Harris & Associates

DRAFT
ENGINEER'S REPORT

FOR

LANDSCAPING AND STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT

Fiscal Year 2013-14

For the

CITY OF MANHATTAN BEACH
LOS ANGELES COUNTY, CALIFORNIA

April 22, 2013

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: April 22, 2013

_____

BY:K. Dennis Klingelhofer, P.E.
R.C.E. No. 50255

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment Roll thereto attached, was filed with me on the _____ day of _____, 2013.

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 _____, 2013.

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

By _____

ENGINEER'S REPORT

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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 2013-14. No increase in the assessment rate is proposed for Fiscal Year 2013-14.

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 also administers 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 authorize the existing district's levy of assessments for the 2013-14 fiscal year.

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.

This report, as signed and presented to the Council for approval, has been prepared according to the methodology and rates approved by the City Council when the district was formed in the 1970s. Article XIIID of the California Constitution exempted certain assessments which were in existence prior to the passage of Proposition 218 in November, 1996. The City has determined that all of the improvements and the annual assessments for the District are for the maintenance and operation of lighting and landscaping within the public street right-of-way. As such, the current assessment amount is exempt from the procedures and approval process set forth in Article XIIID Section 4.

FISCAL YEAR 2013-14

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, K. Dennis Klingelhofer, 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 2013-14

The proposed improvements for FY 2013-14 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 2013-14, as described in Part A, are summarized herein and described below. All costs include administration and utilities where applicable.

	Zone 1	Zone 5	Zone 6	Zone 7	Zone 9	Zone 10
Operation and Maintenance	$ 313,260	$ 62,479	$ 29,015	$ 10,100	$ 6,095	$ 252,910
General Fund Transfer	$ (87,199)	$ (28,814)	$ (24,860)	$ (5,907)	$ (3,189)	$ (120,114)
City Contribution	$ -	$ -	$ -	$ -	$ -	$ (25,291)
Cashflow Reserves (projected as of 30-Jun-11) pursuant to Streets & Highways Code Section 22569(a)	$ -	$ -	$ -	$ -	$ -	$ -
Interest	$ -	$ -	$ -	$ -	$ -	$ -
Anticipated Delinquencies	$ 4,800	$ 700	$ 100	$ 100	$ 100	$ 1,000
Prior Year Delinquency Collections (positive)	$ (4,800)	$ (700)	$ (100)	$ (100)	$ (100)	$ (1,000)
Surplus Carryover from FY 2012-13 (projected as of 1-Jul-13)	$ -	$ -	$ -	$ -	$ -	$ -
Total to Assessment	$ 226,061	$ 33,665	$ 4,155	$ 4,193	$ 2,906	$ 107,505

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 2013-14", 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 2013-14 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	721	---	---
1. Single Family Residential (SFR) Parcels	9,297	9,297	---
2. Multi-Family Residential Parcels	2,525	5,186	---
3. Commercial/Industrial	473	---	280.180
4. Vacant Residential Parcels	47	---	---
5. Vacant Commercial/Industrial Parcels	14	---	1.680
Totals:	13,077	14,483	281.860

ASSESSMENTS

ZONES 1-9

The distribution of EDUs per Zone is as follows:

Zone	1	5	6	7	9
EDUs	13,274.28	386.60	395.00	388.25	18.40

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

ZONE	FY 13-14 Levy	EDUs	FY 13-14 Asmt Rate $/EDU	FY 12-13 Asmt Rate $/EDU
1 Std Lighting	$226,061	13,274.28	**$17.03 / EDU**	$17.03 / EDU
5 Gas Light Area	$33,665	386.60	**$87.08 / EDU**	$87.08 / EDU
6 The Strand	$4,155	395.00	**$10.52 / EDU**	$10.52 / EDU
7 Walkway Streets	$4,193	388.25	**$10.80 / EDU**	$10.80 / EDU
9 Arbolado Tract	$2,906	18.40	**$157.93 / EDU**	$157.93 / EDU
Total Assessments	$270,980			

Zone 10

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

ZONE	FY 13-14 Levy	AFF	FY 13-14 Asmt Rate $/AFF	FY 12-13 Asmt Rate $/AFF
10 Business Area	$107,505	4,823	$22.291 / AFF	$22.291 / AFF

Sample calculations for various zones and land-use types are provided on the following page.

270980
107505
378485

SAMPLE CALCULATIONS

ZONE 1 - Standard Lighting		EDU	FY 13-14 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

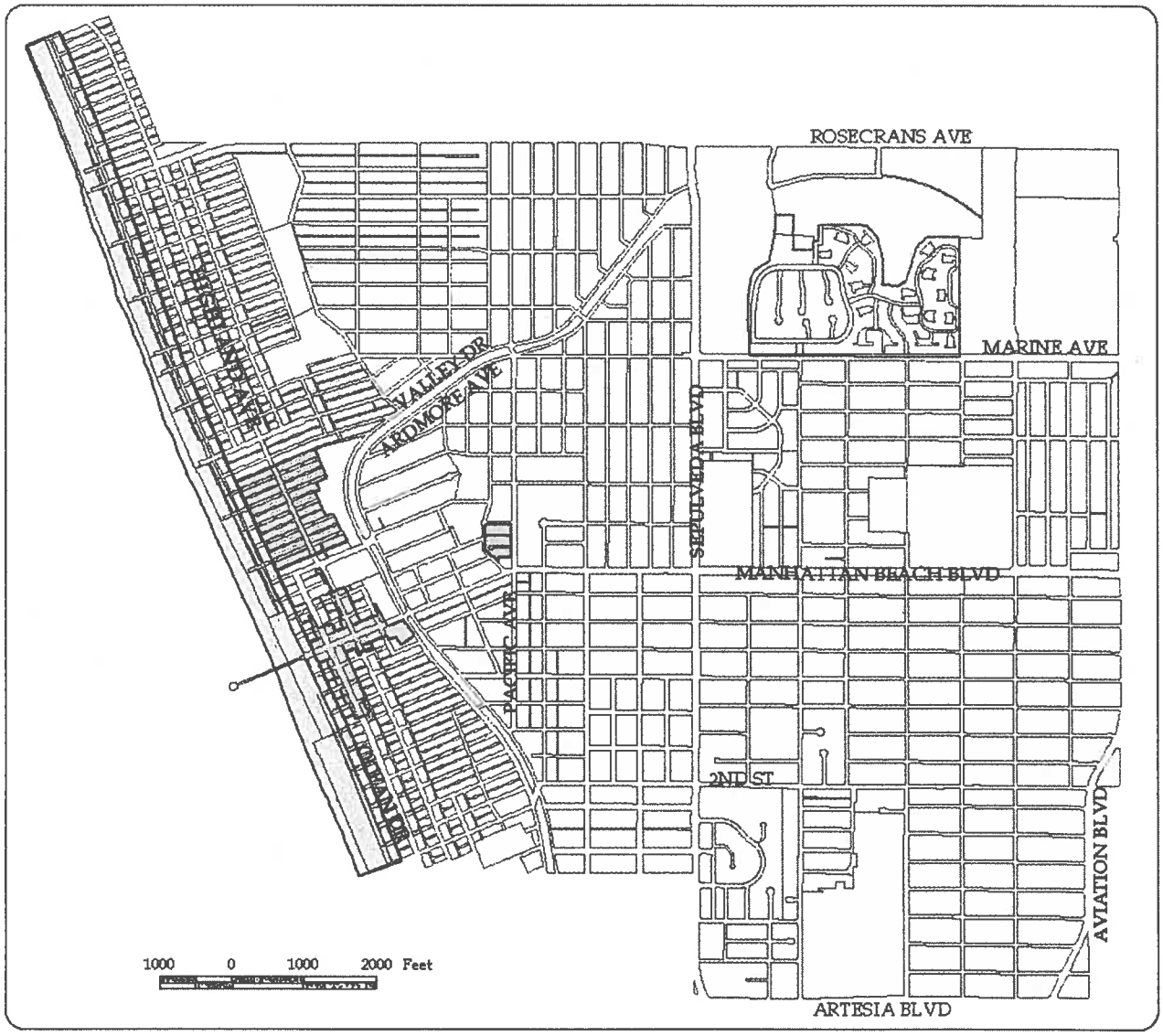
A list of names and addresses of the owners of all parcels within this District is shown on the last equalized Property Tax Roll of the Assessor of the County of Los Angeles, which by reference is hereby made a part of this report. This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment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

N W E S

August 2001

CITY OF MANHATTAN BEACH