuant to the provisions of Division 15, Part 2, of the Streets and Highways Code of the State of California being known as the "Landscaping and Lighting Act of 1972," this City Council did, by previous resolution, order the preparation of an Engineer's Report for the annual levy of assessments, consisting of plans and specifications, an estimate of the cost, a diagram of the maintenance district, and an assessment relating to what is now known and designated as LANDSCAPING AND STREET LIGHTING MAINTENANCE DISTRICT NO. 99 (hereinafter referred to as the "District"); and

WHEREAS, there now has been presented to this City Council the Report as required by Division 15 of the Streets and Highways Code, and as previously directed by resolution; and

WHEREAS, this City Council has now carefully examined and reviewed the Report as presented, and is satisfied with each and all of the items and documents as set forth therein and is satisfied that the assessment, on a preliminary basis, has been spread in accordance with the benefits received from the maintenance to be performed as set forth in said Report.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the Report as presented, consisting of the following:

- a. Plans and specifications;
- b. Estimate of cost;
- c. Diagram of the maintenance district;
- d. Assessment of the estimated cost.

is hereby approved on a preliminary basis and is ordered to be filed in the Office of the City Clerk as a permanent record and to remain open for public inspection.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the presentation of the Engineer's Report.

SECTION 4. That this Report as above referenced, shall be applicable for the annual assessments for the fiscal year commencing July 1, 2008, and ending on June 30, 2009.

SECTION 5. That this Resolution is adopted pursuant to the provisions of Section 22623, et seq. of the Streets and Highways code of the State of California.

SECTION 6. The City Clerk shall make this Resolution reasonably available for public inspection within thirty (30) days of the date this Resolution is adopted.

SECTION 7. The City Clerk shall certify to the adoption of this Resolution and thenceforth and thereafter the same shall be in full force and effect.

PASSED, APPROVED AND ADOPTED this 3rd day of June, 2008.

Ayes:
Noes:
Absent:
Abstain:

Mayor, City of Manhattan Beach, California

ATTEST:

City Clerk

RESOLUTION NO. 6141

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR CERTAIN STREET LIGHTING MAINTENANCE IN AN EXISTING MAINTENANCE DISTRICT, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON

WHEREAS, this City Council has previously formed a Lighting District pursuant to the provisions of Division 15, Part 2, of the Streets and Highways Code of the State of California, being the "Landscaping and Lighting Act of 1972," for a maintenance district to be known and designated as LANDSCAPING AND STREET LIGHTING MAINTENANCE DISTRICT NO. 99 (hereinafter referred to as the "District"); and

WHEREAS, there has been presented and preliminarily approved by the City Council, the Engineer's Report as required by law, and at this time, this City Council finally approves the Report; and

WHEREAS, at this time, this City Council is desirous of continuing with proceedings for the annual levy of assessments for the next ensuing fiscal year, to provide for the costs and expenses necessary for continued maintenance of improvements within said District.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. Public Interest

- A. That the public interest and convenience requires, and it is the intention of this Council to undertake proceedings for the annual levy and collection of special assessments for the continual maintenance of certain lighting, all to serve and benefit said District as said area is shown and delineated on a map as previously approved by this City Council and on file in the office of the City Clerk, open to public inspection, and herein so referenced and made a part hereof.
- B. That the improvements to be maintained are substantially the same as for the previous fiscal year and reference is hereby made to said proceedings, and there are not substantial changes proposed to be made in any existing improvements or maintenance thereof.

- C. That in all zones within the District, except Zone 10, the costs of street lighting for the 2008-2009 year shall be allocated to property owners within the District based upon an Equivalent Dwelling Unit parcel method more completely described in the Report. In Zone 10, the cost will continue to be allocated using the adjusted front footage method.

SECTION 3. Report. That the Report of the Engineer regarding the annual levy for said District, which Report is for the maintenance for the fiscal year 2008-2009 is hereby approved and is directed to be filed in the office of the City Clerk.

SECTION 4. Assessment. That the public interest and convenience requires, and it is the intention of this City Council to order the annual assessment levy for the District as set forth and described in said Engineer's Report, and further it is determined to be within the best public interest and convenience to levy and collect annual assessments to pay the costs and expenses of said maintenance and improvements as estimated in said Report.

SECTION 5. Description of Maintenance. The assessments which are to be levied and collected shall be for the maintenance of certain lighting as set forth in the Engineer's Report referenced and incorporated herein.

SECTION 6. County Auditor. The County Auditor shall enter on the County Assessment Roll the amount of the assessments and shall collect said assessments at the time and in the same manner as county taxes are collected. After collection by the County, the net amount of the assessment, after the deduction of any compensation due to the County for collection, shall be paid to the Treasurer for purposes of paying for the costs and expenses of said District.

SECTION 7. Special Funds. That all monies collected shall be deposited in the previously established fund known as STREET LIGHTING FUND. Payment shall be made out of said fund only for the purpose provided for in this Resolution, and in order to expedite the making of this maintenance and improvement, the City Council may transfer into said special fund, money from any available source, such funds as it may deem necessary to expedite the proceedings. Any funds shall be repaid out of the proceeds of the assessments provided for in this Resolution.

SECTION 8. Boundaries of District. Said contemplated maintenance work is, in the opinion of this City Council, of direct benefit to the properties within the boundaries of the District, and this City Council makes the costs and expenses of said maintenance chargeable upon the District, which District said City Council hereby declares to be the District benefited by said improvements and maintenance, and to be further assessed to pay the costs and expenses thereof. Said District shall include each parcel of land within the boundaries of said District as said District is shown in a map as approved by this City Council and on file in the Office of the City Clerk and so designated by the name of the District.

SECTION 9. Public Property. Any lot or parcels of land known as public property, as the same are defined in Section 22663 of Division 15, Part 2, of the Streets and Highways Code of the

State of California, which are included within the boundaries of the Maintenance District, shall be omitted and exempt from any assessment to be made under these proceedings to cover any of the costs and expenses of said maintenance work.

SECTION 10. Public Hearing. NOTICE IS HEREBY GIVEN THAT ON THE 1st DAY OF JULY 2008, AT THE HOUR OF 6:30 P.M. IN THE CITY COUNCIL CHAMBERS OF MANHATTAN BEACH CITY HALL LOCATED AT 1400 HIGHLAND AVENUE, MANHATTAN BEACH, CALIFORNIA, THE MANHATTAN BEACH CITY COUNCIL SHALL CONDUCT A HEARING OF PROTESTS OR OBJECTIONS IN REFERENCE TO THE ANNUAL LEVY OF MAINTENANCE ASSESSMENTS, TO THE EXTENT OF THE MAINTENANCE, AND ANY OTHER MATTERS CONTAINED IN THIS RESOLUTION. ANY PERSONS WHO WISH TO OBJECT TO THE PROCEEDINGS FOR THE ANNUAL LEVY SHOULD FILE A WRITTEN PROTEST WITH THE CITY CLERK PRIOR TO THE TIME SET AND SCHEDULED FOR SAID PUBLIC HEARING.

SECTION 11. Notice. The City Clerk is hereby authorized and directed to publish a copy of this resolution in the Beach Reporter, a newspaper of general circulation within said City, pursuant to Government Code Section 6061, said publication being not less than ten (10) days before the date for said Public Hearing.

SECTION 12. Effective Date. That this Resolution shall take effect immediately upon its adoption.

SECTION 13. Proceedings Inquiries. For any and all information relating to the proceedings, protest procedure, any documentation and/or information of a procedural or technical nature, your attention is directed to the below listed person at the local agency or department so designated.

HENRY MITZNER
CONTROLLER
FINANCE DEPARTMENT
CITY OF MANHATTAN BEACH
(310) 802-5563

SECTION 14. The City Clerk shall make this Resolution reasonably available for public inspection within thirty (30) days of the date this Resolution is adopted.

SECTION 15. The City Clerk shall certify to the adoption of this Resolution and thenceforth and thereafter the same shall be in full force and effect.

PASSED, APPROVED AND ADOPTED this 3rd day of June, 2008.

Ayes:
Noes:
Absent:
Abstain:

Mayor, City of Manhattan Beach, California

ATTEST:

City Clerk



ENGINEER'S REPORT

FOR

**LANDSCAPING AND STREET LIGHTING
MAINTENANCE ASSESSMENT DISTRICT**

Fiscal Year 2008-09

For the

CITY OF MANHATTAN BEACH
LOS ANGELES COUNTY, CALIFORNIA

Prepared by:



Harris & Associates

May 29, 2008

**ENGINEER'S REPORT
CITY OF MANHATTAN BEACH
LANDSCAPING AND STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT**

The undersigned, acting on behalf of Harris & Associates, respectfully submits the enclosed report as directed by the City Council.

DATED: May 29, 2008

BY: Joan E. Cox, P.E.
R.C.E. No. 41965

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment Roll thereto attached, was filed with me on the _____ day of _____, 2008.

City Clerk of the City of Manhattan Beach
Los Angeles County, California

By _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment Roll thereto attached, was approved and confirmed by the City Council of the City of Manhattan Beach, California, on the _____ day of _____, 2008.

City Clerk of the City of Manhattan Beach
Los Angeles County, California

By _____

ENGINEER'S REPORT
TABLE OF CONTENTS

Certificates i

Introduction 1

Report 3

 Part A - Plans and Specifications 5

 Part B - Estimate of Cost 7

 Part C - Assessment Roll..... 8

 Part D - Method of Apportionment of Assessment..... 9

 Part E - Property Owner List 15

 Part F - Assessment Diagram..... 15

INTRODUCTION

The City of Manhattan Beach formed the Landscaping and Street Lighting Assessment District in the early 1970's pursuant to the Landscaping and Lighting Act of 1972, Part 2, Division 15, Sections 22500 through 22679, of the Streets and Highways Code of the State of California. The District is being renewed annually. City Council reviews the proposed costs and reserves for the ensuing fiscal year and considers accumulated fund balances from the current year in the setting of the annual assessment. The method of assessment has been approved at the time of formation of the District. This year's report includes projected costs and fund balances, and is submitted for City Council's determination of the assessment for Fiscal Year 2008-09. No increase in the assessment rate is proposed for Fiscal Year 2008-09.

The maintenance and operation of the facilities within the District is consistent with the Landscaping and Lighting Act of 1972 and is administered pursuant to Manhattan Beach ordinances and regulations.

The City Council of the City of Manhattan Beach adopted its General Plan with various elements to provide guidelines for orderly development within the community. The City Council further adopted ordinances and regulations governing the development of land providing for the installation and construction of certain landscaping, lighting and appurtenant facilities to enhance the quality of life and to benefit the value of property.

The requirement for the construction and installation of landscaping, lighting and appurtenant facilities is a condition of development provided for in the City's Subdivision Ordinance and is a requirement of issuance of a permit for construction of any commercial, industrial, and planned unit development.

Landscaping and appurtenant facilities generally include trees, shrubs, plants, turf, irrigation systems, and necessary appurtenances including curbs, hardscape, monumentation, fencing, drainage detention facilities, drainage structures (including percolation wells) located in public rights-of-way, medians, parkways, and/or easements adjacent to public rights-of-way, in and along major thoroughfares and certain designated primary and secondary arterials as defined in the General Plan's Infrastructure Element.

Lighting and appurtenant facilities include poles, lighting fixtures, conduits and the necessary equipment to maintain, operate and replace a lighting system at designated intersections, in medians, parkways and adjacent to certain public facilities in and along certain streets, rights-of-way and designated lots.

The installation of landscaping and lighting systems and the construction of the necessary appurtenant facilities is the responsibility of the property owner/applicant, triggered by the approval of a development application.

The City may cause the installation by property owners directly, or accept financial arrangements for installation of these facilities as provided for by the City's ordinances and regulations. When on any given street of the approved system, a majority of the required facilities have been provided, but gaps exist, and it has been determined that these facilities in front of, or adjacent to certain already developed properties, are required to bridge missing gaps, and/or where the future development or redevelopment of existing property is not likely to occur in a foreseeable future, the City Council may deem it appropriate to retrofit such missing gaps pursuant to the provisions of the Landscaping and Lighting Act of 1972.

The servicing, operation, maintenance, repairs and replacement of the landscaping, lighting and appurtenant facilities in turn becomes the responsibility of the benefiting properties.

The City is presently administering one Landscaping Zone within the District.

The City of Manhattan Beach is administering a lighting system for the benefit of all parcels of land within the City. The lighting benefit is directly related to public safety and property protection. These benefits have been studied widely, locally, regionally and nationally.

Servicing and administration of the City's Landscaping and Lighting maintenance program will be accomplished according to the provisions of the Landscaping and Lighting Act of 1972.

This Report is being prepared to facilitate the renewal of the existing district.

Payment for the assessment for each parcel will be made in the same manner and at the same time as payments are made for property taxes for each Property.

This report contains the necessary data required to conduct the proceedings and is submitted to the Clerk of the City for filing.

FISCAL YEAR 2008-09

CITY OF MANHATTAN BEACH

**ENGINEER'S REPORT PREPARED PURSUANT TO THE PROVISIONS OF THE
LANDSCAPING AND LIGHTING ACT OF 1972
SECTION 22500 THROUGH 22679
OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

Pursuant to Part 2 of Division 15 of the Streets and Highways Code of the State of California, and in accordance with the Resolution of Initiation adopted by the Council of the City of Manhattan Beach, State of California, in connection with the proceedings for:

**CITY OF MANHATTAN BEACH
LANDSCAPING AND STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT**

herein after referred to as the "Assessment District", I, Joan E. Cox, P.E., authorized representative of Harris & Associates, the duly appointed ENGINEER OF WORK, submit herewith the "Report" consisting of six (6) parts as follows:

PART A

Plans and specifications for the improvements are as set forth on the lists thereof, attached hereto, and are on file in the Office of the Clerk of the City and are incorporated herein by reference.

PART B

An estimate of the cost of the proposed improvements, including incidental costs and expenses in connection therewith, is as set forth on the lists thereof, attached hereto, and are on file in the Office of the Clerk of the City.

PART C

An assessment of the estimated cost of the improvements on each benefited lot or parcel of land within the Assessment District.

PART D

The method of apportionment of assessments, indicating the proposed assessment of the total amount of the costs and expenses of the improvements upon the several lots and parcels of land within the Assessment District, in proportion to the estimated benefits to be received by such lots and parcels. The Assessment Roll is filed in the office of the City Clerk of the City of Manhattan Beach and by reference is made a part hereof.

PART E

A list of the names and addresses of the owners of real property within this Assessment District, as shown on the last equalized roll of the Assessor of the County of Los Angeles. The list is keyed to the records of the Assessor of the County of Los Angeles which are incorporated herein by reference.

PART F

The Diagram of the Assessment District Boundaries showing the exterior boundaries of the Assessment District, the boundaries of any zones within the Assessment District and the lines and dimensions of each lot or parcel of land within the Assessment District is on file in the office of the City Clerk and incorporated herein by reference. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Los Angeles for the year when this Report was prepared. The Assessor's maps and records are incorporated herein and made part of this Report.

PART A PLANS AND SPECIFICATIONS

The installation of planting, landscaping, irrigation systems, lighting and the construction of appurtenant facilities to be operated, serviced and maintained, is more specifically described herein whereas, the landscaping and lighting facilities have been and/or will be provided by developers as a condition of subdivision of land, and in commercial areas, are part of the Conditional Use review and approval process. The facilities to be maintained and serviced are more generally described as follows:

DESCRIPTION OF IMPROVEMENTS FOR THE CITY OF MANHATTAN BEACH LANDSCAPING & STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2008-09

The proposed improvements for FY 2008-09 may be generally described as the continued maintenance and operation of streets and sidewalks within the District, including the operation, servicing and maintenance of landscaping, lighting and appurtenant facilities that are located in and along such streets and sidewalks, including but not limited to, personnel, electrical energy, utilities such as water, materials, contracting services, and other items necessary for the satisfactory operation of these services described as follows:

- Landscaping

Landscaping, planting, shrubbery, trees, turf, irrigation systems, entry monuments, hardscapes, walls, fencing, drainage detention facilities, drainage structures, including percolation wells and appurtenant facilities in public street and sidewalk rights-of-way and easements, including parkways and medians, within the proposed boundary of said Assessment District.

- Lighting

Poles, fixtures, bulbs, conduits, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as required to provide lighting in public street and sidewalk rights-of-way and easements, including parkways and medians, within the proposed boundaries of said Assessment District, both gas and electric.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping, public lighting facilities, and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, public lighting facilities, or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other

solid waste; and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

Servicing means the furnishing of water for the irrigation of the landscaping and the maintenance of any of the public lighting facilities, or appurtenant facilities and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or operation of the landscaping, or appurtenant facilities.

The plans and specifications for the improvements, showing the general nature, location, and the extent of the improvements, are on file in the office of the City Clerk and are incorporated herein by reference.

PART B ESTIMATE OF COST

The estimated cost of the operation, servicing and maintenance of the street and sidewalk improvements for fiscal year 2008-09, as described in Part A, are summarized herein and described below. All costs include administration and utilities where applicable.

Lighting (Zones 1-9)	FY 08-09
Operation, Maintenance and Incidentals	\$ 380,368
General Fund Transfer	\$ (108,759)
 Lighting and Landscaping (Zone 10)	
Operation, Maintenance and Incidentals	\$ 194,552
General Fund Transfer	\$ (67,620)
City Contribution	\$ (19,455)
 Cashflow Reserves (projected as of 30-Jun-08)	 \$ -
Pursuant to Streets & Highways Code Section 22569(a)	
 Interest	 \$ -
 Anticipated Delinquencies	 \$ 6,000
 Interest and Prior Year Delinquency Collections	 \$ (6,000)
 Surplus Carryover from FY 2007-08 (projected as of 1-Jul-08)	 \$ -
 ASSESSMENT FOR FY 2008-09: \$ 379,086	

The 1972 Act requires that a special fund be set-up for the revenues and expenditures of the District. Funds raised by assessment shall be used only for the purpose as stated herein. A cashflow reserve is provided to ensure funding of the operation and maintenance activities prior to the City receiving the assessment funds through the property tax collection process. Section 22569(a) of the Streets and Highways Code specifically permits the inclusion of a reserve for this purpose equal to roughly half of the annual operation and maintenance costs. A contribution to the District by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.

PART C ASSESSMENT ROLL

The assessment set forth for each parcel is shown on the Assessment Roll for the District, submitted separately, as “Part C – Assessment Roll for City of Manhattan Beach, Landscaping and Street Lighting Maintenance Assessment District, Fiscal Year 2008-09”, which exhibit is incorporated by reference herein and is on file in the office of the City Clerk.

The Assessment Roll lists all parcels within the boundaries of the District as shown on the Assessment Diagram, Part F herein, and on the last equalized roll of the Assessor of the County of Los Angeles, which is by reference made part of this report.

Assessments are not levied within the area upon public streets and other public properties, utility easements, right-of-way, public schools, public parks, and common areas.

PART D METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by cities for the purpose of providing certain public improvements which include operation, maintenance and servicing of street lights, traffic signals, parks and landscaping.

The 1972 Act requires that maintenance assessments be levied according to benefit rather than according to assessed value. Section 22573 provides that:

The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.

The Act permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement" (Sec. 22574). Thus, the 1972 Act requires the levy of a true "benefit assessment" rather than a "special tax."

Excepted from the assessment would be the areas of all publicly owned property in use in the performance of a public function.

BENEFIT DETERMINATION

Landscaping. Trees, landscaping and parks, if well maintained, provided beautification, shade and enhancement of the desirability of the surroundings, and therefore increase property value.

The landscaping maintenance provided by the District is deemed to benefit business properties on Manhattan Beach Boulevard, Highland Avenue and Manhattan Avenue, which are designated as Zone 10.

Lighting. Street lighting is for the benefit of all parcels within the District as all property in the City derives benefit from the convenience, safety and protection of people and property they provide.

METHODOLOGY

ZONES OF BENEFIT

The Assessment District previously consisted of 10 zones of benefit; however, Zones 2, 3, 4 and 8 have been combined with and into Zone 1, as these parcels receive similar types of street

lighting levels and service. Therefore, the Assessment District currently consists of six (6) zones of benefit, as described as follows:

ZONE 1 - Includes the majority of parcels within the City which have standard levels and types of street lighting.

ZONE 5 - Properties utilizing natural gas lighting.

ZONE 6 - Properties on the Strand.

ZONE 7 - Properties on walkway streets in the area bounded by 15th Street on the south, 21st Street on the north, Ocean Drive on the west and Live Oak Park on the east.

ZONE 9 - Tract No. 44884, Arbolado Tract.

ZONE 10 - Business properties on Manhattan Beach Boulevard from the Strand to Valley Drive, Highland Avenue from 11th Street to 15th Street and Manhattan Avenue from 8th Street to 13th Street.

ZONES 1-9

Equivalent Dwelling Units

The Equivalent Dwelling Unit method uses the single family home as the basic unit of assessment. A single family home equals one Equivalent Dwelling Unit (EDU). Every other land-use is converted to EDU's based on an assessment formula appropriate for the City. Multi-family and condominium parcels are converted to EDU's based on the number of dwelling units on each parcel of land; Commercial and Industrial parcels are converted to EDU's based on the lot size of each parcel of land.

Single Family Residential. The single family parcel has been selected as the basic unit for calculation of the benefit assessments. This basic unit shall be called an Equivalent Dwelling Unit (EDU). Parcels designated as single family residential per the Los Angeles County land-use code are assessed 1 EDU.

Multiple Residential. Multiple family uses, as well as condominiums, are given a factor of .80 EDU per dwelling unit. Based on data from representative cities in Southern California, the multiple residential factor of 80 percent is determined by the statistical proportion of relative trip generation from various types of residential uses, in combination with population density per unit.

Commercial/Industrial. Commercial/Industrial properties are designated as commercial, industrial, recreational, institutional or miscellaneous uses per the Los Angeles County land-use codes. In converting improved Commercial/Industrial properties to EDUs, the factor used is the City of Manhattan Beach's highest requirement for a single family residential lot, which is 1 dwelling unit per 7,500 sq. ft, or 5.808 dwelling units per acre. The Commercial/Industrial parcels will be assessed 5.808 EDU for the first acre or any portion thereof, and then 25% of

5.808 EDUs (1.4520) for every additional acre or portion thereof, as the utilization of that portion of non-residential property greater than one acre is reduced and will be treated as vacant land. The minimum number of EDUs per parcel will be 1 EDU.

Vacant Property

Vacant property is described as parcels with no improved structures. Because property values in a community are increased when public infrastructure are in place, improved, operable, safe, clean and maintained, all properties, including vacant parcels, receive benefits based on their land, as this is the basis of their value. Based upon the opinions of professional appraisers, appraising current market property values for real estate in Southern California, the land value portion of a property typically ranges from 20 to 30 percent; in Manhattan Beach, we find that the average is about 50 percent. Additionally, the utilization of vacant property is significantly less than improved property and vacant property has a traffic generation rate of 0. Therefore, we recommend that vacant property be assessed at the rate of 25 percent of improved property.

Vacant Residential. Parcels defined as single family residential parcels which do not have structures on the parcels are assessed 25% of a single family dwelling. The parcels will be assessed 0.25 EDU per parcel.

Vacant Non-Residential. Parcels defined as parcels which are not single family residential and which do not have structures on the parcel are assessed based upon the acreage of the parcel. The parcels will be assessed at the rate of 25% of the developed non-residential properties, or 1.4520 EDU per acre or any portion thereof, with a minimum of .25 EDU per parcel.

Exempt. All publicly owned property and utility rights-of-way are exempt from assessment. Also excepted from assessment is the residential area bounded by Village Drive, Marine Avenue, Redondo Avenue, and Park View Avenue, which has all private streets.

The land-use classification for each parcel has been based on the 2008-09 Los Angeles County Assessor's Roll.

ZONE 10

The Zone 10 improvements maintained and operated by the District consist of a higher level of landscaping and lighting facilities than are found in other parts of the City. These facilities increase the aesthetic appeal of the area and promote business in the downtown area. Front footage is the best approach for this type of improvement, as each parcel's benefit is proportional to its frontage along the improved street. Therefore, it is recommended that the assessments for Zone 10 be on an Adjusted Front Footage (AFF) basis.

INVENTORY OF PARCELS

The following information was obtained from the Los Angeles County Assessor's Roll, Assessor's Parcel Maps, and the City of Manhattan Beach's Community Development Department.

Land-Use	Parcels	Dwelling Units	Acres
0. Exempt	717	---	---
1. Single Family Residential (SFR) Parcels	9,253	9,253	---
2. Multi-Family Residential Parcels	2,512	5,282	---
3. Commercial/Industrial	440	---	280.470
4. Vacant Residential Parcels	68	---	---
5. Vacant Commercial/Industrial Parcels	19	---	1.990
Totals:	13,009	14,535	282.460

ASSESSMENTS

ZONES 1-9

The distribution of EDUs per Zone is as follows:

Zone	1	5	6	7	9
EDUs	13,299.50	387.20	397.70	399.25	18.40

Budget Apportionment

Operation and Maintenance	\$ 380,368
General Fund Transfer	\$ (108,759)
Cashflow Reserves (projected as of 30-Jun-09) pursuant to Streets & Highways Code Section 22569(a)	\$ -
Interest	\$ -
Anticipated Delinquencies	\$ 5,000
Prior Year Delinquency Collections (positive)	\$ (5,000)
Surplus Carryover from FY 2007-08 (projected as of 1-Jul-08)	<u>\$ -</u>
Total to Assessment	\$ 271,609

To calculate Assessment Rates, the budget for each zone is divided by the number of EDUs in the zone.

ASSESSMENT RATE CALCULATIONS					
ZONE	% Budget Zones 1-9	FY 08-09 Budget	EDUs	FY 08-09 Asmt Rate \$/EDU	FY 07-08 Asmt Rate \$/EDU
1 Std Lighting	83.39%	\$226,490.42	13,299.50	\$17.03 / EDU	\$17.03 / EDU
5 Gas Light Area	12.41%	\$33,717.38	387.20	\$87.08 / EDU	\$87.08 / EDU
6 The Strand	1.54%	\$4,183.80	397.70	\$10.52 / EDU	\$10.52 / EDU
7 Walkway Streets	1.59%	\$4,311.90	399.25	\$10.80 / EDU	\$10.80 / EDU
9 Arbolado Tract	1.07%	\$2,905.91	18.40	\$157.93 / EDU	\$157.93 / EDU
Total Assessments	100.00%	\$271,609.41	* Difference (page 12) due to rounding		

Zone 10

Zone 10: The following is the budget apportionment for Zone 10.

Budget Apportionment

Operation and Maintenance	\$ 194,552
General Fund Transfer	\$ (67,620)
City Contribution	\$ (19,455)
Anticipated Delinquencies	\$ 1,000
Prior Year Delinquency Collections	\$ (1,000)
Cashflow Reserves (projected as of 30-Jun-09) pursuant to Streets & Highways Code Section 22569(a)	\$ -
Surplus Carryover from FY 2007-08 (projected as of 1-Jul-08)	\$ -
Total	\$ 107,477

ASSESSMENT RATE CALCULATIONS				
ZONE	FY 08-09 Budget	AFF	FY 08-09 Asmt Rate \$/AFF	FY 07-08 Asmt Rate \$/AFF
10 Business Area	\$107,477	4,822	\$22.291 / AFF	\$22.291 / AFF

Sample calculations for various zones and land-use types have been provided below.

SAMPLE CALCULATIONS

ZONE 1 - Standard Lighting		EDU	FY 08-09 Asmt
Single Family Residential		1.0	\$17.03
Condominium		0.8	\$13.62
Vacant Residential		0.25	\$4.26
Multi-Family Residential	Duplex	1.6	\$27.25
	Triplex	2.4	\$40.87
Commercial/Industrial	1/4 acre	1.425	\$24.27
	1/2 acre	2.904	\$49.46
	1 acre	5.8	\$98.91
Vacant Commercial/Industrial	1/4 acre	0.363	\$6.18
	1/2 acre	0.726	\$12.36
ZONE 5 - Gas Light Area			
Single Family Residential		1.0	\$87.08
Condominium		0.8	\$69.66
Vacant Residential		0.25	\$21.77
Multi-Family Residential	Duplex	1.6	\$139.33
	Triplex	2.4	\$208.99
ZONE 6 - The Strand			
Single Family Residential		1.0	\$10.52
Condominium		0.8	\$8.42
Vacant Residential		0.25	\$2.63
Multi-Family Residential	Duplex	1.6	\$16.83
	Triplex	2.4	\$25.25
	4-plex	3.2	\$33.66
	10-unit Apt	8.0	\$84.16
ZONE 7 - Walkway Streets			
Single Family Residential		1.0	\$10.80
Condominium		0.8	\$8.64
Vacant Residential		0.25	\$2.70
Multi-Family Residential	Duplex	1.6	\$17.28
	Triplex	2.4	\$25.92
ZONE 9 - Arbolado Tract			
Condominium		0.8	\$126.34

PART E PROPERTY OWNER LIST

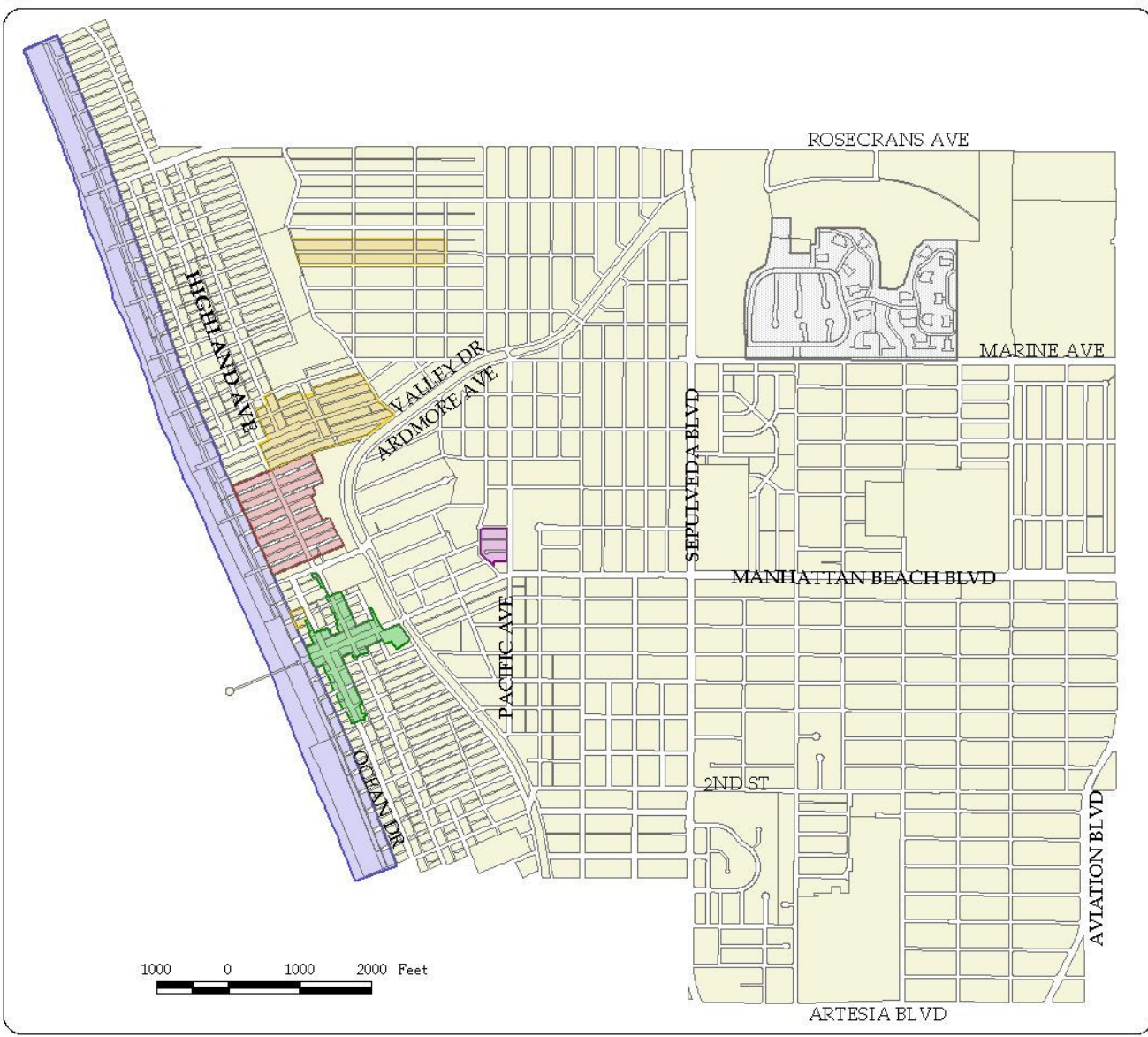
A list of names and addresses of the owners of all parcels within this District is shown on the last equalized Property Tax Roll of the Assessor of the County of Los Angeles, which by reference is hereby made a part of this report. This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll on file in the office of the City Clerk of the City of Manhattan Beach.

PART F ASSESSMENT DIAGRAM

An Assessment Diagram for the Assessment District has been submitted to the Clerk of the City. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Los Angeles, for the year when the report was prepared, and are incorporated by reference herein and made part of this Report.

A reduced copy of the Assessment Diagram, showing the various Zones of Benefit, is included on the following page.

City of Manhattan Beach Lighting and Landscape Assessment Districts



		Total Area (Acres)	
Zone 1		General	2231.7
Zone 5		Gas Lights	39.0
Zone 6		The Strand	127.5
Zone 7		Walkway Streets	25.7
Zone 9		Arbolado Tract	2.9
Zone 10		Downtown Streetscape	15.4
		Excepted	82.5



August 2001

