



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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April 29, 2004

IN REPLY PLEASE

REFER TO FILE: **PD-3**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012-2756

Dear Supervisors:

**COUNTY IMPROVEMENT NO. 2659-M, SHRODE AVENUE SEWERS
UNINCORPORATED COUNTY AREA IN THE VICINITY OF THE CITY OF DUARTE
SUPERVISORIAL DISTRICT 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the enclosed Resolution of Intention for construction of sanitary sewers in the unincorporated County area in the vicinity of the City of Duarte.
2. Direct the Executive Officer-Clerk of the Board of Supervisors to file the enclosed boundary map in the Board's office, to endorse the certificate on the map, and to file the map in the Office of the Registrar Recorder in accordance with the provisions of Division 4.5, California Streets and Highways Code.
3. Consider the enclosed Engineer's Report prepared pursuant to the provisions of Sections 10203 and 10204, Division 12, California Streets and Highways Code.
4. Adopt the enclosed Resolution Setting Time and Place for Hearing, setting a hearing date no sooner than 45 days hence, in reference to the Resolution of Intention and the Engineer's Report and the finding of public convenience and necessity.

5. Instruct the Director of Public Works to mail out the notices of assessments and the ballots at least 45 days before the set hearing date.

PURPOSE OF RECOMMENDED ACTION

The project involves the construction of sanitary sewers in Shrode Avenue and other surrounding streets in an unincorporated County island of East Monrovia, in the vicinity of the City of Duarte. The project encompasses 64 parcels. The project area is located west of Mountain Avenue, north of Camino Real, east of Lincoln Avenue and the Sawpit Wash, and south of Pamela Street. The proposed sewers consist of approximately 2,000 linear feet of 8-inch mainline sewers, 1,900 linear feet of 6-inch sewer laterals from the mainline to the private properties lines, 10 sewer manholes, and the restoration of existing improvements.

The purpose of the recommended actions is to facilitate the formation of a County Improvement District for the construction of a sanitary sewer system for the area. The Engineer's Report indicates the anticipated maximum assessment attributable to each property. The actual assessments will be based on actual costs and may be lower if favorable construction bids are received.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

A group consisting of several property owners have requested that an assessment district be formed to construct sewers in their area.

On June 11, 2002, Synopsis 52, the Board of Supervisors approved a Resolution Instituting Proceedings and directed preparation of a Resolution of Intention for the assessment district. A Resolution of Intention is needed to declare the Board of Supervisors' intention to form a County Improvement District.

Section 53753 of the California Government Code and Proposition 218 require that a public hearing for any new or increased assessment be conducted after notice of such hearing is given at least 45 days in advance. Unless a majority of the ballots are in favor, pursuant to Proposition 218, the proposed assessment must be abandoned. In addition to the public hearing, the law requires a public meeting. On June 27, 2003, Public Works conducted a community meeting satisfying the requirement for the public meeting.

Implementation of Strategic Plan Goals

This action is consistent with the County's Strategic Plan Goal of Community Services as this project will increase the quality of life for residents of a community in an unincorporated area of Los Angeles County.

FISCAL IMPACT/FINANCING

Funding for the preparation of the Engineer's Report and filing of this report has been provided to Public Works by your Board and, if the County Improvement District is approved, will be reimbursed with proceeds from the County Improvement District.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

These proceedings are governed by Chapter 3 of Improvement Act of 1913 (Section 10200 et sequens) of the Streets and Highways Code, Article XIII D of the California State Constitution (Proposition 218 approved by California voters in November 1996), and Section 53753 of the California Government Code.

Pursuant to Government Code Section 54715, the Board of Supervisors shall hold a hearing to hear and consider all public comments regarding the implementation of a county improvement district for the construction of sewers. The Executive Officer will cause notice of the filing of this report and of a time, date, and place of a public hearing, thereon to be published pursuant to Section 6066 and posted in at least three public places. The Director of Public Works, or his designee, will post the notices of the public hearing. At the conclusion of the public hearing, should your Board determine to levy the assessment, it may adopt or reduce any assessment and, thereafter, confirm the assessments.

Enclosed is a copy of the Resolution of Intention and the Resolution setting the public hearing. Public Works will mail out notices and assessment ballots to all property owners no less than 45 days prior to the public hearing and will assist the Executive Officer-Clerk of the Board to tabulate the assessment ballots.

The hearing to be set for this matter should be a Double Hearing: one phase to consider any protests relative to the Resolution of Intention and Engineer's Report and the other Phase for the finding and determination of public convenience and necessity. The Resolution of Intention and other documents referred to herein have been reviewed and approved as to form by County Counsel.

The Honorable Board of Supervisors
April 29, 2004
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ENVIRONMENTAL DOCUMENTATION

On September 2, 2003, Synopsis 35, your Board approved the Negative Declaration for the proposed project and determined that the proposed project will not have a significant impact on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

If the proposed sewer project is not implemented, many of the affected property owners will be forced to provide increasing maintenance and, in some instances, complete replacement of their private sanitary systems.

CONCLUSION

Upon approval, please return one approved copy of this letter to us. Also, please forward one approved copy to both County Counsel and to the Auditor-Controller.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

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Enc.

cc: Auditor-Controller
Chief Administrative Office
County Counsel
Treasurer & Tax Collector

ENGINEER'S REPORT

COUNTY IMPROVEMENT DISTRICT NO. 2659-M

SHRODE AVENUE SEWER

**UNINCORPORATED COUNTY ISLAND OF SOUTH MONROVIA
VICINITY OF CITY OF DUARTE**

APRIL 2004

Prepared by _____
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Reviewed by _____
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Senior Civil Engineer

Approved by _____
Patrick V. DeChellis RCE No. C 26513
Assistant Deputy Director

ENGINEER'S REPORT
COUNTY IMPROVEMENT DISTRICT NO. 2659-M
SHRODE AVENUE SEWERS

Certification

In the matter of County Improvement (CI) District No. 2658-M for the construction of sanitary sewers in Shrode Avenue, Broderick Avenue, Calmia Street, and El Toro Street in the unincorporated County Island of South Monrovia, in the vicinity of the City of Duarte of the Los Angeles County, State of California, I, James A. Noyes, Director of Public Works of said County have prepared the following Engineer's Report pursuant to the provisions of the Municipal Improvement Act of 1913 (Division 12 of the California Streets and Highway Code of the State of California) and Article XIID of the California Constitution and pursuant to the Resolution of Intention for this Improvement adopted by the Board of Supervisors of the County of Los Angeles, State of California, on _____ of 2004.

APPROVED AS TO FORM:

OFFICE OF THE COUNTY COUNSEL

By _____ Dated this ____ day of _____ 2004

James A. Noyes
Director of Public Works
County of Los Angeles
State of California

By _____

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MAP NO. 1 : SHRODE AVENUE SEWERS

MAP NO. 2 : ASSESSMENT DIAGRAM

ESTIMATED COST OF IMPROVEMENT

COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY (CSDLAC) SANITATION DISTRICT NO. 22: CONNECTION FEE LOADINGS, CAPACITY UNITS, AND UNIT RATES

CSDLAC CONNECTION FEE SCHEDULE

ASSESSMENT ROLL - PART A

ASSESSMENT ROLL - PART B

INTRODUCTION

Local residents petitioned the County to form an assessment district for the design and construction of the Shrode Avenue Sewer project. Proposition 218 (Sections 53750-53754 of the Government Code), approved by the California voters in November 1996, provides property owners the opportunity to determine by ballot whether or not to form an assessment district and levy assessments against their properties. The purpose of the assessment is to finance the costs for design and construction of wastewater collection and conveyance facilities to serve these properties.

This Engineer's Report has been prepared pursuant to provisions of the Municipal Improvement Act of 1913, Articles XIII C and XIII D of the California Constitution, Sections 53750-53754 of the Government Code and Section 10,000 et. seq. of the Streets and Highways Code.

Part I of this Engineer's Report sets forth the proposed improvements, Part II sets forth the general description of works or properties to be acquired, Part III in conjunction with Table 1 sets forth the cost estimate of the proposed improvements, Part IV sets forth the Boundary Map and Assessment Diagram for the assessment district, and Part V in conjunction with Appendix B sets forth the proposed assessments.

PART I PLANS AND SPECIFICATIONS OF THE PROPOSED IMPROVEMENTS

The proposed improvements include engineering services and the construction of a sanitary sewer system necessary to provide wastewater collection and conveyance to private properties in an area located within the unincorporated area of Los Angeles County known as the South Monrovia Island in the vicinity of the Cities of Duarte, Irwindale, and Monrovia.

The proposed improvements consist of approximately 2,000 lineal feet of 8-inch sewer, approximately 10 sewer manholes, approximately 1,900 lineal feet of 6-inch sewer laterals, and 3 connections to the existing sewers in Camino Real.

The general nature, location, and extent of the proposed improvements are set forth in Figures 1 and 2. Preliminary plans and specifications for "County Improvement District No. 2659-M, Shrode Avenue Sewer and Other Rights-of-Way" are on file in the office of the Clerk of the Board of Supervisors and the Department of Public Works, and are incorporated herein by reference.

PART II GENERAL DESCRIPTION OF FACILITIES AND PROPERTIES TO BE ACQUIRED

No existing properties or facilities are to be acquired as part of the project; however, the sewer in Shrode Avenue will connect to three separate existing Consolidated Sanitation District of Los Angeles County manholes at the intersections of Broderick Avenue and

Camino Real, Calmia Road and Camino Real, and El Toro Road and Camino Real. Said manholes are owned, operated, and maintained by the. Wastewater will be conveyed from said manholes through the existing sewers to an existing wastewater treatment facility for treatment and disposal.

All facilities will be constructed within public rights of way except for the 8-inch sewer line, manhole, and 6-inch sewer laterals to be constructed in the private alley that serves as public access to eight properties located north of Shrode Avenue at the intersection of Shrode Avenue and Broderick Avenue. Since the alley is a private street, the County of Los Angeles Department of Public Works will obtain easements from the property owners for the construction, operation, and maintenance of facilities within the private alley. Department of Public Works will issue a sewer construction permit for construction of the facilities within the County of Los Angeles.

PART III COST ESTIMATE OF PROPOSED IMPROVEMENTS

As set forth in Part I, the proposed improvements include the engineering services and the construction of a sanitary sewer system necessary to provide wastewater collection and conveyance.

The estimated improvement costs are set forth in Table I. Said costs are based on the assumption that the entire project will be financed with 1915 Act Bonds. The estimated improvement costs include construction costs, incidental expenses, and finance expenses related to the 1915 Act Bonds.

PART IV BOUNDARY MAP AND ASSESSMENT DIAGRAM

Map No.1, titled "County Improvement District No. 2659-M, Shrode Avenue Sewers, " sets forth the boundaries of the assessment district. A copy of the boundary map is on file (along with this Engineer's Report) in the office of the Clerk of the Board of Supervisors and Public Works and is incorporated herein by reference.

Map No.2, titled "Proposed Boundaries of County Improvement District No. 2659-M, Shrode Avenue Sewer project and Other Rights of Way, County of Los Angeles, State of California," sets forth each individual parcel of land to be assessed. This map will also be known as the Assessment Diagram. An Assessment number has been assigned to each parcel as set forth in the Assessment Roll, Part B, in the Appendix. Said Assessment Diagram references Los Angeles County Assessor's Maps, Book 8521 (page 12) and Book 8534 (page 4) for particular dimensional information pertaining to each Assessor's Parcel. A copy of the Assessment Diagram is on file (along with this Engineer's Report) in the office of the Clerk of the Board of Supervisors and Public Works.

PART V PROPOSED ASSESSMENTS

The law requires and the statutes provide that assessments, levied pursuant to the provisions of the "Municipal Improvement Act of 1913," be based on benefits that properties within the assessment district receive from the improvements. The statutes do not specify the allocation method or formula. The Assessment Engineer analyzes the facts and determines the allocation of the assessment, and the legislative body, by confirming the Engineer's Report, determines the benefit to each parcel within the assessment district. The final authority and finding of benefit action rests with the County of Los Angeles Board of Supervisors (Board). After hearing all testimony and evidence presented at a public hearing, the Board must determine whether or not the assessment allocation has been made in direct proportion to the benefits received.

The benefits that the improvements will render to the properties within the assessment district must be identified; each property must receive special and direct benefits as distinguished from general benefits to the general public. In this case, it has been determined that all existing assessor's parcels within the assessment district will receive the benefit of a public wastewater collection and disposal system.

The proposed improvements consist of the design and construction of wastewater collection and conveyance facilities as set forth in Parts I and III this Engineer's Report. The proposed improvements are improvements as defined in the Municipal Improvement Act of 1913.

A. GENERAL AND SPECIAL BENEFITS

In addition to the Municipal Improvement Act of 1913 requirements, Section 4 of Article XIID of the California Constitution requires the separation of general benefits from special benefits conferred on a parcel. Special benefit is defined by Article XIID as "a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large."

General enhancement of property value does not constitute a special benefit; however, the specific enhancement of property value is a special benefit. In essence, an assessment, levy, or charge on a parcel must be based on a special and distinct benefit to the parcel and shall not include any general benefits conferred on the public at large including real property within the assessment district. The proposed improvements confer benefits upon real property within the assessment district as follows.

1. Special Benefits

- Each parcel within the assessment district will receive the benefit of wastewater collection and conveyance facilities to collect wastewater

and convey it to a CSDLAC treatment facility for treatment and disposal.

Since all parcels outside the assessment district are presently sewered, the proposed project will be constructed and maintained for the sole benefit and use of only those parcels within the assessment district; therefore, the improvements will not result in any general benefits.

2. General Benefits

No parcels outside the assessment district will receive any benefit from the proposed project; only those parcels within the assessment district will receive a unique and special benefit. Since all of the benefits are special, there are no general benefits to the parcels within the assessment district. No parcels outside the assessment district benefit from the construction and maintenance of the improvements; therefore, there are no benefits of a general nature to the public at large.

B. PUBLICLY OWNED PARCELS

In accordance with Section 4 of Article XIID of the California Constitution, publicly-owned parcels are required to be assessed unless they in fact receive no special benefit. Within the assessment district, there are no public parcels.

C. METHOD OF ASSESSMENT

The estimated improvement cost consists of the following components:

- Design and construction of wastewater collection and conveyance facilities.
- CSDLAC connection fees.

The assessment per parcel will consist of the same components, a component applicable to the design and construction of the wastewater collection and conveyance facilities and a component applicable to the connection fees. The costs attributable to each of these components are set forth in the cost estimate enclosed in the Appendix and summarized as follows:

Component	Estimated Cost
Design and Construction	\$626,395
Connection Fees	\$ 88,290
Total	\$714,685

Following is the methodology used to allocate the costs of the improvements to each individual assessor's parcel based upon the benefit received by that parcel.

1. Design and Construction of Wastewater Collection and Conveyance Facilities

Wastewater collection and conveyance facilities were designed and will be constructed to accommodate wastewater flows contributed by each parcel within the assessment district. The project area is essentially fully developed with the exception of four vacant parcels.

Wastewater flows from each residential parcel are based on the number of existing dwelling units for each parcel and unit wastewater flows obtained from CSDLAC. Wastewater flows from each commercial parcel are based on the type of use, area of existing buildings for each parcel, and unit wastewater flows obtained from CSDLAC. Wastewater flows for vacant parcels are based on the maximum number of dwelling units in accordance the current zoning and unit wastewater flows obtained from CSDLAC.

The current zoning and the maximum number of dwelling units for the vacant parcels are based on information furnished by Los Angeles County Department of Regional Planning as follows:

<u>Zoning Classification</u>	<u>Maximum Number of Dwelling Units</u>
A-1 Single-Family Residence Zone	1-6 units/acre
R-2 Two-Family Residence Zone	1-6 units/acre

Unit wastewater flows are based on a table furnished by CSDLAC for Sanitation District No. 22, Connection Fee Loadings, Capacity Units, and Unit Rates (said table is included in Appendix A of this report) and are summarized as follows:

<u>Category</u>	<u>Wastewater Flow</u>
Single-Family Home	260 gpd/Dwelling Unit
Duplex	312 gpd (156 gpd/Dwelling Unit)
Triplex	468 gpd (156 gpd/Dwelling Unit)
Fourplex	624 gpd (156 gpd/Dwelling Unit)
Five Units or More	156 gpd/Dwelling Unit
Condominium	195 gpd/Dwelling Unit

Each parcel within the A-1 Land Use Zone was assigned a wastewater flow of 260 gpd. Each parcel within the R-2 Zone was assigned a wastewater flow of 156 gpd per dwelling unit.

Since the design and construction of the wastewater collection and conveyance facilities are based on wastewater flow from the assessment district, each parcel will be assessed for its share of the design and construction of wastewater collection and conveyance facilities based on wastewater flow from that parcel. For residential zones, the number of dwelling units and the wastewater flow for each parcel are set forth in a table furnished by CSDLAC for Sanitation District No. 22, Connection Fee, Loadings, Capacity Units, and Unit Rates (said table is included in the Appendix of this report). There are no commercial zones or mixed-use zones within the boundaries of the assessment district.

2. CSDLAC Connection Fees

If the assessment district is formed, CSDLAC connection fees for all developed parcels within the assessment district will be paid with proceeds from the assessment district. The payment will be based on the number of existing dwelling units for those parcels in the A-1 and R-2 Zones. CSDLAC connection fees are based on capacity units as set forth in the table furnished by CSDLAC for Sanitation District No. 22, Connection Fee, Loadings, Capacity Units, and Unit Rates and are summarized as follows:

<u>Category</u>	<u>Capacity Units</u>
Single-Family Home	1.0/Parcel
Duplex, Triplex, Fourplex, 5 Units or More	0.6/Dwelling Unit
Condominium	0.75/Condominium

There are no parcels within a C-2 (commercial) Zone.

Since connection fees are based on existing conditions, each parcel will be assessed its share of the connection fees based on existing capacity units. Existing capacity units for each parcel are set forth in the table furnished by CSDLAC for Sanitation District No. 22, Connection Fee, Loadings, Capacity Units, and Unit Rates. Vacant parcels have not been assessed for CSDLAC connection fees; therefore, if vacant parcels are developed, the property owners will be required to pay the current CSDLAC connection fees at the time of development.

D. ASSESSMENT

As set forth in Section C, the assessment per parcel will consist of two components, a component applicable to the design and construction of the wastewater collection and conveyance facilities and a component applicable to the connection fees. The component applicable to the design and construction of the wastewater collection and conveyance facilities will be based on the wastewater flow per parcel while the component applicable to the payment of the connection fees will be based on existing use of each parcel.

The unit cost for the component applicable to the design and construction of the wastewater facilities will be the total cost of said facilities (\$714,685) divided by the total wastewater flow calculated by Sanitation District No. 22 (17,940 gpd) or \$39.83751/gpd ($\$714,685 \div 17,940 \text{ gpd}$). Each parcel will be assessed its share of the design and construction of the wastewater facilities using the unit cost of \$39.83751/gpd and the wastewater flow from each parcel.

Of the 64 parcels included in County Improvement District No. 2659-M, the parcels with Assessor's Parcel No. (APN) 8521 012 010, 8534 004 055, and 8534 004 039, have already paid their connection fees to Sanitation District No. 22. The unit cost for the component applicable to the connection fees of the 61 remaining parcels will be the total cost of said fees (\$88,290) divided by the total number of existing sewage capacity units (65.40) or \$1.350/capacity unit ($\$88,290 \div 65.40$). Each parcel will be assessed its share of the connection fees using the unit cost of \$1,350/capacity unit and the existing number of capacity units.

The Assessment Roll attached in the Appendix, Part A, includes the assessment number and the total assessment per parcel.

The Assessment Roll attached in the Appendix, Part B, sets forth assessment number, the Assessor's Parcel Number, the Zoning Code, the lot size, the owner, and the property address for each parcel within the assessment district.

Typical assessments for several zoning classifications are as follows:

<u>Zoning Classification</u>	<u>Design & Construction Assessment</u>	<u>Connection Fee Assessment</u>	<u>Total Assessment</u>
A-1	\$ 9,261	\$1,350	\$10,611
R-2 (2 existing dwelling units)	\$10,726	\$1,620	\$12,346
R-2 (3 existing dwelling units)	\$15,123	\$2,430	\$17,553
R-2 (4 existing dwelling units)	\$20,946	\$3,240	\$24,186

PART VI PROPOSED MAXIMUM ANNUAL ASSESSMENT

In addition to the assessments set forth in this Engineer's Report, the County of Los Angeles will incur annual costs from the administration and collection of assessments or registration of any associated bonds and reserve or any other funds related to County Improvement District No. 2659-M. These costs will be assessed equally to each Tax Assessor's Parcel within County Improvement District No. 2659-M and will be based on actual cost not to exceed \$75 per parcel.

APPENDIX

COUNTY IMPROVEMENT DISTRICT NO. 2659-M
Shrode Avenue Sewers
Cost Estimate

Description	Quantity	Unit Price (\$)	Amount
<u>ENGINEERING</u>			
Soils investigation	LS		20,000
Survey	LS		20,000
Utility relocation	LS		10,000
Design	LS		60,000
Acquisition of Sewer Easements	LS		<u>25,000</u>
			\$135,000
<u>ASSESSMENT ENGINEERING & ADMINISTRATION</u>			
Assessment Engineering	LS		10,000
Administration	LS		10,000
Bond Issuance (TTC)	LS		<u>65,000</u>
			\$ 85,000
<u>CONSTRUCTION</u>			
8" VCP sewer mainline	2,000 ft.	\$90 per ft.	180,000
6" VCP sewer laterals	1,730 ft.	\$65 per ft.	112,450
Sewer manholes	10	\$4,000 each	40,000
Connection to existing manholes	3	\$5,000 each	15,000
Shoring of open excavations	LS	\$10,000	10,000
Construction Management	LS	\$12,000	<u>12,000</u>
			\$369,450
CONTINGENCY	10%		<u>\$ 36,945</u>
			\$406,395
<u>CONNECTION FEES</u>			
(Parcels 8521 012 010, 8534 004 055 & 8534 004 039 have already paid their connection fees for Sanitation District 22)			
Single-family unit	42 parcels	\$1,350	56,700
Duplex	18 "	\$1,620	29,160
Triplex	<u>1</u> "	\$2,430	<u>2,430</u>
	61 parcels		\$ 88,290
PROJECT COST			\$714,685

Note: LS = Lump Sum

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