



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE
REAL ESTATE DIVISION

222 South Hill Street, 3rd Floor • Los Angeles, California 90012
(213) 974-4300
<http://cao.co.la.ca.us>

DAVID E. JANSSEN
Chief Administrative Officer

Board of Supervisors
GLORIA MOLINA
First District

YVONNE BRATHWAITE BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

March 9, 2004

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

Dear Supervisors:

**PROPOSITION 218 ASSESSMENT BALLOTS - CITY OF MANHATTAN BEACH
UNDERGROUND UTILITY ASSESSMENT DISTRICT NO. 04-1
(FOURTH DISTRICT) (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Support the assessments on County-owned property within the boundaries of the proposed new City of Manhattan Beach Underground Utility Assessment District No. 04-1 to finance the conversion of overhead electrical and communication utilities to underground locations within the district at an estimated lump sum cost of \$19,886, and direct the Chief Administrative Office (CAO) to cast the ballots supporting the assessments for these properties.
2. Authorize the Department of Beaches and Harbors to work with the City of Manhattan Beach (City) to arrange for connection of the underground utilities to the County of Los Angeles (County) structures/fixtures, and to pay for this additional work either directly or through the City to achieve the lowest possible cost to the County, not to exceed \$5,000.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the proposed new Underground Utilities Assessment District will allow the conversion of existing overhead electrical and communication facilities to underground locations, thereby reducing maintenance and repair costs and enhancing the aesthetics of the neighborhood. The assessment district contains three County-owned parcels

Honorable Board of Supervisors
March 9, 2004
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(Assessor's Parcel Numbers 4177-024-900, -901 and -902) located at 2600 The Strand. The Department of Beaches and Harbors is the proprietor for these parcels, on which are constructed a Lifeguard Training Center and adjacent parking lots.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The Countywide Strategic Plan directs that we promote service excellence by providing the public with beneficial and responsive services (Goal 1). Supporting these new benefit assessments, to be levied against the County properties to fund conversion of the overhead electrical and communication utilities to underground locations, fills an identified need and supports this strategy by reducing maintenance costs and improving neighborhood aesthetics.

FISCAL IMPACT/FINANCING

The new district's estimated total assessment for the District Formation and Income Tax Component is \$2,479,302, including incidentals, contingencies and financing costs of which the County's share is estimated to be \$19,886; if prepaid in a lump sum prior to the bond sale, the assessment would be reduced by the bond issuance costs of approximately 10 percent of the assessment amount, or \$17,898. If paid over a 20-year period, the annual assessment would be approximately \$994 plus interest. These costs are estimates only, subject to increase when the actual costs are determined by the City, and are not guaranteed or maximum amounts. In addition, the improvements to be performed by the City do not include connection of the underground utilities to the County's parcels and/or structures, the cost of which is estimated to be approximately \$5,000 or less.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

As a result of the passage of Proposition 218, property owned by government agencies, including the County of Los Angeles, became subject to assessment by various County and non-County assessment districts on July 1, 1997. The County, like other property owners, is able to cast ballots supporting or opposing the assessments, and its ballots will be weighted to reflect its proportionate share of the total assessment. Publicly-owned properties are not exempt from the assessment unless the parcels receive no special benefit. The agency cannot increase an assessment or impose a new assessment if a majority of the ballots returned oppose the action.

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IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of this benefit assessment will contribute to a reduction in the overall costs to maintain and repair overhead electrical and communication facilities and improve the aesthetics of the area.

CONCLUSION

It is requested that the Executive Officer, Board of Supervisors, return the adopted stamped Board letter to the CAO, Real Estate Division, 222 South Hill Street, 4th Floor, Los Angeles, CA 90012.

Respectfully submitted,


DAVID E. JANSSEN
Chief Administrative Officer

DEJ:CWW
SDH:RC:pe

Attachment

c: County Counsel
Auditor-Controller
Beaches and Harbors



City Hall

1400 Highland Avenue

Manhattan Beach, CA 90266-4795

Telephone (310) 802-5000

FAX (310) 802-5001

TDD (310) 546-3501

January 21, 2004

Property Owner
Underground Utility Assessment District 04-1
Manhattan Beach, California

RE: CITY OF MANHATTAN BEACH
PROPOSED UNDERGROUND UTILITY ASSESSMENT DISTRICT NO. 04-1

Dear Property Owner:

The City of Manhattan Beach works cooperatively with property owners who wish to form special assessment districts to create improvement projects in their neighborhood. At the request of property owners within your neighborhood the City Council will hold a public hearing and conduct an assessment ballot procedure on the formation of an assessment district designated as Underground Utility Assessment District No. 04-1 (the "Assessment District"). If the Assessment District is formed and assessments levied, the Assessment District will finance the conversion of the overhead electrical and communication utilities to underground locations. Property owned by you is specially benefited by the improvements and is within the boundaries of the Assessment District. The amount of the proposed assessment for your parcel is shown on the enclosed ballot. If the Assessment District is formed, you will be given the opportunity to pay your assessment in a lump sum or annually plus interest over a twenty-year period. Please note that the assessment amount does not include undergrounding work necessary to connect the utilities from the public right-of-way to your home or structure. You will be responsible for such cost in addition to the assessment amount.

The City Council has scheduled a public hearing to receive testimony either in favor of or in opposition to the proposed assessment. The public hearing will be held at the City Council Chambers, 1400 Highland Avenue, Manhattan Beach, California on the following date and at the following time:

Public Hearing: March 16, 2004 at 6:30 PM

Enclosed with this letter you will find a copy of the formal legal notice of this public hearing. This notice contains important information regarding the rights of the record owners of property located within the proposed Assessment District to be heard regarding the formation of the proposed Assessment District and the imposition of assessments and to register their support for or opposition to the assessments. **It is recommended that you read this notice carefully.**

In addition to the public hearing, the record owners of property subject to the imposition of an assessment also have the right to express their support of or opposition to the proposed assessment through an assessment ballot procedure. In order to comply with this assessment ballot procedure, an OFFICIAL ASSESSMENT

BALLOT and other materials described below are being forwarded to you as one of the record owners within the Assessment District to enable you as such an owner to exercise your right to submit your assessment ballot pertaining to the proposed assessment. **The enclosed Notice of Public Hearing contains important information regarding the procedure for submitting an assessment ballot, including information regarding the Income Tax Component of the assessment and the events which could trigger the collection of that component.**

The City will be authorized to form the Assessment District and impose the assessments only if a majority of the assessment ballots submitted are in favor of the levy of the assessments. The assessment ballots will be weighted based upon the amount of the assessment proposed to be levied against individual parcels. **THEREFORE, WHETHER YOU ARE IN FAVOR OF OR OPPOSED TO THE ASSESSMENT, IT IS EXTREMELY IMPORTANT THAT ALL RECORD OWNERS COMPLETE AND SUBMIT THEIR ASSESSMENT BALLOTS TO THE CITY SO THAT YOUR SUPPORT OF OR OPPOSITION TO THE ASSESSMENT WILL BE TABULATED.**

Enclosed in this package you will find the following documents to assist you as the record owner in exercising your right to submit an assessment ballot regarding this proposed assessment:

1. Notice of Public Hearing
2. Official Assessment Ballot (This is NOT a sample but the **OFFICIAL BALLOT**)
3. Self-addressed Return Envelope
4. Boundary Map

In order for your assessment ballot to be tabulated, it must be completed as described on the official ballot and **RECEIVED** either by mail, or in person, at the address of the City Clerk set forth below, on or prior to 5:00 p.m. on March 16, 2004 or at the Public Hearing to be held on March 16, 2004 at the address set forth in the enclosed notice prior to the conclusion of the public hearing:

City Clerk
City of Manhattan Beach
1400 Highland Avenue
Manhattan Beach, CA 90266

PLEASE NOTE THAT POSTMARKS ARE NOT ACCEPTED.

In order to answer any questions you may have prior to the March 16th public hearing, the following are available to you:

- 1) The Public Works Department and the public utility companies have scheduled an informal Public Meeting at which time plans will be made available and detailed questions may be asked about the project in general or about your specific property. The **INFORMAL PUBLIC MEETING** will be held at:

JOSLYN COMMUNITY CENTER AUDITORIUM

1601 Valley Drive
Manhattan Beach, California

Thursday, February 12, 2004
6:00 – 8:00 pm

- 2) You may contact Michael Guerrero, Senior Civil Engineer, of the City at (310) 802-5355 or mguerrero@citymb.info

NOTICE OF PUBLIC HEARING

CITY OF MANHATTAN BEACH UNDERGROUND UTILITY ASSESSMENT DISTRICT NO. 04-1

RESOLUTION OF INTENTION AND REPORT

NOTICE IS HEREBY GIVEN that the City Council of the City of Manhattan Beach, California, did, on January 20, 2004 adopt its Resolution of Intention (Resolution No. 5882), receive and file a Preliminary Engineer's Report of the Assessment Engineer, and authorize a time and place for a public hearing to form a special assessment district designated as Underground Utility Assessment District No. 04-1 (hereinafter referred to as the "Assessment District").

The Assessment Engineer's Preliminary Report, consisting of the plans, specifications, maps, descriptions, an estimate of the cost of the construction of the public improvements, a diagram, and the proposed assessments, has been prepared and preliminarily approved. For all particulars as to these proceedings and any individual assessment, reference is made to the Report as preliminarily approved and on file with the transcript of these proceedings in the office of the City Clerk, and will be made available for public inspection during normal business hours. The City Clerk's office is located at:

1400 Highland Avenue
Manhattan Beach, CA 90266

DESCRIPTION OF IMPROVEMENTS PROPOSED TO BE CONSTRUCTED

The improvements proposed to be constructed and financed under these proceedings for this Assessment District generally consist of the conversion of existing overhead electrical and communication facilities to underground locations within the area generally described as "between The Strand and Manhattan Avenue, from Rosecrans Avenue to 26th Street". The improvements **do not** include connecting the undergrounded utilities to your home or structure. You will be responsible for the costs of the work on your property. The assessment amount does not include the cost of such work on private property.

BOUNDARIES OF ASSESSMENT DISTRICT

All real property that specially benefit from the improvements are included within the exterior boundary lines shown on a map and are proposed to be assessed to pay the costs and expenses of the construction of the work and improvements described above. The map is entitled PROPOSED BOUNDARIES ASSESSMENT DISTRICT NO. 04-1 and was previously approved by the City Council and is on file with the City Engineer of the City. For all particulars as to the boundaries of the Assessment District, reference is hereby made to the boundary map.

COST OF IMPROVEMENTS

The total cost of the improvements to be assessed to the property within the boundaries of the Assessment District, including incidentals, contingencies and financing costs is estimated to be:

\$ 2,479,302.00

PROPOSED ASSESSMENTS

The amount of the assessments proposed to be chargeable to the entire Assessment District is equal to the Cost of the Improvements set forth in the preceding paragraph. The amount of the assessment proposed to be charged against the record owner or properties that you own within the Assessment District is shown on the enclosed assessment ballot.

The assessments are proposed to be levied to finance the reasonable cost of the proportional special benefit conferred on each parcel assessed from the improvements proposed to be constructed. The assessments may be paid in a lump sum or in installments on your property tax bill over a period presently estimated not to exceed 20 years or until the bonds issued to represent the unpaid assessments are fully paid, whichever occurs first. Based on certain assumptions, the projected annual assessment installment is estimated to be approximately \$90 per \$1,000 of assessment. **THIS IS JUST AN ESTIMATE AND IT IS NOT A GUARANTEED OR MAXIMUM AMOUNT.**

The amount of each proposed assessment was calculated based upon the proportional special benefit received by each parcel. The exact method and formula of spreading the assessment is set forth in the Assessment Engineer's Report for the Assessment District, a copy of which is on file with the Public Works Department of the City and available for inspection upon appointment with the Public Works Department of the City.

The assessment shown is the maximum amount that can be assessed. The assessment may be reduced if the property owner decides to prepay the assessment prior to the bond sale. The assessment would be reduced by the bond issuance costs of approximately 10% of the assessment amount.

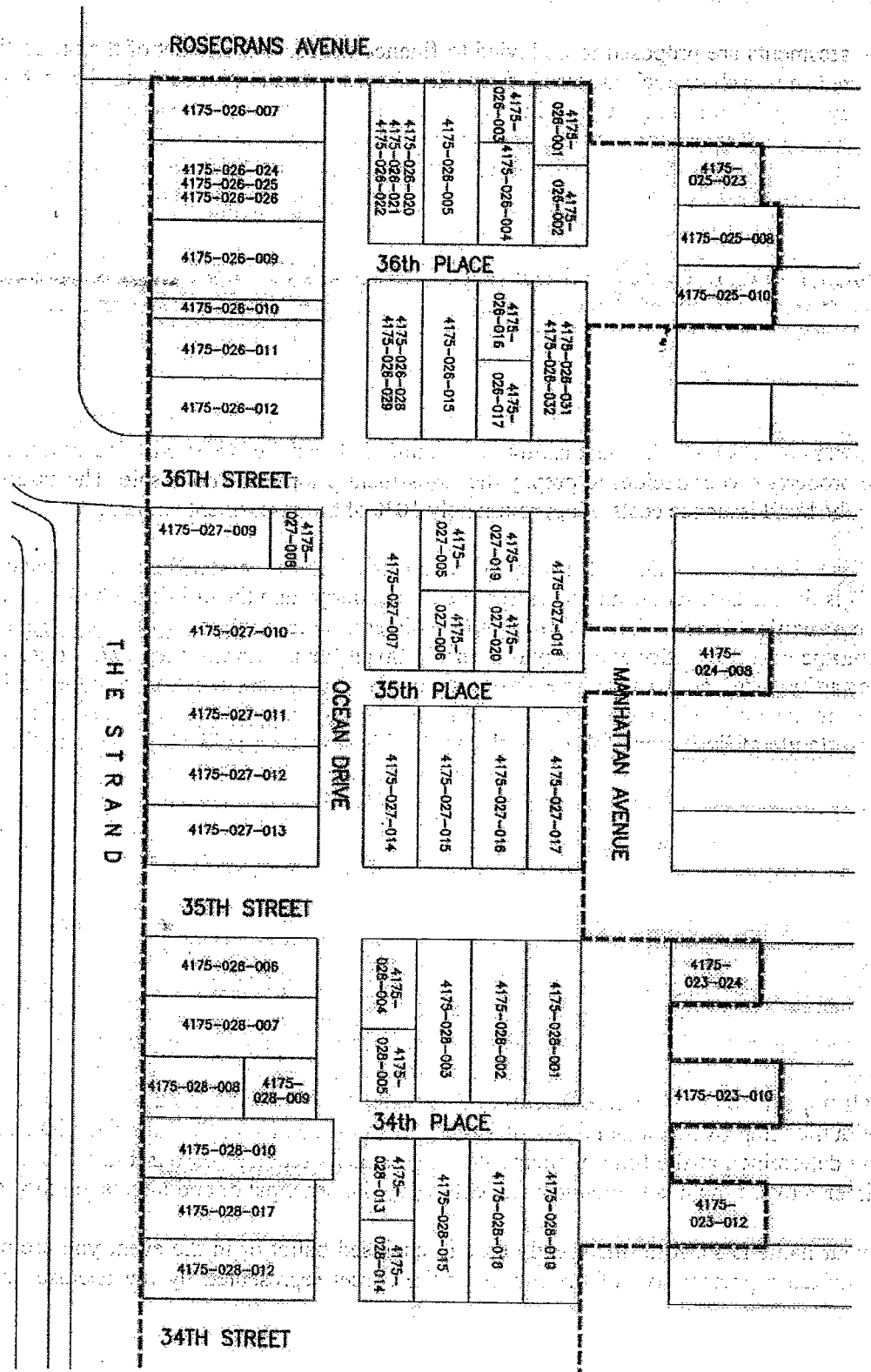
The Assessment in this District has two components. The first component and issuance of the first series of bonds is for the District Formation Assessment to underground the utilities. **The second component is the utility companies' Income Tax Component. This component will only be collected if the present tax rulings change and the utility company is actually taxed for contributions in aid of construction for the undergrounding project.** This Income Tax Component of the assessment assures the utilities that this cost is covered in case of a change in the tax regulations. If the tax has not been assessed to the utilities within a 3-year statute of limitations following the applicable filing of a utility's tax return, the Income Tax Component assessment will be removed as a lien on the property. The total assessment lien on each parcel will be the estimated Total Assessment for District Formation and Income Tax Component.

PROCEEDINGS AND BONDS

The proceedings for the formation of the Assessment District and the levy of assessments are being undertaken pursuant to a Resolution of the City, the "Municipal Improvement Act of 1913" (Division 12 of the Streets and Highways Code of the State of California), Article XIII D of the Constitution of the State of California, and the Proposition 218 Omnibus Implementation Act. If the City Council approves the formation of the Assessment District and the levy of assessments, a thirty (30) day cash collection period will follow. During the cash collection period, assessments may be paid in full or in part. Thereafter, bonds will be issued to represent all unpaid Total Underground Utility Assessments. The first series of bonds will be issued in accordance with the "Improvement Bond Act of 1915" (Division 10 of said Code) and the interest rate on the bonds shall be determined at the time of their sale. Assessments represented by bonds will be collected in annual installments over time in an amount sufficient to pay the principal of and interest on the bonds.

In the event your name is set forth incorrectly on any enclosed ballot or in the event you are no longer the owner or authorized representative of the owner of the parcel represented by the enclosed ballot, please notify the Manhattan Beach City Clerk at (310) 802-5056.

BOUNDARY MAP
 PROPOSED BOUNDARIES OF
 UNDERGROUND UTILITY ASSESSMENT DISTRICT
 NO. 04-1
 CITY OF MANHATTAN BEACH
 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA



ROSECRANS AVENUE

4175-026-007
 4175-026-024
 4175-026-025
 4175-026-026
 4175-026-009
 4175-026-010
 4175-026-011
 4175-026-012

4175-026-001
 4175-026-002
 4175-026-003
 4175-026-004
 4175-026-005
 4175-026-020
 4175-026-021
 4175-026-022
 36th PLACE
 4175-028-031
 4175-028-032
 4175-028-016
 4175-028-017
 4175-028-015
 4175-028-028
 4175-028-029

4175-025-023
 4175-025-008
 4175-025-010

36TH STREET

4175-027-009
 4175-027-010
 4175-027-011
 4175-027-012
 4175-027-013

4175-027-018
 4175-027-019
 4175-027-005
 4175-027-007
 4175-027-014
 4175-027-015
 4175-027-016
 4175-027-017
 35th PLACE
 4175-027-017
 4175-027-018
 4175-027-015

MANHATTAN AVENUE

4175-024-008

THE STRAND

OCEAN DRIVE

35TH STREET

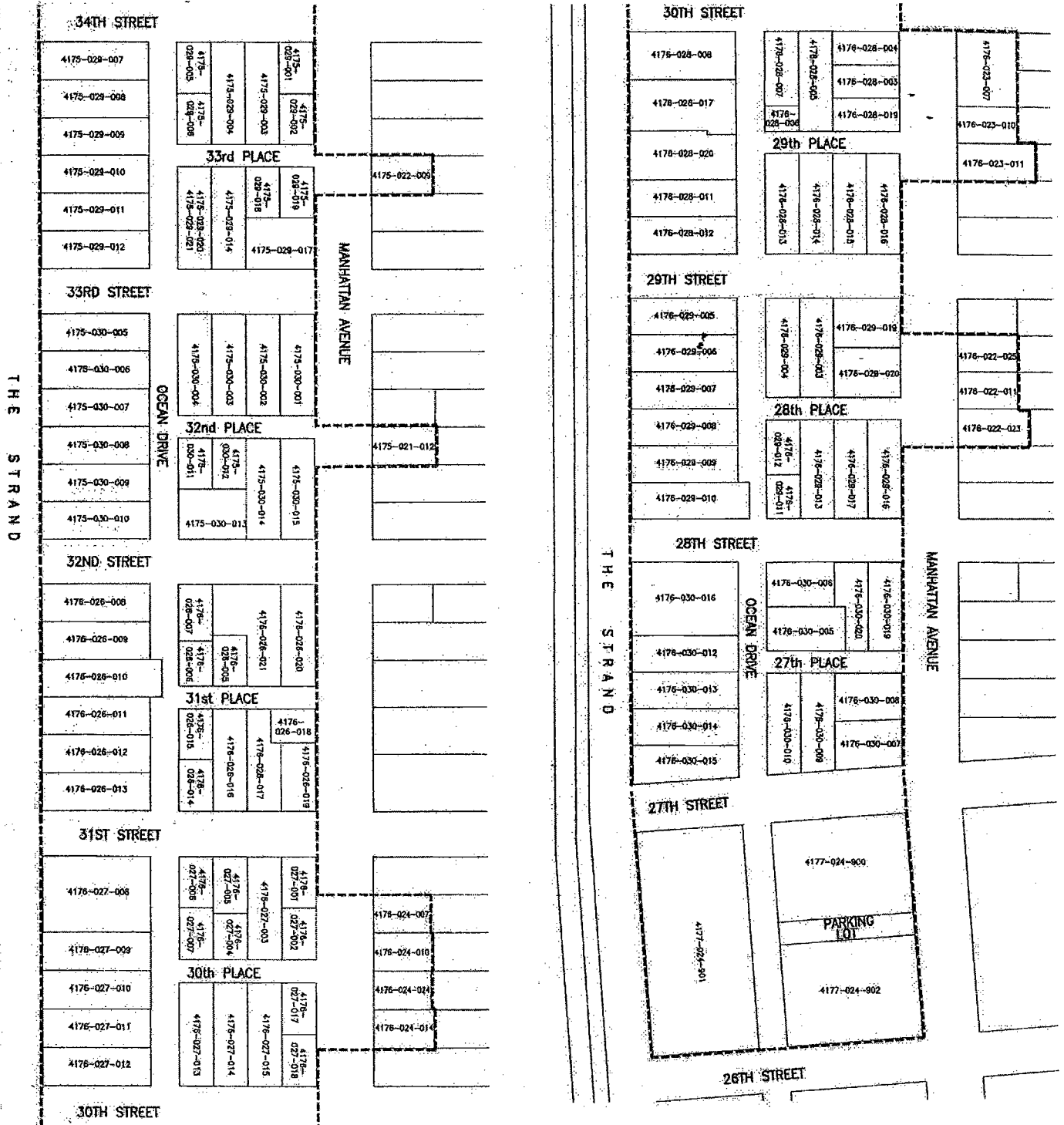
4175-028-006
 4175-028-007
 4175-028-008
 4175-028-009
 4175-028-010
 4175-028-017
 4175-028-012

4175-028-004
 4175-028-005
 4175-028-003
 4175-028-002
 4175-028-013
 4175-028-014
 4175-028-015
 4175-028-018
 4175-028-019
 34th PLACE
 4175-028-019
 4175-028-018
 4175-028-015

4175-023-024
 4175-023-010
 4175-023-012

34TH STREET

BOUNDARY MAP
A.D. 04-1
CITY OF MANHATTAN BEACH



City of Manhattan Beach
1400 Highland Avenue
Manhattan Beach, CA 90266

CITY OF MANHATTAN BEACH
UNDERGROUND UTILITY ASSESSMENT
DISTRICT NO. 04-1

County Parking Lot
COUNTY OF LOS ANGELES
500 W TEMPLE ST STE 754
LOS ANGELES CA 90012-2700

Assessor Parcel Number: 4177-024-900

Situs: 2600 THE STRAND
MANHATTAN BEACH CA 90266-2153

Underground Assessment Amount:	\$5,610.94
Federal Income Tax	\$1,017.82
Total Assessment:	\$6,628.76

This Assessment Ballot is for the use of the property owner of the parcel identified herein, which parcel is subject to the proposed Underground Utility Assessment. The ballot may be used to express either support for or opposition to the assessment. In order to be counted, this ballot must be signed in the space provided below by an owner or, if the owner is a partnership or a corporation, by an authorized representative of the owner. The ballot should then be placed in the enclosed envelope, sealed and must be delivered to the City Clerk, whether by mail or in person, as follows.

Mail Delivery: If by mail, place the ballot in the mail in sufficient time to be received no later than March 16, 2004. If your ballot is not received by this time the ballot may not be counted.

Personal Delivery: If in person, deliver to the City Clerk at any time up to the close of the Public Hearing on March 16, 2004, in the City Council Chambers, 1400 Highland Avenue, Manhattan Beach.

For additional information regarding the Assessment, please see the enclosed legal notice and assessment information notice.

THIS IS NOT A BILL

Please cut along this line, place the ballot in the enclosed envelope, seal the envelope and return the ballot below to the City Clerk

OFFICIAL PROPERTY OWNER BALLOT

Assessor's Parcel Number: 4177-024-900
Owner Name: County Parking Lot COUNTY OF LOS ANGELES
Situs Address: 2600 THE STRAND, MANHATTAN BEACH CA 90266-2153

Proposed Assessment Amount: \$6,628.76

Yes, I SUPPORT the formation of the Underground Utility Assessment District No. 04-1.

No, I am OPPOSED to the formation of the Underground Utility Assessment District No. 04-1

Date

Printed Owner's Name

Owner's Signature

ASSESSMENT BALLOT PROCEDURES

Record property owners may submit the enclosed ballot to the City to express support or opposition to their proposed Underground Utility Assessment. Record property owner generally means the owner of a parcel whose name and address appears on the last equalized secured property tax assessment roll. Please follow the instructions below to complete and return your ballot.

1. Register your vote on the enclosed assessment ballot in support of or in opposition to the Assessment by placing an "x" on the corresponding line.
2. Sign and date your ballot. (Ballots received without a signature will not be counted.) If the record owner is a public entity, partnership, corporation, trust, or limited liability company, the ballot must be signed by an authorized representative.
3. Place your ballot in an envelope and seal it (a return envelope has been provided for your use). State law requires that the ballots remain unopened until the public hearing is closed at which time all ballots received will be opened and tallied.
4. Mail or personally delivery your ballot to the City Clerk for the City of Manhattan Beach.
5. Ballots must be received by the City Clerk of the City of Manhattan Beach prior to the close of the public hearing to be held on the Assessment at 6:30 p.m. on March 16, 2004, at the City of Manhattan Beach Council Chambers, 1400 Highland Avenue, Manhattan Beach. You may withdraw your ballot, and if you choose change your vote, at any time up to the close of the public hearing. To do so, contact the City Clerk. Any ballots received after the close of the public hearing cannot legally be counted.
6. Following the close of the public hearing on the Assessment District, the Clerk will tabulate all of the ballots received. The ballots will be tabulated electronically. The ballots will be weighed according to the proportionate financial obligation of the affected property with respect to paying the Assessment. (Simplified, this means 1 vote for each dollar of assessment.) If more than one record owner returns a ballot, each ballot shall be weighed in accordance with the proportional ownership interest as such interest appears on the last equalized assessment roll or from evidence submitted by property owners to the satisfaction of the City.
7. The Assessment will be confirmed unless majority protest exists or the City Council decides, based on testimony received, not to impose the Assessment. Majority protest exists if, upon the close of the public hearing, the value of the ballots submitted in opposition to the Assessment exceeds the value of the ballots submitted in favor of the Assessment.
8. **If a majority protest exists based upon the weighed assessment value of the ballots received by the City Clerk prior to the close of the public hearing, the Assessment will not be imposed. If the Assessment is not imposed, the Underground Utility improvements will not be constructed.**

City of Manhattan Beach
1400 Highland Avenue
Manhattan Beach, CA 90266

CITY OF MANHATTAN BEACH
UNDERGROUND UTILITY ASSESSMENT
DISTRICT NO. 04-1

County Lifeguard Station
COUNTY OF LOS ANGELES
500 W TEMPLE ST STE 754
LOS ANGELES CA 90012-2700

Assessor Parcel Number: 4177-024-901

Situs: 2600 THE STRAND
MANHATTAN BEACH CA 90266-2153

Underground Assessment Amount:	\$5,610.94
Federal Income Tax	\$1,017.82
Total Assessment:	\$6,628.76

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For additional information regarding the Assessment, please see the enclosed legal notice and assessment information notice.

THIS IS NOT A BILL

Please cut along this line, place the ballot in the enclosed envelope, seal the envelope and return the ballot below to the City Clerk

OFFICIAL PROPERTY OWNER BALLOT

Assessor's Parcel Number: 4177-024-901
Owner Name: County Lifeguard Station COUNTY OF LOS ANGELES
Situs Address: 2600 THE STRAND, MANHATTAN BEACH CA 90266-2153

Proposed Assessment Amount: \$6,628.76

Yes, I SUPPORT the formation of the Underground Utility Assessment District No. 04-1.

No, I am OPPOSED to the formation of the Underground Utility Assessment District No. 04-1

Date

Printed Owner's Name

Owner's Signature

ASSESSMENT BALLOT PROCEDURES

Record property owners may submit the enclosed ballot to the City to express support or opposition to their proposed Underground Utility Assessment. Record property owner generally means the owner of a parcel whose name and address appears on the last equalized secured property tax assessment roll. Please follow the instructions below to complete and return your ballot.

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City of Manhattan Beach
1400 Highland Avenue
Manhattan Beach, CA 90266

CITY OF MANHATTAN BEACH
UNDERGROUND UTILITY ASSESSMENT
DISTRICT NO. 04-1

County Parking Lot
COUNTY OF LOS ANGELES
500 W TEMPLE ST STE 754
LOS ANGELES CA 90012-2700

Assessor Parcel Number: 4177-024-902

Situs: 2600 THE STRAND
MANHATTAN BEACH CA 90266-2153

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<u>Federal Income Tax</u>	<u>\$1,017.82</u>
Total Assessment:	\$6,628.76

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OFFICIAL PROPERTY OWNER BALLOT

Assessor's Parcel Number: 4177-024-902
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Situs Address: 2600 THE STRAND, MANHATTAN BEACH CA 90266-2153

Proposed Assessment Amount: \$6,628.76

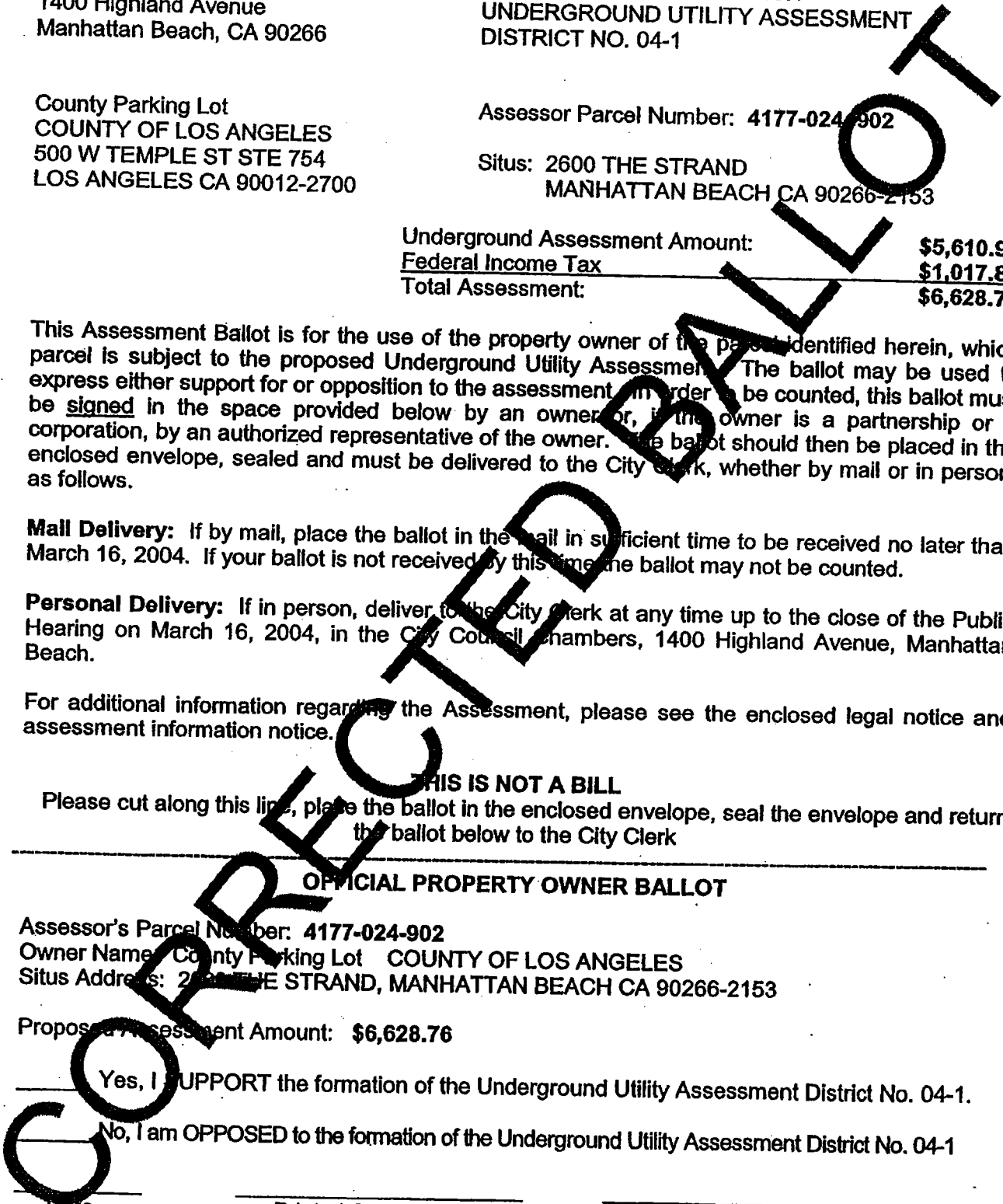
Yes, I SUPPORT the formation of the Underground Utility Assessment District No. 04-1.

No, I am OPPOSED to the formation of the Underground Utility Assessment District No. 04-1

Date

Printed Owner's Name

Owner's Signature



ASSESSMENT BALLOT PROCEDURES

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2. Sign and date your ballot. (Ballots received without a signature will not be counted.) If the record owner is a public entity, partnership, corporation, trust, or limited liability company, the ballot must be signed by an authorized representative.
3. Place your ballot in an envelope and seal it (a return envelope has been provided for your use). State law requires that the ballots remain unopened until the public hearing is closed at which time all ballots received will be opened and tallied.
4. Mail or personally delivery your ballot to the City Clerk for the City of Manhattan Beach.
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7. The Assessment will be confirmed unless majority protest exists or the City Council decides, based on testimony received, not to impose the Assessment. Majority protest exists if, upon the close of the public hearing, the value of the ballots submitted in opposition to the Assessment exceeds the value of the ballots submitted in favor of the Assessment.
8. **If a majority protest exists based upon the weighed assessment value of the ballots received by the City Clerk prior to the close of the public hearing, the Assessment will not be imposed. If the Assessment is not imposed, the Underground Utility improvements will not be constructed.**