

The Economics of Land Use



Public Hearing CFA

Comprehensive Fiscal Analysis of the Proposed Incorporation of East Los Angeles

Prepared for:

Local Agency Formation Commission for the County of Los Angeles

Prepared by:

Economic & Planning Systems, Inc.

*Economic & Planning Systems, Inc.
2501 Ninth Street, Suite 200
Berkeley, CA 94710-2515
510 841 9190 tel
510 841 9208 fax*

*Berkeley
Sacramento
Denver*

www.epsys.com

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1. INTRODUCTION

This report presents a Comprehensive Fiscal Analysis (CFA) of the potential formation of a new city, or “incorporation,” of the unincorporated East Los Angeles (ELA) area in Los Angeles County. Incorporation would create a new city of approximately 126,000 residents. The new city would provide residents with a greater level of control over planning and economic development issues, levels of public services, and priorities for the use of revenue generated by the new city. Initially, many city services would be provided under contract from the County to the new city, although the new city may choose to augment those services over time with its own programs and staff or contract services with private firms.

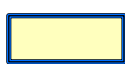
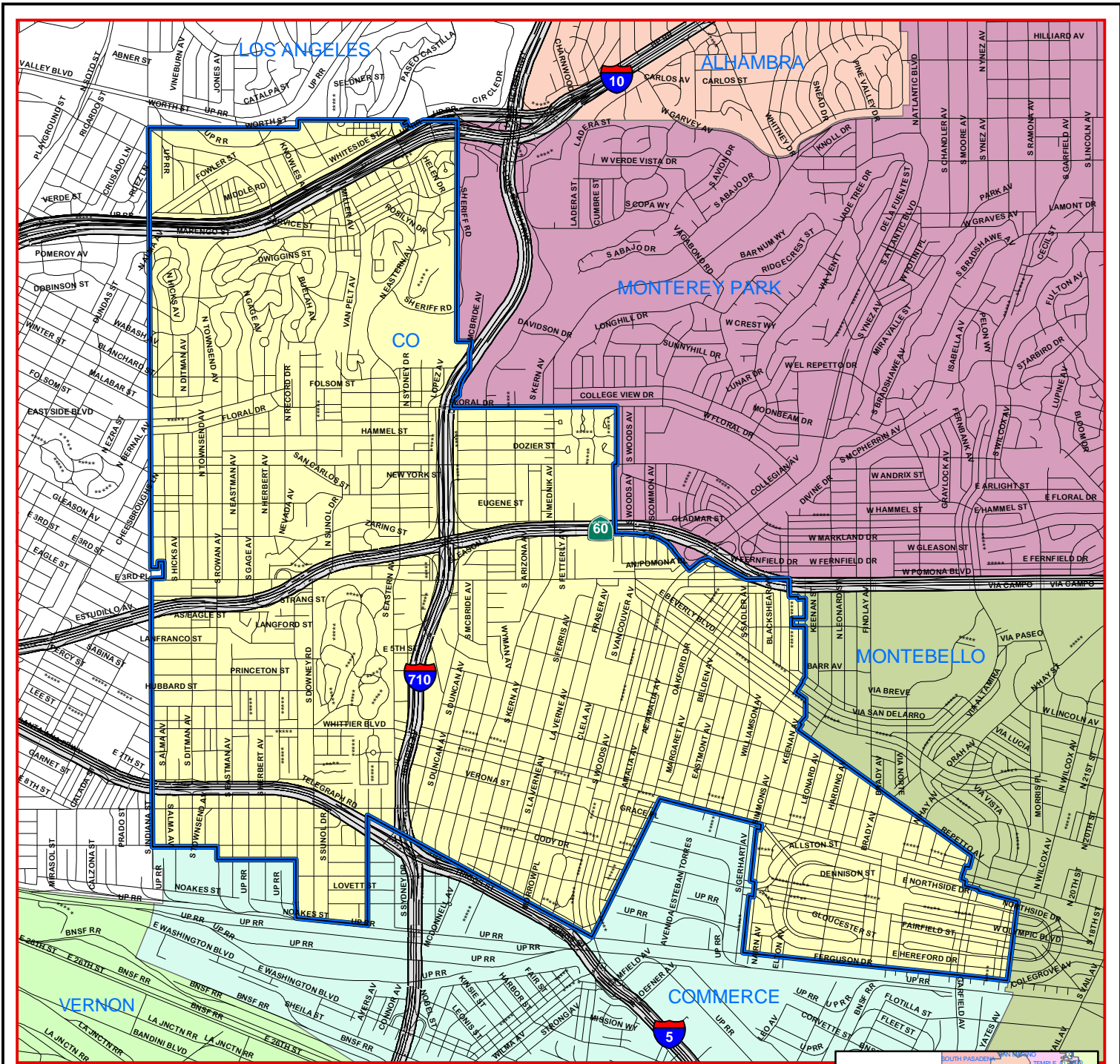
This CFA provides the Local Agency Formation Commission for the County of Los Angeles (LAFCO) with information necessary to make the determinations required by State statutes regarding city feasibility, property tax transfers, and potential impacts on other agencies (“revenue neutrality”). LAFCO has the authority to approve, deny, or modify the incorporation proposal. If LAFCO concludes that the new city would be fiscally viable, LAFCO must impose specific terms and conditions regarding the transition of governance to a municipality, including but not limited to, the transfer of property tax from the County to the new city, “Transition Year” services and repayment, revenue neutrality payments to mitigate impacts on other agencies, and the disposition of certain existing assets, special districts, and other funds. If LAFCO approves the proposal, an election would be held. Majority voter approval is required to create the incorporated city.

East Los Angeles Incorporation Background

ELA is located in the County of Los Angeles, adjacent to the eastern boundary of the City of Los Angeles. As shown in **Figure 1**, the unincorporated community is entirely surrounded by cities, including Los Angeles to the west and north, Commerce to the south, Monterey Park to the northeast, and Montebello to the southeast. Three major freeways extend through the area; Interstate 10 runs east-west near the northern boundary, Interstate 5 runs along portions of the southern boundary, and Highway 60 runs east-west centrally through the community. Interstate 710 runs north-south through the middle of ELA.

There have been three previous attempts at incorporation in ELA within the past 50 years in 1961, 1963 and 1974.¹ The current cityhood effort was initiated in 2007 by the East Los Angeles Residents Association (ELARA). An application was submitted to LAFCO on April 29, 2009, accompanied by a petition signed by registered voters in the area to be incorporated.

¹ Initial Fiscal Analysis of Proposed Incorporation, Report to the East Los Angeles Residents Association, Burr Consulting, October 25, 2007.



Proposed East LA Incorporation



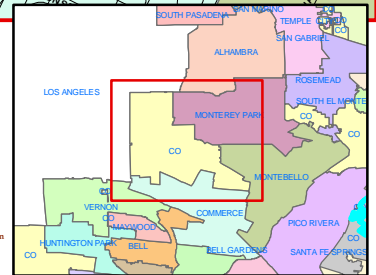
Unincorporated County Territory

East Los Angeles Incorporation No. 2009-08

0 0.2 0.4 0.8 Miles



LAFCO
Local Agency Formation Commission
For The County of Los Angeles



June 21, 2011

C:\g\lmd\proposed East LA Incorp.mxd

Figure 1 Incorporation Boundary

CFA Methodology

This CFA has been prepared in conformance with requirements established in State law² and Office of Planning and Research (OPR) guidelines.³ The CFA includes a projected budget for the new city. Projections are expressed in dollars with constant purchasing power equal to 2010 dollars; inflation is not explicitly shown, as it is likely to affect both costs and revenues and should not significantly change the conclusions in this report regarding feasibility. Certain budget items include a factor for “real” increases above inflation; those items are noted in the CFA. It is important to note that inflation should be added to these factors and changes when comparing to historical trends and “nominal dollar” projections.

Base Year Data

The CFA uses “base year” costs and revenues to calculate the transfer of property taxes and revenue neutrality. Government Code Section (GC) 56800 states that “Data used for the analysis shall be from the most recent fiscal year for which data are available, preceding the issuances of the certificate of filing.” The applicable base year is fiscal year (FY) 2009-10.

Data on services, service costs, and revenues attributable to the proposed incorporation area was provided by the County of Los Angeles for the FY 2009-10, the most recent year for which data was available. The data supplied answers to detailed questions from the consultants preparing the CFA. This data provides a basis for calculating the transfer of property taxes and for estimating the fiscal impacts on the County. The data also helps to estimate the future costs and revenues to the new city; the new city is likely to contract for services from the County and would receive many of the same revenues currently captured by the County from the area.

City Boundary

Figure 1 shows the proposed boundary. These boundaries correspond to all unincorporated territory surrounded by the cities of Los Angeles, Monterey Park, Montebello, and Commerce.

Revenue Neutrality

The CFA calculates the potential fiscal impact on the County of Los Angeles as a result of incorporation, consistent with GC 56815. GC 56815 requires that “revenues currently received by the local agency” and “expenditures currently made by the local agency transferring the affected territory” are substantially equal. To the extent that there is a fiscal impact, it must be mitigated by agreement of the incorporation Proponents⁴ and the County, and/or by Terms and Conditions imposed by LAFCO.

² Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Government Code 56000 et. seq.

³ A guide to the LAFCO Incorporation Process, Governor’s Office of Planning and Research, October 2003.

⁴ “Proponents” involved in revenue neutrality negotiations with the County generally include individuals submitting the application to LAFCO that initiates the incorporation process.

2. CONCLUSIONS

Feasibility of Incorporation

1. ***The new City of East Los Angeles does not generate sufficient revenues to cover projected operating costs unless anticipated revenues are augmented, e.g., by an increase in the existing Utility User Tax (UUT).***

As shown in **Table 1**, revenues are less than anticipated costs, assuming no change in the existing UUT. The General Fund shortfall initially is approximately \$9.8 million (before considering the impact of SB 89, as noted below), then grows as Vehicle License Fee (VLF) revenues from the State decline. The ongoing shortfall is approximately \$5.2 million beginning in Year 7 after repayments to the County for initial Transition Year services are complete. General Fund shortfalls during early years could be covered by reserves generated during the initial Transition; however, these reserves would be exhausted by the fourth year.

The initial reserves are the result of Los Angeles County continuing to provide services during the new city's first year, while the new city accumulates revenues. The new city would be required to repay the County for the cost of County services provided during the Transition Year. This repayment is shown as spread over the subsequent five years.

2. ***Recent changes in State law (SB 89) eliminated VLF revenues, a loss of up to \$9 million in annual revenues.***

SB 89, urgency legislation effective immediately upon the Governor's signing on June 30, 2011, eliminated VLF revenues to cities. SB 89 affects all pending and future cityhood applications Statewide. **Table 1a** shows the impact of SB 89, which would result in initial General Fund shortfalls of \$19 million. There is a possibility that future legislation would restore VLF revenues; however, the timing, magnitude, and probability of this outcome are unknown at this time.

3. ***Additional revenues could be generated from several sources to help to fund the operating shortfall.***

An increase in the existing UUT from 4.5 percent of electricity, gas, and telephone (wireless and landline) to 10 percent on those utilities plus water and cable (not currently charged a UUT) could generate an additional \$9.6 million. This increase would require a vote of ELA residents, concurrent with the ELA cityhood vote. ELA cityhood would only succeed if both votes (cityhood and the UUT increase) were approved by a majority of ELA voters.

A garbage collection franchise fee of 10 percent could generate approximately \$850,000. This revenue would only be available if the Belvedere Garbage District is dissolved and the new city takes responsibility for the services.

Savings of \$750,000 could be achieved if Belvedere Park remains a County facility rather than a city park, as assumed in the CFA.

The changes noted above total \$11.2 million, which would fund the \$5.2 million annual shortfall (before considering the effects of SB 89) beginning in Year 7 after the repayment for initial year Transition Services is complete. The additional revenues, combined with the

reserves shown, should be sufficient to fund shortfalls up until Year 6. These conclusions assume that the current recession stabilizes by the time the new city is formed and that modest revenue growth subsequently occurs.

If VLF is not restored, the UUT increase would be insufficient to cover shortfalls through Year 6; the additional \$11.2 million revenues would not quite cover the subsequent annual shortfalls which begin at \$11.9 million in Year 7.

4. City feasibility depends on a Los Angeles County Sheriff's Department (LASD) contract for reduced levels of sworn officers.

This CFA assumes that the new city negotiates a contract with LASD that includes patrol, traffic enforcement, and investigation, as well as a range of other crime enforcement and prevention, and community services. The contract estimate assumed in **Table 1** and **Table 1a** is for an amount lower than estimated by the LASD. The LASD proposal estimated an annual cost of \$31.2 million plus \$6.8 million for capital improvements to upgrade and expand existing equipment and facilities to accommodate the additional staff required (i.e., traffic enforcement staff, in addition to current staff serving the area).

This CFA has evaluated a potential contract that would provide reduced levels of staffing more similar to contract services provided to other communities. This cost is estimated at \$21.1 million. No significant capital improvements are assumed since the number of staff is reduced compared to current levels.

5. City reserves would be insufficient unless projected revenues are augmented.

The California Office of Planning and Research recommends that operating reserve funds equal to 20 to 30 percent of annual expenditures be established and maintained.⁵ As shown in **Table 1**, this level of reserve is maintained only in the first three years (before considering the effect of SB 89). The General Fund reserves last less than two years due to SB 89.

General Fund reserves would be exhausted by the fourth year, unless additional revenues are obtained as described above. Road Fund balances would be sufficient to maintain current operations, and Transit Fund reserves are diminished by the third year, if General Fund revenues are not transferred to cover shortfalls.

The budget forecast shown in **Table 1** includes a 5 percent annual contingency allocation which could help to accrue an additional \$19 million in General Fund reserves if the contingency is not needed to cover unexpected increases in annual operating expenditures or shortfalls in revenues. This increase would help to fund one to two additional years (depending on whether VLF is restored) of projected General Fund shortfalls before depletion of the reserve.

⁵ A guide to the LAFCO Incorporation Process, Governor's Office of Planning and Research, October 2003.

Fiscal Impacts on Other Agencies

6. *The new city would not have an adverse fiscal impact on the County of Los Angeles.*

The revenues lost by the County of Los Angeles as a result of the incorporation would be more than offset by reductions in service costs. These effects are described in greater detail in **Chapter 6**.

7. *The new city would not have an adverse fiscal impact on other service providers.*

The new city would continue to provide services currently provided by certain special districts, including the Belvedere Garbage Disposal District, the Bella Vista Recreation and Park District, and the Montebello Recreation and Park District. Services are assumed to be continued at the same level as currently provided, and property taxes, rate revenue, and assessments would become the responsibility of the new city and would continue to fund the services provided by the new city.

Table 1
Summary of Results (all figures in constant \$\$s)
East Los Angeles CFA

Item	Fiscal Year									
	2013-14 Transition Year	2014-15 2	2015-16 3	2016-17 4	2017-18 5	2018-19 6	2019-20 7	2020-21 8	2021-22 9	2022-23 10
1 GENERAL FUND										
2 Revenues										
3 Property Taxes	\$16,796,266	\$16,821,475	\$16,846,936	\$16,872,652	\$16,898,625	\$16,924,858	\$16,951,353	\$16,978,113	\$17,005,141	\$17,032,438
4 Sales Tax	\$3,070,337	\$3,702,827	\$3,721,341	\$3,739,948	\$3,758,647	\$3,777,441	\$3,796,328	\$3,815,310	\$3,834,386	\$3,853,558
5 Transient Occupancy Tax	<i>Transition</i>	\$114,169	\$115,310	\$116,463	\$117,628	\$118,804	\$119,992	\$121,192	\$122,404	\$123,628
6 Real Property Transfer Tax	\$56,424	\$56,988	\$57,558	\$58,133	\$58,715	\$59,302	\$59,895	\$60,494	\$61,099	\$61,710
7 Franchise Fees	<i>Transition</i>	\$1,349,011	\$1,355,734	\$1,362,458	\$1,369,181	\$1,375,904	\$1,382,627	\$1,389,350	\$1,396,074	\$1,402,797
8 Utility User Tax	\$5,057,954	\$5,083,288	\$5,108,622	\$5,133,956	\$5,159,290	\$5,184,624	\$5,209,958	\$5,235,293	\$5,260,627	\$5,285,961
9 Public Wks/Building Fees	\$725,189	\$725,189	\$725,189	\$725,189	\$725,189	\$725,189	\$725,189	\$725,189	\$725,189	\$725,189
10 Parks and Recreation Fees	\$261,611	\$261,611	\$261,611	\$261,611	\$261,611	\$261,611	\$261,611	\$261,611	\$261,611	\$261,611
11 Business Licenses	\$107,107	\$107,107	\$107,107	\$107,107	\$107,107	\$107,107	\$107,107	\$107,107	\$107,107	\$107,107
12 Fines, Penalties, Misc.	\$1,916,640	\$1,926,240	\$1,935,840	\$1,945,440	\$1,955,040	\$1,964,640	\$1,974,240	\$1,983,840	\$1,993,440	\$2,003,040
13 State Motor Vehicle License Fees	\$680,156	\$638,008	\$595,403	\$552,342	\$508,824	\$464,850	\$467,133	\$469,415	\$471,698	\$473,980
14 VLF (AB 1602)	\$9,166,518	\$8,598,484	\$8,024,298	\$7,443,960	\$6,857,469	\$6,264,825	\$6,295,588	\$6,326,351	\$6,357,114	\$6,387,876
15 Investment Earnings	\$283,787	\$295,383	\$291,412	\$287,394	\$283,330	\$279,219	\$280,133	\$281,049	\$281,969	\$282,892
16 Subtotal	\$38,121,987	\$39,679,779	\$39,146,362	\$38,606,653	\$38,060,656	\$37,508,374	\$37,631,154	\$37,754,314	\$37,877,857	\$38,001,787
17										
18 Expenditures										
19 Legislative	\$92,000	\$92,000	\$92,000	\$92,000	\$92,000	\$92,000	\$92,000	\$92,000	\$92,000	\$92,000
20 City Clerk, City Treasurer	\$388,800	\$390,744	\$392,698	\$394,661	\$396,635	\$398,618	\$400,611	\$402,614	\$404,627	\$406,650
21 Elections		\$200,000		\$200,000		\$200,000		\$200,000		\$200,000
22 City Manager	\$861,433	\$987,848	\$992,787	\$997,751	\$1,002,740	\$1,007,753	\$1,012,792	\$1,017,856	\$1,022,945	\$1,028,060
23 City Attorney	\$1,500,000	\$1,507,500	\$1,515,038	\$1,100,000	\$1,105,500	\$1,111,028	\$1,116,583	\$1,122,166	\$1,127,776	\$1,133,415
24 Administrative Services	\$1,028,250	\$2,158,740	\$2,169,534	\$2,180,381	\$2,191,283	\$2,202,240	\$2,213,251	\$2,224,317	\$2,235,439	\$2,246,616
25 Police	<i>Transition</i>	\$21,157,215	\$21,263,001	\$21,369,316	\$21,476,163	\$21,583,544	\$21,691,461	\$21,799,919	\$21,908,918	\$22,018,463
26 Animal Control	<i>Transition</i>	\$410,734	\$412,788	\$414,852	\$416,926	\$419,011	\$421,106	\$423,212	\$425,328	\$427,454
27 Community Development	\$902,950	\$1,551,175	\$1,557,406	\$1,563,668	\$1,569,961	\$1,476,286	\$1,382,642	\$1,389,031	\$1,395,451	\$1,401,903
28 Public Works	\$793,800	\$2,324,621	\$2,363,438	\$2,375,255	\$2,387,131	\$2,399,067	\$2,411,062	\$2,423,118	\$2,435,233	\$2,447,410
29 Parks and Rec	\$1,009,800	\$4,207,734	\$4,228,773	\$4,249,917	\$4,271,166	\$4,292,522	\$4,313,985	\$4,335,554	\$4,357,232	\$4,379,018
30 Library (Gen'l Fund)	\$4,502,878	\$4,502,878	\$4,502,878	\$4,502,878	\$4,502,878	\$4,502,878	\$4,502,878	\$4,502,878	\$4,502,878	\$4,502,878
31 Non-Departmental										
32 Office Rent/Equipment/Supplies	\$365,250	\$597,500	\$449,500	\$449,500	\$449,500	\$449,500	\$449,500	\$449,500	\$449,500	\$449,500
33 Insurance	\$465,806	\$757,259	\$755,074	\$740,835	\$743,429	\$742,036	\$740,656	\$743,290	\$745,936	\$748,596
34 Contingency (5%)	\$605,548	\$2,042,297	\$2,044,746	\$2,031,551	\$2,040,266	\$2,043,824	\$2,047,426	\$2,056,273	\$2,065,163	\$2,074,098
35 Transition Yr Cnty Services (repayment)		\$6,558,831	\$6,558,831	\$6,558,831	\$6,558,831	\$6,558,831				
36 Subtotal	\$12,516,516	\$49,447,076	\$49,298,490	\$49,221,396	\$49,204,409	\$49,479,137	\$42,795,954	\$43,181,726	\$43,168,427	\$43,556,061
37 Net General Fund	\$25,605,471	(\$9,767,297)	(\$10,152,128)	(\$10,614,742)	(\$11,143,753)	(\$11,970,763)	(\$5,164,800)	(\$5,427,412)	(\$5,290,570)	(\$5,554,274)
38										
39 Other Funds and Transfers										
40 Road Maintenance		(\$37,157)	(\$373,837)	(\$714,072)	(\$1,057,862)	(\$1,405,208)	\$184,627	\$182,606	\$180,420	\$178,070
41 Transit		(\$929,313)	(\$931,597)	(\$933,936)	(\$936,330)	(\$938,778)	(\$463,236)	(\$465,796)	(\$468,412)	(\$471,084)
42 Redevelopment (transfer)	<i>Transition</i>	\$713,526	\$717,094	\$720,679	\$724,282	\$727,904	\$731,543	\$735,201	\$738,877	\$742,572
43 Belvedere District (transfer)	<i>Transition</i>	\$321,411	\$323,018	\$324,633	\$326,256	\$327,888	\$329,527	\$331,175	\$332,831	\$334,495
44 Lighting Maintenance (transfer)	<i>Transition</i>	\$280,235	\$281,636	\$283,044	\$284,460	\$285,882	\$287,311	\$288,748	\$290,192	\$291,643
45 Subtotal	\$0	\$348,703	\$16,314	(\$319,651)	(\$659,193)	(\$1,002,313)	\$1,069,773	\$1,071,934	\$1,073,908	\$1,075,695
46										
47 TOTAL	\$25,605,471	(\$9,418,594)	(\$10,135,814)	(\$10,934,393)	(\$11,802,946)	(\$12,973,077)	(\$4,095,027)	(\$4,355,478)	(\$4,216,662)	(\$4,478,579)
48 Cumulative Reserves	\$25,605,471	\$16,186,877	\$6,051,063	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Table 1
Summary of Results (all figures in constant \$\$s)
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	2013-14 Transition Year	2014-15 2	2015-16 3	2016-17 4	2017-18 5	2018-19 6	2019-20 7	2020-21 8	2021-22 9	2022-23 10
49 ROAD MAINTENANCE										
50 Revenues										
51 Road District	\$194,351	\$195,323	\$196,299	\$197,281	\$198,267	\$199,259	\$200,255	\$201,256	\$202,262	\$203,274
52 Gas Taxes	\$5,097,729	\$4,782,629	\$4,464,135	\$4,142,246	\$3,816,962	\$3,488,284	\$3,505,256	\$3,522,229	\$3,539,202	\$3,556,175
53 Other (Prop. C, Measure R)	\$3,163,795	\$3,177,638	\$3,191,481	\$3,205,324	\$3,219,168	\$3,233,011	\$3,246,854	\$3,260,697	\$3,274,540	\$3,288,384
54 Total	\$8,455,875	\$8,155,590	\$7,851,915	\$7,544,851	\$7,234,397	\$6,920,553	\$6,952,365	\$6,984,183	\$7,016,005	\$7,047,832
55										
56 Expenditures										
57 Road District	<i>Transition</i>	\$553,430	\$556,197	\$558,978	\$561,773	\$564,582	\$567,405	\$570,242	\$573,093	\$575,958
58 Maintenance of Roads/Related Facilities	<i>Transition</i>	\$7,150,656	\$7,186,410	\$7,222,342	\$7,258,453	\$7,294,746	\$7,331,219	\$7,367,876	\$7,404,715	\$7,441,738
59 (less) Cost Allocation for GF Services	<i>Transition</i>	(\$1,103,033)	(\$1,108,548)	(\$1,114,091)	(\$1,119,662)	(\$1,125,260)	(\$1,130,886)	(\$1,136,541)	(\$1,142,223)	(\$1,147,934)
60 Transition Yr Cnty Services (repayment)	<i>Transition</i>	\$1,591,694	\$1,591,694	\$1,591,694	\$1,591,694	\$1,591,694				
61 Total	\$0	\$8,192,747	\$8,225,752	\$8,258,922	\$8,292,259	\$8,325,761	\$6,767,738	\$6,801,577	\$6,835,585	\$6,869,763
62										
63 Road Maintenance Surplus (Deficit)	\$8,455,875	(\$37,157)	(\$373,837)	(\$714,072)	(\$1,057,862)	(\$1,405,208)	\$184,627	\$182,606	\$180,420	\$178,070
64 Cumulative Reserves	\$8,455,875	\$8,418,718	\$8,044,882	\$7,330,810	\$6,272,948	\$4,867,740	\$5,052,367	\$5,234,973	\$5,415,393	\$5,593,463
65 TRANSIT										
66 Revenues										
67 Prop. A	\$1,722,420	\$1,731,048	\$1,739,675	\$1,748,302	\$1,756,929	\$1,765,556	\$1,774,184	\$1,782,811	\$1,791,438	\$1,800,065
68 Total	\$1,722,420	\$1,731,048	\$1,739,675	\$1,748,302	\$1,756,929	\$1,765,556	\$1,774,184	\$1,782,811	\$1,791,438	\$1,800,065
69										
70 Expenditures										
71 Transit	<i>Transition</i>	\$2,313,104	\$2,324,669	\$2,336,293	\$2,347,974	\$2,359,714	\$2,371,513	\$2,383,370	\$2,395,287	\$2,407,264
72 (less) Cost Allocation for GF Services	<i>Transition</i>	(\$130,791)	(\$131,445)	(\$132,102)	(\$132,762)	(\$133,426)	(\$134,093)	(\$134,764)	(\$135,438)	(\$136,115)
73 Transition Yr Cnty Services (repayment)	<i>Transition</i>	\$478,047	\$478,047	\$478,047	\$478,047	\$478,047				
74 Total	\$0	\$2,660,360	\$2,671,272	\$2,682,238	\$2,693,259	\$2,704,335	\$2,237,419	\$2,248,607	\$2,259,850	\$2,271,149
75										
76 Transit Surplus (Deficit)	\$1,722,420	(\$929,313)	(\$931,597)	(\$933,936)	(\$936,330)	(\$938,778)	(\$463,236)	(\$465,796)	(\$468,412)	(\$471,084)
77 Cumulative Reserves	\$1,722,420	\$793,108	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
78 TOTAL, Roads and Transit	\$10,178,296	(\$966,469)	(\$1,305,434)	(\$1,648,007)	(\$1,994,191)	(\$2,343,987)	(\$278,609)	(\$283,190)	(\$287,991)	(\$293,014)
79 Cumulative Reserves	\$10,178,296	\$9,211,826	\$7,906,393	\$6,258,385	\$4,264,194	\$1,920,207	\$1,641,599	\$1,358,409	\$1,070,417	\$777,403

Notes to Table 1

- 3,4,5 Revenues retained by County in Transition Year are credited against costs. Current estimates assume election prior to November 2012, effective date July 1, 2013.
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 If shortfalls are funded by General Fund transfers, the initial balances shown could be retained.

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East Los Angeles CFA

Item	Fiscal Year									
	2013-14 Transition Year	2014-15 2	2015-16 3	2016-17 4	2017-18 5	2018-19 6	2019-20 7	2020-21 8	2021-22 9	2022-23 10
1 GENERAL FUND										
2 Revenues										
3 Property Taxes	\$16,796,266	\$16,821,475	\$16,846,936	\$16,872,652	\$16,898,625	\$16,924,858	\$16,951,353	\$16,978,113	\$17,005,141	\$17,032,438
4 Sales Tax	\$3,070,337	\$3,702,827	\$3,721,341	\$3,739,948	\$3,758,647	\$3,777,441	\$3,796,328	\$3,815,310	\$3,834,386	\$3,853,558
5 Transient Occupancy Tax	<i>Transition</i>	\$114,169	\$115,310	\$116,463	\$117,628	\$118,804	\$119,992	\$121,192	\$122,404	\$123,628
6 Real Property Transfer Tax	\$56,424	\$56,988	\$57,558	\$58,133	\$58,715	\$59,302	\$59,895	\$60,494	\$61,099	\$61,710
7 Franchise Fees	<i>Transition</i>	\$1,349,011	\$1,355,734	\$1,362,458	\$1,369,181	\$1,375,904	\$1,382,627	\$1,389,350	\$1,396,074	\$1,402,797
8 Utility User Tax	\$5,057,954	\$5,083,288	\$5,108,622	\$5,133,956	\$5,159,290	\$5,184,624	\$5,209,958	\$5,235,293	\$5,260,627	\$5,285,961
9 Public Wks/Building Fees	\$725,189	\$725,189	\$725,189	\$725,189	\$725,189	\$725,189	\$725,189	\$725,189	\$725,189	\$725,189
10 Parks and Recreation Fees	\$261,611	\$261,611	\$261,611	\$261,611	\$261,611	\$261,611	\$261,611	\$261,611	\$261,611	\$261,611
11 Business Licenses	\$107,107	\$107,107	\$107,107	\$107,107	\$107,107	\$107,107	\$107,107	\$107,107	\$107,107	\$107,107
12 Fines, Penalties, Misc.	\$1,916,640	\$1,926,240	\$1,935,840	\$1,945,440	\$1,955,040	\$1,964,640	\$1,974,240	\$1,983,840	\$1,993,440	\$2,003,040
13 State Motor Vehicle License Fees	-- eliminated by SB 89 --									
14 VLF (AB 1602)	-- eliminated by SB 89 --									
15 Investment Earnings	\$283,787	\$295,383	\$291,412	\$287,394	\$283,330	\$279,219	\$280,133	\$281,049	\$281,969	\$282,892
16 Subtotal	\$28,275,314	\$30,443,287	\$30,526,661	\$30,610,351	\$30,694,363	\$30,778,698	\$30,868,433	\$30,958,548	\$31,049,046	\$31,139,931
17										
18 Expenditures										
19 Legislative	\$92,000	\$92,000	\$92,000	\$92,000	\$92,000	\$92,000	\$92,000	\$92,000	\$92,000	\$92,000
20 City Clerk, City Treasurer	\$388,800	\$390,744	\$392,698	\$394,661	\$396,635	\$398,618	\$400,611	\$402,614	\$404,627	\$406,650
21 Elections		\$200,000		\$200,000		\$200,000		\$200,000		\$200,000
22 City Manager	\$861,433	\$987,848	\$992,787	\$997,751	\$1,002,740	\$1,007,753	\$1,012,792	\$1,017,856	\$1,022,945	\$1,028,060
23 City Attorney	\$1,500,000	\$1,507,500	\$1,515,038	\$1,100,000	\$1,105,500	\$1,111,028	\$1,116,583	\$1,122,166	\$1,127,776	\$1,133,415
24 Administrative Services	\$1,028,250	\$2,158,740	\$2,169,534	\$2,180,381	\$2,191,283	\$2,202,240	\$2,213,251	\$2,224,317	\$2,235,439	\$2,246,616
25 Police	<i>Transition</i>	\$21,157,215	\$21,263,001	\$21,369,316	\$21,476,163	\$21,583,544	\$21,691,461	\$21,799,919	\$21,908,918	\$22,018,463
26 Animal Control	<i>Transition</i>	\$410,734	\$412,788	\$414,852	\$416,926	\$419,011	\$421,106	\$423,212	\$425,328	\$427,454
27 Community Development	\$902,950	\$1,551,175	\$1,557,406	\$1,563,668	\$1,569,961	\$1,476,286	\$1,382,642	\$1,389,031	\$1,395,451	\$1,401,903
28 Public Works	\$793,800	\$2,324,621	\$2,363,438	\$2,375,255	\$2,387,131	\$2,399,067	\$2,411,062	\$2,423,118	\$2,435,233	\$2,447,410
29 Parks and Rec	\$1,009,800	\$4,207,734	\$4,228,773	\$4,249,917	\$4,271,166	\$4,292,522	\$4,313,985	\$4,335,554	\$4,357,232	\$4,379,018
30 Library (Gen'l Fund)	\$4,502,878	\$4,502,878	\$4,502,878	\$4,502,878	\$4,502,878	\$4,502,878	\$4,502,878	\$4,502,878	\$4,502,878	\$4,502,878
31 Non-Departmental										
32 Office Rent/Equipment/Supplies	\$365,250	\$597,500	\$449,500	\$449,500	\$449,500	\$449,500	\$449,500	\$449,500	\$449,500	\$449,500
33 Insurance	\$465,806	\$757,259	\$755,074	\$740,835	\$743,429	\$742,036	\$740,656	\$743,290	\$745,936	\$748,596
34 Contingency (5%)	\$605,548	\$2,042,297	\$2,044,746	\$2,031,551	\$2,040,266	\$2,043,824	\$2,047,426	\$2,056,273	\$2,065,163	\$2,074,098
35 Transition Yr Cnty Services (repayment)		\$6,558,831	\$6,558,831	\$6,558,831	\$6,558,831	\$6,558,831				
36 Subtotal	\$12,516,516	\$49,447,076	\$49,298,490	\$49,221,396	\$49,204,409	\$49,479,137	\$42,795,954	\$43,181,726	\$43,168,427	\$43,556,061
37 Net General Fund	\$15,758,798	(\$19,003,789)	(\$18,771,830)	(\$18,611,044)	(\$18,510,046)	(\$18,700,439)	(\$11,927,521)	(\$12,223,178)	(\$12,119,381)	(\$12,416,131)
38										
39 Other Funds and Transfers										
40 Road Maintenance		(\$37,157)	(\$373,837)	(\$714,072)	(\$1,057,862)	(\$1,405,208)	\$184,627	\$182,606	\$180,420	\$178,070
41 Transit		(\$929,313)	(\$931,597)	(\$933,936)	(\$936,330)	(\$938,778)	(\$463,236)	(\$465,796)	(\$468,412)	(\$471,084)
42 Redevelopment (transfer)	<i>Transition</i>	\$713,526	\$717,094	\$720,679	\$724,282	\$727,904	\$731,543	\$735,201	\$738,877	\$742,572
43 Belvedere District (transfer)	<i>Transition</i>	\$321,411	\$323,018	\$324,633	\$326,256	\$327,888	\$329,527	\$331,175	\$332,831	\$334,495
44 Lighting Maintenance (transfer)	<i>Transition</i>	\$280,235	\$281,636	\$283,044	\$284,460	\$285,882	\$287,311	\$288,748	\$290,192	\$291,643
45 Subtotal	\$0	\$348,703	\$16,314	(\$319,651)	(\$659,193)	(\$1,002,313)	\$1,069,773	\$1,071,934	\$1,073,908	\$1,075,695
46										
47 TOTAL	\$15,758,798	(\$18,655,086)	(\$18,755,515)	(\$18,930,695)	(\$19,169,239)	(\$19,702,752)	(\$10,857,747)	(\$11,151,244)	(\$11,045,473)	(\$11,340,436)
48 Cumulative Reserves	\$15,758,798	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

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49 ROAD MAINTENANCE										
50 Revenues										
51 Road District	\$194,351	\$195,323	\$196,299	\$197,281	\$198,267	\$199,259	\$200,255	\$201,256	\$202,262	\$203,274
52 Gas Taxes	\$5,097,729	\$4,782,629	\$4,464,135	\$4,142,246	\$3,816,962	\$3,488,284	\$3,505,256	\$3,522,229	\$3,539,202	\$3,556,175
53 Other (Prop. C, Measure R)	\$3,163,795	\$3,177,638	\$3,191,481	\$3,205,324	\$3,219,168	\$3,233,011	\$3,246,854	\$3,260,697	\$3,274,540	\$3,288,384
54 Total	\$8,455,875	\$8,155,590	\$7,851,915	\$7,544,851	\$7,234,397	\$6,920,553	\$6,952,365	\$6,984,183	\$7,016,005	\$7,047,832
55										
56 Expenditures										
57 Road District	<i>Transition</i>	\$553,430	\$556,197	\$558,978	\$561,773	\$564,582	\$567,405	\$570,242	\$573,093	\$575,958
58 Maintenance of Roads/Related Facilities	<i>Transition</i>	\$7,150,656	\$7,186,410	\$7,222,342	\$7,258,453	\$7,294,746	\$7,331,219	\$7,367,876	\$7,404,715	\$7,441,738
59 (less) Cost Allocation for GF Services	<i>Transition</i>	(\$1,103,033)	(\$1,108,548)	(\$1,114,091)	(\$1,119,662)	(\$1,125,260)	(\$1,130,886)	(\$1,136,541)	(\$1,142,223)	(\$1,147,934)
60 Transition Yr Cnty Services (repayment)	<i>Transition</i>	\$1,591,694	\$1,591,694	\$1,591,694	\$1,591,694	\$1,591,694				
61 Total	\$0	\$8,192,747	\$8,225,752	\$8,258,922	\$8,292,259	\$8,325,761	\$6,767,738	\$6,801,577	\$6,835,585	\$6,869,763
62										
63 Road Maintenance Surplus (Deficit)	\$8,455,875	(\$37,157)	(\$373,837)	(\$714,072)	(\$1,057,862)	(\$1,405,208)	\$184,627	\$182,606	\$180,420	\$178,070
64 Cumulative Reserves	\$8,455,875	\$8,418,718	\$8,044,882	\$7,330,810	\$6,272,948	\$4,867,740	\$5,052,367	\$5,234,973	\$5,415,393	\$5,593,463
65 TRANSIT										
66 Revenues										
67 Prop. A	\$1,722,420	\$1,731,048	\$1,739,675	\$1,748,302	\$1,756,929	\$1,765,556	\$1,774,184	\$1,782,811	\$1,791,438	\$1,800,065
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69										
70 Expenditures										
71 Transit	<i>Transition</i>	\$2,313,104	\$2,324,669	\$2,336,293	\$2,347,974	\$2,359,714	\$2,371,513	\$2,383,370	\$2,395,287	\$2,407,264
72 (less) Cost Allocation for GF Services	<i>Transition</i>	(\$130,791)	(\$131,445)	(\$132,102)	(\$132,762)	(\$133,426)	(\$134,093)	(\$134,764)	(\$135,438)	(\$136,115)
73 Transition Yr Cnty Services (repayment)	<i>Transition</i>	\$478,047	\$478,047	\$478,047	\$478,047	\$478,047				
74 Total	\$0	\$2,660,360	\$2,671,272	\$2,682,238	\$2,693,259	\$2,704,335	\$2,237,419	\$2,248,607	\$2,259,850	\$2,271,149
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- 78 Road and Transit annual balances are also shown under the category "Other Funds and Transfers" on prior page for purposes of showing a total for all funds, including the General Fund.
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3. THE INCORPORATION PROPOSAL

Proposal for Incorporation

In summary, the incorporation would transfer responsibility for many of the local services currently provided by the County to the new city. The new city would be responsible for land use planning and review, police protection, and public works and could choose to expand or reduce services, dependent upon the finances of the new city at any given time. The elected city council would establish policies and priorities for the provision of services and allocation of funds and would be accountable to the residents of the area. Initially, the new city would contract with other providers (e.g., the County) for many services. This chapter presents specific terms that define the incorporation proposal. **Chapter 4** describes in more detail the specific services that would transfer to the new city and services that would be unaffected.

Name of the New City

The name of the new city would be the "City of East Los Angeles."

Form of Government

The area initially would be incorporated as a general law city under the Constitution of the State of California. The proposed form of the new city would be the "Council/Manager" form common to small and mid-sized cities throughout California. Under the Council/Manager form, a five-person city council, elected at-large, would retain a city manager who would be responsible for the day-to-day operations of the city with an appointed city clerk and treasurer.

City Boundary

Figure 1 illustrates the boundary of the potential new city. These boundaries correspond to all unincorporated territory surrounded by the cities of Los Angeles, Monterey Park, Montebello, and Commerce.

Reorganization

The disposition of any special districts will be addressed in the LAFCO Executive Officer's Report and included as Terms and Conditions of the incorporation. The CFA assumes that the services provided by those special districts would continue, as well as any funding specific to the districts, whether they are reorganized as part of the new city or remain as currently organized.

Service Levels

This CFA presumes and reflects municipal expenditures that maintain existing municipal service levels as described in **Chapter 4**. Police protection, however, is based on a contract with the County Sheriff for a number of officers which is less than current staffing but which is consistent with other contract cities.

Effective Date

This CFA assumes July 1, 2013 as the effective date, assuming LAFCO approval and a successful election in 2012. The actual date will depend on the time required for the LAFCO process to be completed. LAFCO can establish an earlier or later date; however, July 1 is the start of the fiscal year and would allow the new city nearly a full transition year during which time the County is required to continue to provide services, to be repaid in future years, while the new city accrues revenues to establish reserves.

Gann Limit

Local agencies in California that receive proceeds of taxes (excluding fees and service charges) are required to have a limit on how much tax money they can spend. It is called the Gann Limit.

Under State law, the LAFCO resolution of approval and the ballot question before the voters must identify a provisional Gann Limit. Following incorporation, the city council would place on a future ballot a permanent Gann Limit for voter approval.

The Gann Limit is calculated in this CFA.

Existing Taxes

The CFA assumes that existing County tax rates (e.g., Transient Occupancy Tax, UUT) and service charges would be adopted by the new city and continue as city revenues. California law mandates that taxes can be raised only through ballot measures, not by local government agencies.

Capital Improvements

It is assumed that the city council initially would adopt all impact fee ordinances currently enforced by the County to ensure a continual flow of existing fee revenues. While this CFA addresses the fiscal feasibility of ongoing operating revenues and expenditures, it also identifies capital improvement funding issues where appropriate. During the transition of services from the County to the new city, there would be an accounting and transfer of fees and charges previously collected from the incorporation area, and other applicable fund balances, to be allocated consistent with an agreement between the County and the incorporation Proponents, and/or LAFCO Terms and Conditions.

4. PUBLIC SERVICES PLAN AND COST ASSUMPTIONS

A municipal Public Service Plan was developed to assess the feasibility of incorporation. **Table 2** presents a list of existing and proposed municipal services in the area. The Public Service Plan reflects assumptions of the consultant. Decisions made by LAFCO, the future city council, and the Board of Supervisors would determine how public services are provided in the new city.

As with all new cities, the municipal government in the city may evolve over time. Initially, many services are likely to be provided by contract with the County or other entities. Contract costs are based on current costs of County services, adjusted for cost increases as appropriate. Over time, these services may be provided directly by the city. Detailed cost assumptions are included in **Appendix A**. Actual staffing and contracts would be decisions made by a future city council.

The following sections provide an overview of the city departments. Salary levels are assumed to increase at 2.5 percent per year (including inflation assumed at 2 percent⁶) unless otherwise noted. Salaries are based on a review of other, similar-sized cities; benefits are likely to be lower than most existing cities, since the new city would be able to establish and control benefit packages from the beginning of the new city and would not be burdened by past pension and benefit decisions and investments. Actual salaries and benefits would depend on the negotiation of employment contracts and city staffing practices. Full-time staff are assumed; it may be possible to achieve some savings through the use of part-time staff with no benefits, however, turnover and related costs would be higher. Other costs generally include supplies and materials and would vary by year depending on need. The method of service provision, staffing levels, number and type of positions, departmental organization, and contract services are intended for analysis purposes; actual methods may include some variation of in-house staff and contract services. The city council ultimately would determine the method of service provision based on consideration of numerous factors including cost and availability of contractors.

Governance and Management

Current Services

The chief executive officer (CEO) assists the County of Los Angeles Board of Supervisors in handling administrative details of the County. The CEO directly supervises most County departments. Eight departments—Assessor, Auditor-Controller, Community Development Commission, County Counsel, District Attorney, Executive Office of the Board of Supervisors, Fire, and Sheriff—are not under the CEO's direct supervision but work with the CEO under the direction of the Board of Supervisors.

⁶ U.S. Consumer Price Index for All Urban Consumers (CPI-U) increased 2.1 percent before seasonal adjustment over the last 12 months, the Bureau of Labor Statistics reported on March 17, 2011.

**Table 2
Municipal Service Providers -- Existing and Proposed
East Los Angeles CFA**

Service	Service Provision		
	Present Provider	After Incorporation	
General Government			
Governing Board	LA County	New City	City Council
Manager	LA County	New City	City Staff
Attorney	LA County	New City	City Staff/Contracts
Finance/Clerk/Administrative Services	LA County	New City	City Staff/Contracts
Public Protection			
Law Enforcement	LA County Sheriff	New City/LASD	Contract with County Sheriff
Traffic Control/Accident Investigation	California Highway Patrol	New City/LASD	Contract with County Sheriff
Fire Protection & Paramedic	Consolidated Fire Protection Dist. of L.A. County	No Change	As is currently provided
Ambulance	American Medical Response	No Change	As is currently provided
Animal Control	LA County, Dept. of Animal Care and Control	New City	Contract with County
Vector Control and Mosquito Abatement	Greater Los Angeles County Vector Control Dist.	No Change	As is currently provided
Land Use and Planning			
Zoning Code Enforcement	LA County	New City	City Staff
Land Use Application Processing	LA County	New City	City Staff/Contract
Building Inspection & Plan Check	LA County	New City	City Staff/Contract
Advance Planning	LA County	New City	City Staff
Economic Development/Redevelopment	LA County	New City	City Staff
Community Services			
Recreation Programs	LA County Dept. of Park and Recreation	New City	City Staff
Senior Services	LA County	New City	City Staff
Local Parks	LA County Dept. of Park and Recreation	New City	City Staff/Contracts
Landscape Maintenance	Montebello Recreation & Park District Bella Vista Recreation & Park District	New City New City	City Staff/Contracts City Staff/Contracts
Regional Parks/Open Space	LA County Dept. of Park and Recreation LA County Regional Park & Open Space District	No Change No Change	As is currently provided As is currently provided
Library	LA County	No Change	As is currently provided
Health Services	LA County	No Change	As is currently provided
Public Works/Public Utilities			
Road Maintenance	LA County/County Road Dist. #1	New City	City Staff/Contracts
Signal Maintenance	LA County	New City	City Staff/Contracts
Street Lighting	LA County/County Lighting Maint. Dist. No. 1687	New City	City Staff/Contracts
Traffic Control	LA County	New City	City Staff/Contracts
Stormwater Quality/NPDES	LA County	New City	City Staff/Contracts
Flood Control & Conveyance Drainage	LA County	New City	City Staff/Contracts
Solid Waste Management	Belvedere Garbage Disposal District	New City	City Staff/Contracts
Solid Waste Collection/Disposal	Consolidated Disposal Service	New City	City Staff/Contracts
Wastewater Collection			
Wastewater Treatment/Disposal	LA Cnty/LA Cnty Consol. Sewer Maint. Dist.	LA Cnty/LA Cnty Consol. Sewer Maint. Dist.	
Domestic Water	LA County Sanitation District No. 2 Central Basin MWD (wholesaler) California Water Service Company (retailer)	No Change No Change	As is currently provided As is currently provided
Public Education			
K-12 Grade Levels	LA USD, Montebello USD	No Change	As is currently provided
College	n/a	No Change	As is currently provided
Other Services			
Electricity	Southern California Edison	No Change	Franchise Agreement w/New City
Gas	Southern California Gas Company	No Change	Franchise Agreement w/New City
Cable Television	Time Warner	No Change	Franchise Agreement w/New City
Public Transit	LA Metro	No Change	As is currently provided
Shuttle, Dial-a-Ride	LA County	New City	City Staff

Services Following Incorporation

The new city council would hire staff and possibly contract with private firms to provide the full range of services necessary to manage municipal services. It is likely that this hiring process would occur over the first several years of the new city's existence. During the initial Transition Year the County would continue to provide services as required by State law, and newly hired city department heads would begin the process of transferring responsibilities to the new city and begin the process of expanding city staff and establishing new contracts.

City Council

The city council would be the governing body of the general law city and would include five council members⁷ elected in accordance with State law. The city council would hire a city manager and city attorney, make service and budget decisions, enter into agreements with other governmental entities, regulate land use within the city boundaries, and represent the community.

City council salaries are budgeted in accordance with GC 36516 which establishes initial minimum salaries that may be paid. No real increase above inflation is assumed, although GC 36516 allows 5 percent annual increases by city ordinance. An additional allowance is included for conferences, memberships, and other direct expenses.

City Manager

Service decisions would be focused on the city manager, who would carry out the policy directives of the city council. Specific activities and functions included within the department's staffing and budget include economic development and human resources.

City Attorney

It is anticipated that initially the new city would contract for legal services with a municipal law firm. Over time, the new city may choose to establish its own in-house legal team and rely upon outside firms for specialized services and litigation support. It is likely that legal costs would be higher during the initial years of the new city as new ordinances are established, staff are hired, contracts are created, and policies and procedures are put in place.

City Clerk

The City Clerk's Office would be responsible for handling city documents including meeting materials and public requests for information and complying with public noticing requirements. This office would also coordinate the election process. The city clerk would be appointed by the city council.⁸

⁷ Petition for the Incorporation of the City of East Los Angeles, California.

⁸ Ibid.

Administrative Services

Current Services

Various County departments currently provide administrative services and support to all unincorporated areas.

Services Following Incorporation

Administrative Services functions of the new city include Information Systems, Finance, and Human Resources. During the initial Transition Year, these services would continue to be provided by the County as the new city hires management and support staff, establishes management and technology systems, and implements contracts with private firms for certain services such as information technology (IT) support.

Community Development

Current Services

The County Community Development Commission/Housing Authority (CDC) administers the County's housing and community development programs, such as economic development, business revitalization, and redevelopment. In ELA, it operates low-income housing programs which include public housing, affordable rental units, and the Housing Choice Voucher program (Section 8) for rent subsidies. The CDC offers financing and technical assistance to nonprofit and for-profit developers of affordable housing, grants and loans to first-time homebuyers, and grants and loans to low-income homeowners to rehabilitate their properties. The CDC makes federal Community Development Block Grant (CDBG) funds available for projects and programs in unincorporated areas and small cities. Primary funding is from federal grants and loans.⁹

The CDC owns and manages the Centro Estrellas, a two-story service facility located at 4701 E. Cesar Chavez Avenue. Under a lease arrangement, the Los Angeles County Department of Mental Health (DMH) and ALMA (Associated League of Mexican Americans) Family Services provide mental health services at this location using their own financial sources. Lease revenue covers operations and allows for some reserves. The CDC leases two parking lots in the Maravilla Redevelopment Project Area in the Caltrans right-of-way.

Housing Authority

Under State law, the Housing Authority of the County of Los Angeles (HACoLA) is a separate legal entity from the CDC. The Board of Supervisors, acting as the Board of Commissioners, is the Housing Authority's governing body. The Board appoints County residents to the Los Angeles County Housing Commission, a 12-member body that serves in an advisory capacity.

⁹ County of Los Angeles CEO letter to LAFCO, Att. 15 (pg. 7), 3/1/11.

HACoLA owns and manages 767 units of public housing for families and seniors at 12 locations in unincorporated ELA. The properties include educational, recreational, and child care facilities, with services funded by Housing Authority resources, CDBG funds, and funding from outside agencies. Child care services are generally open to any County resident. HACoLA also manages 21 units of State-funded affordable housing. HACoLA also administers between 300 and 350 Housing Choice Vouchers (Section 8) in unincorporated ELA.

The Housing Authority owns two buildings which it uses to conduct administrative functions and to provide leased space to Centro de Niños for child care services available to ELA residents.

Redevelopment

The County's Whiteside Redevelopment Project Area and the City of Los Angeles's Adelante/Eastside Redevelopment Project Area are now merged into one joint Project Area. On September 8, 2009, the Los Angeles City Council unanimously approved actions necessary for the merger of the Community Redevelopment Agency of the City of Los Angeles's (CRA/LA's) Adelante Eastside Redevelopment Project Area with the Whiteside Redevelopment Project Area. Staff of both the CRA/LA and the CDC are now working together to draft recommendations for the governance of this joint Redevelopment Project Area. The County also oversees the Maravilla Community Redevelopment Project area that is located entirely within ELA.

The CDC currently is working on a Memorandum of Understanding (MOU) that would allow the County and the City of Los Angeles to jointly fund an infrastructure study (total of \$390,070) and an expected national Urban Land Institute panel (total of approximately \$180,000). The CDC's share of these two efforts would be approximately \$285,000.¹⁰

In addition to funding infrastructure and economic development studies, tax increment helps to fund a range of capital improvements and repayment of debt issued for redevelopment area improvements. A portion of tax increment (20 percent) is required to be used for affordable housing purposes.

Services Following Incorporation

Some current funding may still be available for projects in the new city, but the funds would be allocated and managed by the CDC. Specifically, these are funds for development of affordable housing and homeless services and facilities. Future CDBG funds currently available to the unincorporated ELA area through allocations by the First Supervisorial District would be available to, and managed by, the new city in future years. The new city council would have the option of allocating the funds to projects and programs within its jurisdiction based on need. The new city would have several options for participating in CDBG funding; the city may receive its allocation directly from the U.S. Department of Housing and Urban Development (HUD) or become an entitlement jurisdiction but file as a joint applicant with the Los Angeles Urban County Program (like Cerritos and Torrance).

¹⁰ Ibid, pg. 15.

Although the new city would be able to control future CDBG funds, this CFA has not included CDBG funds in the projections of annual operating revenues for several reasons: (1) CDBG funding is unpredictable and varies over time, (2) it is unclear how much the new city would be entitled to, and (3) CDBG generally funds outside agencies and capital projects and is not a source of funds for day-to-day, ongoing "operational" costs of cities and counties.

Housing Authority

If ELA incorporates, the existing County Housing Authority would continue to own and/or manage all of its public and affordable housing. The precedent was set more than 25 years ago when the Housing Authority retained ownership and management responsibilities of the public housing and affordable units in its portfolio at the time of West Hollywood's incorporation. A cooperation agreement between the two jurisdictions would delineate the administrative parameters, including the handling of the public housing applicants living in the new city. Cooperation agreements currently allow the Authority to operate County public housing in five cities.

The Housing Authority uses the Capital Fund Grant from HUD and CDBG funds to renovate public housing and for resident services. After the ELA incorporation, the housing developments would continue to receive Capital Funds.

Housing Choice Voucher (Section 8) Program vouchers would remain with HACoLA. If ELA becomes a city, the Authority would need a cooperation agreement allowing issuance of vouchers in the city. The Authority currently has this arrangement with 60 cities participating in the program. The cooperation agreement would also address the handling of Section 8 applicants living in the city.

ELA would have the option of creating its own housing authority and applying for HUD for Section 8 vouchers. This is a long process, and if approved HUD may allocate vouchers in small increments (perhaps 50 to start). The city may be eligible to receive additional allocations depending upon funding availability and the housing authority's performance. HUD has not awarded funds for development of new public housing since the early 1990s. The projected city budget assumes that the County Housing Authority continues to provide existing services, in coordination with the new city.

Economic Development

It is assumed that staff within the new city's Community Development Department would provide economic development services, in coordination with other city departments.

Redevelopment

For purposes of the CFA, it is assumed that County management of redevelopment agencies would be transferred to the new city, although the transition may require at least one year or more. The merger of the two redevelopment areas and the governance structure delineate certain responsibilities for the two redevelopment agencies involved. The East Los Angeles Redevelopment Agency would assume some existing legal obligations for the County's Whiteside Redevelopment Project Area. The new city, as the successor redevelopment agency, would be required to continue the activities under a Memorandum of Understanding with the Los Angeles Community Redevelopment Agency.

Tax increment helps to fund some staff time, in addition to capital improvements; the amount applied is approximately \$700,000 annually¹¹ and is offset by staff and overhead costs. To the extent city staff is used to perform redevelopment agency functions, additional tax increment funds may be available to help in funding a share of departmental overhead and administration. No other funds are assumed to be generated for ongoing operations of the new city, although it is assumed that current redevelopment plans, programs, and improvements would continue to be pursued by the new city.

Recent State legislation eliminates redevelopment agencies, except under certain conditions. ABX1 27, the "Continuation Bill", keeps redevelopment agencies effective after October 1, 2011 if payments are made to the State. According to the State Department of Finance, the Commission as a whole would have to make a \$1.8 million payment this fiscal year and about \$440,000 annually thereafter in order to keep its redevelopment areas effective. Of this total, the following are approximate totals for the two East Los Angeles redevelopment areas for Fiscal Year (FY) 2011-12: total is \$892,000 (Maravilla \$744,000 and Whiteside \$148,000 based upon a proportionate share of the net increment each area receives). At this time, the State Department of Finance has not released additional information regarding ongoing payments; however, according to the Community Redevelopment Association's estimates, in FY 2012-13 and every subsequent fiscal year the East Los Angeles Redevelopment Area payments will total \$198,000, (Maravilla \$160,000 and Whiteside \$38,000).

While ABX1 26, dissolving redevelopment agencies, and ABX1 27 have been stayed as a result of pending legal challenges, should they ultimately be implemented, the County is likely to agree to make the payments in order to keep the redevelopment areas effective and would take legislative action as outlined in ABX1 27.

Regional Planning

Current Services

The Los Angeles County Department of Regional Planning provides long-range planning, land development counseling, project/case intake and processing, environmental review, and zoning enforcement for the area.

Advance Planning

The Advance Planning Division provides comprehensive long-range planning services to the entire unincorporated Los Angeles County including East Los Angeles. The Division is responsible for preparation and updates of the County's General Plan, community plans, community standards districts, ordinances and special studies.

The General Plan's Housing Element serves as a policy guide to address the comprehensive housing needs of the unincorporated areas of Los Angeles County including East Los Angeles. The County is required to ensure the availability of residential sites at adequate densities and appropriate development standards to accommodate the Regional Housing Needs Assessment (RHNA) allocated to the County by the Southern California Association of Governments (SCAG). The total RHNA number to be transferred from the County to ELA once it is incorporated is

¹¹ *ibid*, Att. IV, CDC Statement of Revenue and Expenditure.

estimated to be 3,187.¹² The actual amount required of the new city would be determined by the Southern California Association of Governments (SCAG) based on regional housing needs following formation of the new city.

Land Use Application Processing

The Department reviews and processes applications for various types of permits, including site plan review, zoning conformance, business license review, conditional use permits, non-conforming uses, and variances. In FY 2009-10, 332 permits were processed.

Zoning Code Enforcement

Regional Planning provides a code enforcement program that includes the following activities:

- Conducting surveys to note code discrepancies.
- Receiving and reviewing complaints.
- Providing written notification to property owners.
- Providing information to property owners on the need to comply with zoning laws and the benefits of compliance.
- Providing follow-up inspections.
- Providing reports to the District Attorney, if necessary.
- Attending courtroom hearings, if necessary.
- Providing staff with necessary training to perform their duties.
- Providing staff with necessary law enforcement support to perform their duties.

In FY 2009-10, the number of complaints (new cases) totaled 1,516. The Department carried out 2,160 inspections, and 1,453 cases were outstanding.

Other Services

The City Terrace Material Recovery Facility is located within the proposed incorporation area. Under the current Conditional Use Permit (CUP), the facility provides approximately \$40,000 per year to the Department of Regional Planning for quality of life programs in surrounding unincorporated communities as directed by the First Supervisorial District. In addition, approximately \$20,000 per year is paid to the Department of Public Works' Environmental Programs Division for waste diversion and recycling programs in the unincorporated areas of the County.¹³

¹² Ibid, Exh. XI.

¹³ County of Los Angeles CEO's Office, 8/30/11.

Services Following Incorporation

The Community Development Department would be responsible for planning, General Plan development, and housing-related issues, as well as those services described above currently provided by the County's Community Development Commission which the new city chooses to undertake. Redevelopment-related activities would be managed by this department.

The existing County Zoning Ordinance would most likely be adopted as land use policy by the first city council. It is assumed that beginning in its second year, the city would start the process of developing a new General Plan and zoning ordinance. Consultant contracts could be used for these services, although some new cities have chosen to do most of the work in-house at a lower cost but longer time frame. A Planning Commission would be appointed and begin to update the General Plan and supporting planning documents and policies. During the initial Transition Year in which the County would continue to provide services, the new city would begin to hire planning staff to take over County functions. The new city may choose to negotiate with the County over continued services to assure continuity of services to projects currently under review, and to assure an orderly transfer of functions.

The County would not continue collecting the fees from the City Terrace Material Recovery Facility post-incorporation. However, it is likely the CUP would be "grandfathered" and the new city would be entitled to collect those fees.

Public Works

Current Services

Roads and Related Facilities

The Los Angeles County Department of Public Works (DPW) provides street maintenance services including: monthly street inspection; sidewalk inspection and temporary repair; asphalt repair; sidewalk, curb, and gutter repair and reconstruction; street sweeping services; litter and debris pickup; tree watering and tree trimming services; medians and vegetation maintenance and control; emergency response; drainage inspection and cleaning; storm patrol; graffiti removal from roadway and sidewalk surfaces; traffic control; signal and sign operation and maintenance; and other street maintenance needs.

The County's streets and highways in the proposed ELA incorporation area consist of over 184 miles of non-freeway roadways, over 36.7 million square feet of pavement, 140 traffic signals, 20,000 traffic signs, and other appurtenant structures. The street lighting facilities in the proposed ELA incorporation area consist of approximately 7,000 street lights.¹⁴ The average Pavement Condition Index (PCI) of roads in ELA is 82. A PCI of 82 represents a condition where the roads are at Best Management Practices (BMPs). Maintenance of roads and related facilities costs, totaling about \$7.6 million, are covered by dedicated revenues. For Fiscal Year 2009-10, County Public Works spent approximately \$9.6 million on infrastructure improvements relating to roadway facilities. Infrastructure improvements were covered by \$2.2 million of dedicated revenue with the remaining from grant funds and other sources.¹⁵

¹⁴ County of Los Angeles CEO letter to LAFCO, Att. 15, pg. 17.

¹⁵ LA County DPW, 8/29/11

The net County cost to the General Fund totals \$939,903 for graffiti abatement, stormwater quality, and property rehabilitation.

Revenue sources, described in greater detail in **Chapter 5**, include:

- **Road District #1**—The District receives a share of the 1 percent property tax to help in funding general road maintenance activities.¹⁶
- **State Gas Taxes**—State gas taxes are allocated primarily on a per capita basis.
- **Local Sales Tax**—Proposition C and Measure R, each a half of one cent sales tax, provide most of the remaining funding required. A portion of these funds is allocated to the County and cities on a per capita basis.

The new city would also be able to compete for grant funds for special projects and capital improvements. The CFA has not assumed these revenues given their uncertainty and because these funds generally do not pay for ongoing annual operations and maintenance.

Street Lighting Maintenance

The County Lighting Maintenance District (CLMD 1687) and County Lighting District LLA-1 serve ELA. The CLMD 1687 receives a share of property tax;¹⁷ LLA-1 assesses a fee on property ownership¹⁸ to pay for street lighting services and energy costs (Southern California Edison).

Wastewater

The County currently owns approximately 147 miles of sanitary sewer main, 3,496 manholes, and 440,520 square feet of sanitary sewer easements maintained by the County DPW, Sewer Maintenance Division.¹⁹ The Los Angeles County Consolidated Sewer Maintenance District (CSMD) estimates \$882,000 in expenditures for FY 2010-11 to operate and maintain the roughly 147 miles of local sanitary sewer lines within ELA. Funding for operations and maintenance is through assessment of sewer service charges on property owners served by the sewer system. Separate charges are collected by the Sanitation District of Los Angeles County (a separate legal entity not governed by the Los Angeles County Board of Supervisors) for the use of its trunk sewer lines, sewer treatment, and disposal of sewage at its facilities.

¹⁶ Road District #1 received approximately half of 1 percent of each tax dollar received by agencies within ELA Tax Rate Areas, or about \$200,000.

¹⁷ The CLMD 1687 receives approximately 5.3 percent of the property tax dollar received by agencies within ELA Tax Rate Areas, [East LA (CFA) 2009-10.xls (levy by Acct), spreadsheet provided by CEO to LAFCO, 11/1/10).

¹⁸ The base assessment is \$5 per year for single-family properties, with higher assessments for other land uses.

¹⁹ County of Los Angeles CEO letter to LAFCO, Att. XV (pg. 19), 3/1/11.

Stormwater Quality/NPDES

Los Angeles County DPW's Watershed Management Division monitors stormwater quality and manages the National Pollution Discharge Elimination System (NPDES). DPW's Environmental Programs Division is responsible for clogged drains and illegal dumping. In addition to the current net County costs, the County spends an estimated \$230,600 annually for maintenance of catch basin inserts.²⁰

The Los Angeles River Total Maximum Daily Load (TMDL) requirements in the County's NPDES permit determine program requirements and related costs. Currently, TMDLs for Nutrients and Metals have been approved but are not yet included in the Permit. The TMDL for Bacteria has been approved by the Regional Board and the State and is pending approval by the U.S. Environmental Protection Agency. The County has forecasted significant increases in future NPDES-related costs.²¹

The Los Angeles County Flood Control District (FCD) would be unaffected by the incorporation because it is a regional service provider. Currently, the FCD receives a share of property taxes²² and charges assessments which would continue to help fund FCD programs. FCD expenditures are for flood protection activities which include the operation and maintenance of the regional flood control system, response to storm threats and flooding emergencies, construction of a limited number of needed regional storm drains, remediation of seismic deficiencies, and rehabilitation of inlets/outlets at dams.

Solid Waste

Currently, Los Angeles County DPW administers the Belvedere Garbage Disposal District (GDD). The proposed ELA incorporation boundaries include the entire Belvedere GDD. The District provides waste collection and recycling services to residents and businesses within this community through a contract with a private waste hauler (Consolidated Disposal Service). The current contract expires June 30, 2014.

In order to pay for the District's services, each parcel of real property is assessed an annual service fee based on the number of refuse units assigned to that parcel. The number of refuse units is a function of the property use classification of the parcel and varies from one-half of one unit for a vacant lot and one unit for a single-family residence to 18 units for a shopping center. The current annual service fee per refuse unit is \$192. Services are also funded through a portion of the 1 percent property tax.²³ The District's current Fund Balance is approximately \$5.0 million. The Fund Balance equates to approximately six months of operational expense for

²⁰ County of Los Angeles CEO letter to LAFCO, Att. XV (pg. 20), 3/1/11.

²¹ Ibid, pg. 20 and Exh. VIII.

²² Flood Fund (9110); two property tax accounts (030.10 and 030.70) receive a total of about 0.84 of 1 percent of the property tax dollar received by agencies within ELA Tax Rate Areas.

²³ Acc't #033.30 generates about 3.7 percent of the property tax dollar received by agencies within ELA Tax Rate Areas.

the Garbage Disposal District. The Fund Balance is maintained to ensure continuous service delivery and to cover any unanticipated costs.²⁴

The County DPW provides a number of other services related to solid waste management which would be transferred to the new city, including:

- Industrial waste monitoring and plan checking—permitting and monitoring of industrial and commercial facilities to ensure that waste is treated properly prior to discharge in the sewer line and storm drain system.
- Stormwater discharge monitoring—certifying and monitoring industrial and commercial facilities to determine whether the facilities are maintaining BMPs.
- Practices to keep trash and other industrial waste from entering the storm drains.
- Solid waste management, waste reduction, planning, services, and reporting in conformance with the California Integrated Waste Management Act (AB 939), including submittal of a Waste Reduction Report that is due August 1 of each year.
- Underground storage tanks monitoring, plan checking, and enforcement—permitting and inspection of underground storage tanks to ensure that facilities design, installation, and modification of operating and closed tanks are in compliance with federal, State, and local mandates. The Underground Storage Tank (UST) Program is State mandated. (Title 11, Division 4 of the Los Angeles County Code-LACC). State law requires implementation by a Certified Unified Program Agency (CUPA) or Participating Agency (PA). Since East Los Angeles is not expected to become a CUPA/PA, (it will not be providing its own fire protection), the County would retain jurisdiction similar to the retention of jurisdiction in 77 other cities.²⁵

Those services described above are largely funded through permit fees and inspection charges.²⁶

Building Plan Check and Inspection

Presently, investigation and citation of illegal code and zoning violations, building inspections, permit review, sign enforcement, and the administration of the Annual Inspection Monitoring program are provided by Los Angeles County DPW's Building and Safety Division.

The DPW ELA District Office provides plan check, inspection, rehabilitation, and code enforcement services. For FY 2009-10, services included:

- New Residential Building Permits: 13
- Residential Garage and Carports: 4
- Public Works and Utilities Building: 1
- All other Nonresidential Building: 1

²⁴ LA County DPW, 8/29/11

²⁵ LA County DPW, 8/29/11

²⁶ County of Los Angeles CEO letter to LAFCO, Att. XII (see County Engineer and Solid Waste Funds), 3/1/11.

- Addition, Alteration, Repairs Residential Building: 718
- Addition, Alteration, Repairs Nonresidential Building: 68
- All structures other than Building: 45
- Electrical Permits: 466
- Grading Permits: 9
- Mechanical and Plumbing Permits: 362
- Sewer Permits: 35

These services are funded through permits and charges for services. During FY 2009-10, the County recovered approximately 85 percent of its costs through fees.

Building Code Enforcement

Building and Safety Division Code Enforcement is directed at private property violations of the building codes. Enforcement cases are initiated with an administrative action and continue through either the criminal justice system or civil action and fall into three primary areas:

- **Unsafe Buildings and Substandard Structures**—Buildings or structures that are structurally unsafe or which constitute a hazard to safety or health or public welfare, and substandard structures that are nuisances.
- **Un-Permitted Structures**—Any structures that were built or altered without required permits and approvals.
- **Non-Inspected Work**—Work for which a permit was obtained but which has progressed beyond a point without obtaining required inspections and approvals.

In FY 2009-10, there were 1,400 complaints, 1,400 cases, and 9,800 inspections. Building Code Enforcement is funded through Building Permit Fees, Violation Fees charged to the property owners, and the General Fund. Other enforcement costs for the County Counsel and District Attorney are funded by the General Fund.

Transit

Los Angeles County Department of Public Works is responsible for local transit services and the installation and maintenance of bus stop amenities, including shelters, benches, trash receptacles, and solar light poles. Services provided in the ELA area include Dial-a-Ride Services for the elderly and disabled, fixed-route services for the general public, charter bus transportation for various nonprofit organizations, and a Summer Beach Bus Program. In addition, bus tokens are provided to low-income residents to access social, health, and human services within ELA and at other County facilities outside the area.

These services are funded through local sales taxes dedicated to transit services (Proposition A).²⁷ In FY 2009-10, approximately 40 percent of the total funding came from fund balances.²⁸

²⁷ County of Los Angeles CEO letter to LAFCO, Att. XII (Public Works roll-up table), 3/1/11.

²⁸ Ibid, Att. XII (Transit Enterprise Fund table).

The ELA area has no current fund balances because the annual expenditures for transit services exceeded the annual revenue allocation of Proposition A sales tax for ELA.²⁹

The County has a license agreement with Clear Channel Outdoor, Inc., for the maintenance of approximately 45 advertising bus stop shelters in ELA. In accordance with this agreement, Clear Channel maintains advertising bus stop shelters throughout the unincorporated County areas at no cost to the County. In exchange, Clear Channel generates revenue via advertising on these shelters. The new city would need to establish a similar agreement with Clear Channel Outdoor, Inc. for the maintenance of these advertising bus stop shelters.

The County is currently a member of the Joint Powers Authority (JPA), which has been in effect since September 1995, between the Metropolitan Transportation Authority (MTA); California State University, Los Angeles (CSULA); and the cities of Alhambra, Los Angeles, and Monterey Park. This JPA operates and maintains the CSULA Metrolink Station. The current fixed-route shuttle service (El Sol Shuttle) in ELA has a stop at this station. The associated annual cost for this JPA ranges between \$55,000 and \$65,000 for operations and maintenance of the CSULA Metrolink station, in addition to approximately \$6,000 for administrative costs.

Services Following Incorporation

Following incorporation the new city's Public Works Department is assumed to be responsible for road maintenance, construction, repair, and design. It would also take over responsibility for all building inspection, plan checking, and code enforcement in the city. The department would also handle other services, such as management of special districts, and transit, currently handled by the County.

During the initial Transition Year, it is assumed that Los Angeles County DPW would continue to provide all services. The new city would form its own Public Works Department and may choose to continue to contract with the County for some of the services currently provided by the County. For example, the County currently provides full traffic signal maintenance services to 18 cities for traffic signals owned by these cities.³⁰ Los Angeles County DPW also provides road maintenance services to various cities.³¹ Following is a summary of specific services and funding sources that would be available, in addition to the new city's General Fund.

Roads and Related Facilities

The new city would take over responsibility for maintenance of roads and related facilities currently provided by the County. The new city would utilize many of the same revenues currently available to the County; however, the allocations of gas taxes would differ. The new city would benefit initially by a 5-year "bump" in calculated population that is the basis for the allocations.

²⁹ DPW follow-up response, Item #28, received by EPS, 3/29/11.

³⁰ In FY 2009-10, the monthly flat rate fee for routine traffic signal maintenance was \$69 per traffic signal per month. Extraordinary maintenance charges are billed at actual cost to the cities.

³¹ The billing rate for FY 2009-10 is the actual cost, as indicated in the County of Los Angeles CEO letter to LAFCO, Att. XV (pg. 18), 3/1/11.

This CFA focuses on annual operating revenues and expenditures. However, the new city would be responsible for capital improvements, including major road improvements. It is anticipated that the new city would utilize gas taxes and other road-related funding sources, including grants, as well as a portion of any surplus General Fund revenues for capital improvements.

Street Lighting Maintenance

It is anticipated that as part of the change of organization proceedings, those portions of CLMD 1687 and County Lighting District LLA-1, Unincorporated Zone, located within the proposed incorporation area would be detached and the responsibility for the administration, operation, and maintenance of the existing street lights located therein would be transferred to the new city. The share of property taxes and the assessments currently collected for the benefit of the districts would accrue to the new city to pay for those services.

The new city would have several options for the provision of street light maintenance:

1. The city may choose to have the County continue to administer the street lighting district. If the City of East Los Angeles chooses to have the County continue to administer its street lighting district, the County will form a separate maintenance district and assessment zone for the new City of East Los Angeles. The newly created County Lighting Maintenance District (CLMD) would continue to be funded by its share of ad valorem property tax and assessment revenue.
2. The City may choose to not establish a lighting maintenance district and provide street lighting maintenance services itself. In such a case, the share of property taxes currently collected by the CLMD 1687 would be transferred to the newly established city. The area will be excluded from the assessment district (Streets and Highways Code Section 22613), County Lighting District LLA-1. Since the street lights within the proposed East Los Angeles area are Southern California Edison-owned poles, the new city would need to establish a Master Lighting Contract with the Southern California Edison (Edison) Company in order for Edison to continue to operate and maintain the street lights located within the proposed incorporated area.

Wastewater

After incorporation, the new city would own the local sewer lines and grant the Consolidated Sewer Maintenance District (a separate legal entity from the County, similar to the Los Angeles County Flood Control District) its consent and jurisdiction to continue to operate and maintain the local sewer system with the new city. East Los Angeles property owners would continue to be responsible for the house laterals, including the pipes that connect from the public sewer main to the house.

Stormwater Quality/NPDES

General NPDES Permit compliance would be the responsibility of the new city, including activities such as legal support, industrial and commercial facilities inspections, illicit discharge and illicit connection enforcement.³² In addition, the new city would need to fund the cost of the permit.³³

The new city would need to meet NPDES requirements, including reducing the amount of trash and contaminants in accordance with standards adopted by the California Regional Water Quality Control Board. These standards call for a total reduction in waste contributed to the Los Angeles River Watershed by 2016. Meeting these standards is anticipated to increase current water quality program costs of \$320,000³⁴ to nearly \$1.1 million in FY 2014,³⁵ then declining to about \$850,000 in subsequent years.

The new city would be responsible for an estimated \$230,600 annually for maintenance of catch basin inserts.³⁶ Installation of the catch basins begins in FY 2010-11. Maintenance costs would increase as additional catch basin BMPs are installed to meet TMDL mandates.³⁷ It is assumed these costs are included in the projected increases in the current water quality program noted above.

Solid Waste

There are three options available to the new city related to the Garbage Disposal District:

1. The city can remain a part of the District after incorporation with the unanimous consent of the city council. The Board of Supervisors would continue to be the governing board of the District;
2. The District can be dissolved and the city can take over direct services of the district; or
3. The District may be dissolved and a new Garbage and Refuse District could be formed (Pub. Res. Code § 49100, et seq.) with two-thirds consent of the city council. This new district

³² Estimated at approximately \$40,000 annually, as indicated in DPW follow-up response, Item #18, received by EPS 3/29/11.

³³ The NPDES Permit fee, which is population-based, is estimated at \$18,594 for ELA. This is expected to increase 21 percent next year, as indicated in County of Los Angeles CEO letter to LAFCO, Att. XV (pg. 20), 3/1/11. There would be an additional surcharge of \$3,905 for ambient water monitoring as stated in DPW response to Item #20, received by EPS 3/29/11.

³⁴ County Engineers Fund, Stormwater Quality Project (\$262,853) and stormwater costs (\$62,831), County of Los Angeles CEO letter to LAFCO, Att. XII (Public Works roll-up table), 3/1/11.

³⁵ Projected ELA cost, County of Los Angeles CEO letter to LAFCO, Att. VIII (Stormwater Program Projection), 3/1/11; see additional detail in DPW response to Item #18 (Att. II), received by EPS 3/29/11.

³⁶ County of Los Angeles CEO letter to LAFCO, Att. XV (pg. 20), 3/1/11.

³⁷ As indicated in DPW response to Item #19, received by EPS 3/29/11.

would be governed by a 3-member Board that would include two appointees by the County Board of Supervisors and one by the new city council. Fund Balances of the GDD would transfer to the new entity, if full responsibility/liability transfers.

Additionally, the new city would be required to comply with Assembly Bill 939, which includes the responsibility of preparing and adopting two plans: 1) Source Reduction and Recycling Element (SRRE); and 2) Household Hazardous Waste Element (HHWE). These plans would serve as blueprints on how to manage the solid waste generated within the new city; especially to meet the requirement that the amount disposed in a landfill does not exceed a certain threshold. Failure to meet this requirement or to implement programs prescribed in the plans may result in fines of up to \$10,000 per day of noncompliance. The SRRE and HHWE must be approved by the California Department of Resources Recycling and Recovery (CalRecycle). The new city would be responsible for reporting annually to CalRecycle on the status of its programs. The administrative costs of these programs would have to be borne by the new city.

The CFA assumes the new city would become responsible for garbage disposal services. It is assumed that the current revenue and funding structure, which covers related costs (including overhead and staff) through a share of property tax and service fees, would continue.

No changes in current countywide solid waste management responsibilities are assumed.

Building Plan Check and Inspection

Services which currently are the responsibility of the County would transfer to the new city. It is expected that during the initial Transition Year, the County would continue to provide services while the new city hires staff; establishes necessary ordinances, policies, and procedures; and shifts records from the County. The new city would adopt fee schedules intended to recapture its costs through fees and building permits. Alternatively, the new city may choose to negotiate a contract with the County for ongoing services.

Building Code Enforcement

The new city would take over responsibility for building code enforcement, during and following the initial Transition Year. The County does not provide building code enforcement services under contract to cities.

Transit

The new city would assume responsibility for the services currently provided by the County, which include Dial-a-Ride Services for the elderly and disabled, fixed-route services for the general public, charter bus transportation for various nonprofit organizations, and a Summer Beach Bus Program provided in the ELA area. Services would be funded by local sales taxes dedicated to transit services (Proposition A).

Upon incorporation of ELA, the County would no longer participate in the JPA which operates and maintains the CSULA Metrolink Station, nor would it continue to provide the shuttle service from ELA to the Station. The new city would be responsible for shuttle services within its jurisdiction and would need to consider participation in the JPA.

Parks and Recreation

Current Services

The Los Angeles County Department of Parks and Recreation maintains facilities and runs various programs for residents of ELA. These facilities are described in **Table 3** and include: ³⁸

- Atlantic Park
- Belvedere Park
- City Terrace Park
- Eddie Heredia Boxing Club
- Obregon Park
- Parque de Los Suenos
- Salazar Park
- Saybrook Park

These facilities provide both passive and active recreation opportunities and programs. Costs are partially covered by program fees but are largely funded by the County General Fund.

Two special districts, the Bella Vista Recreation and Park District and the Montebello Recreation and Park District, provide funding from a share of property taxes for landscape maintenance. The Bella Vista Recreation and Park District is responsible for the maintenance of medians that run along Gerhart Avenue between Beverly Boulevard, representing the southerly boundary, and the Pomona Freeway, representing the northerly boundary.³⁹ The District generated about \$8,000 in tax revenue in FY 2009-10 and spent about \$2,000.⁴⁰

The Montebello Recreation and Park District is located in the southeast section of ELA. The District generated about \$120,000 in tax revenue in FY 2009-10.⁴¹ Actual expenditures for landscape maintenance by the District totaled \$294,000; fund balances, totaling \$1.3 million at the end of FY 2009-10, provided additional funding.⁴²

Services Following Incorporation

During the initial Transition Year, the County would continue to provide services in the same manner as the services are currently provided. During that initial year, the new city would be hiring management and support staff, establishing management and technology systems, and hiring new staff.

³⁸ County of Los Angeles CEO letter to LAFCO, Exh. VI, 3/1/11.

³⁹ Parks and Recreation follow-up response, Item #6, received by EPS 3/31/11.

⁴⁰ Los Angeles County Auditor–Controller/Tax Division, Taxing Agency Share per TRA of the General 1% Levy Fiscal Year 2009-2010, County of Los Angeles CEO letter to LAFCO, Exh. III, 11/1/10.

⁴¹ Ibid.

⁴² County of Los Angeles CEO letter to LAFCO, Att. I, 3/1/11.

**Table 3
General Park Information
East Los Angeles CFA**

Facility	Address	Acres	Amenities
Atlantic Park	570 S. Atlantic Avenue Los Angeles, CA 90022	3.1	Pool, splashpad, 2 picnic shelters, play area.
Belvedere Park	4914 E, Cesar Chavez Ave Los Angeles, CA 90022	39.1	Community/Social Hall Room, Computer Room, Gymnasium, Baseball Fields (3), Tennis Courts (2), Basketball Courts (Outdoor), Soccer Fields (4), Playground, Picnic Shelters (4), Skate Park, Swimming Pool, Weight Room, Outdoor Exercise Equipment, Fishing Lake (managed by ISD),
City Terrace Park	1126 Hazard Avenue Los Angeles, CA 90063	14.0	Community Room, Computer Center, Gymnasium, Multi-purpose Field/Baseball Diamonds, Tennis Courts, Basketball Courts, Picnic Shelter, Pool, Splash pad, Youth Soccer Field, Ceramic Room.
Eddie Heredia Boxing Club	5127 E, Olympic Blvd Los Angeles, CA 90022	No parkland (facility only)	Community Boxing Gym, Boxing Ring, Boxing Equipment, Computer Room Center, Weight Room.
Obregon Park	4021 E. 1st Street Los Angeles. CA 90063	9.4	Community Room, Computer Center, Gymnasium, Pool, Basketball Courts, Outdoor Exercise Equipment, Baseball Diamonds, Picnic Tables, Jogging Path, Handball Courts, Outdoor Batting Cage, Ceramics Room,
Parque de Los Suenos	1333 S. Bonnie Beach Place Los Angeles, CA 90023	<1	One restroom, one picnic shelter, one ADA accessible play area, This park is a passive park and does not have any recreational programs or activities. Park is cleaned daily by Grounds Maintenance.
Salazar Park	3864 Whittier Blvd, Los Angeles, CA 90023	8.4	Community Room, Headstart/Multi-purpose Room, Computer Center, Gymnasium, Multi-purpose Field/Baseball Diamond, Tennis Courts, Basketball Courts, Pool, Outdoor Exercise Equipment, Picnic Shelter, Senior Center,
Saybrook Park	6250 Northside Drive Los Angeles, CA 90022	4.1	Multi-purpose Room, Computer Center, Baseball Field, Tennis Courts, Basketball Courts, Picnic Area, Art Center.

Source: Los Angeles County Department of Parks and Recreation, ELA General Park Information, County of Los Angeles CEO letter to LAFCO, Exh. VI, 3/1/11

The current CFA assumes that the new city would take over responsibility for all facilities and programs currently provided by the County, including Belvedere Park. The Proponents and the County may negotiate an alternative transfer of facilities and responsibilities. The proposed staff is based on current County staffing,⁴³ which also includes some contract maintenance expenditures. The new city may choose to continue and expand contract services rather than relying on new city staff.

All of the park facilities, except Parque de Los Sueños Park, have received project funding from the Safe Neighborhood Park Proposition Bond Acts of 1992 and 1994 and Proposition 12 Bond Act of 2000. The new city will be required to assume the grant obligations under which these projects were funded as follows: (1) maintain and operate in perpetuity the property acquired, developed, rehabilitated or restored with grant monies, subject to the provisions of the Propositions; (2) the Grantee shall not discriminate against any person on the basis of race, color, sex, sexual orientation, age, religious belief, national origin, marital status, physical or mental handicap, medical condition, or place of residence in the use of any property or facility acquired or developed pursuant to the above Bond Acts; and (3) all facilities shall be open to members of the public generally.⁴⁴

The new city would manage the areas covered by the two special districts, the Bella Vista District and the Montebello District, and provide the same services currently provided by the County utilizing the same sources of funding. It is assumed that then-current fund balances for each district would be transferred to the management of the new city for use in each respective district.

County Library

Current Services

The County Public Library provides library services in the ELA at four branches: East Los Angeles, City Terrace, Anthony Quinn, and El Camino Real. In FY 2009-10, in addition to special taxes for library service and the Public Library's share of the 1 percent property taxes collected in East Los Angeles, the County spent an additional \$4 million in General Fund revenue to operate the four libraries in the proposed East Los Angeles incorporation area. This \$4.0 million was funded by Utility User Tax (UUT) revenue.

Services Following Incorporation

The County Public Library would continue to provide library services in the incorporated area, (East Los Angeles, City Terrace, Anthony Quinn, El Camino Real), provided that a voter-approved special tax for the new city would continue and the new city provides \$4.0 million to \$4.5 million annually (depending on the availability of reserves) to the County to backfill revenues that are lost as a result of incorporation. In FY 2009-10, in addition to the special taxes and the Public Library's share of the 1 percent property taxes collected in East Los Angeles, the County spent

⁴³ Staffing based on summary of current County Parks and Recreation staffing by function, received by EPS 4/14/11.

⁴⁴ County of Los Angeles CEO letter, Att. III, 8/29/11

an additional \$4 million in General Fund revenue to operate the four libraries in the proposed East Los Angeles incorporation area, and used about \$0.5 million of reserves. This \$4.0 million was funded by Utility User Tax (UUT) revenue. Incorporation would result in a shortfall of \$4.0 million to \$4.5 million of funding currently provided by the County, if not replaced by an ongoing City revenue source. If this funding deficit is not resolved, it would be necessary to reduce library service levels by approximately 65.4 percent. A reduction in library service levels could impact funding for books and materials, programming, staffing, and hours and days of operation.

Police Protection

Current Services

LASD provides law enforcement services to ELA from its ELA station including patrol, investigation (detective bureau), community relations (e.g., youth activity leagues, neighbor watch, after-school programs), and dispatch. Approximately 160 sworn officers (full-time equivalents, including overhead) provide services from the ELA station, excluding the officers under contract to the cities of Commerce, Cudahy, and Maywood.

Other services to ELA and all unincorporated areas include Community Oriented Policing Services (COPS bureau), parking enforcement, vandalism enforcement, Crime Impact Team (CIT), Summer Violent Crime Enforcement, and a Special Problems Team.

Regional services that support law enforcement in ELA and contract cities include: department executives/administration based at the Sheriff's headquarters in Monterey Park, the youth foundation, training, reserve forces, air support, SWAT/canine, emergency operations, arson, commercial crimes, major crimes, special victims, homicide, narcotics, auto theft prevention (Taskforce for Regional Auto-Theft Prevention [TRAP]), interventions (Vital Interventions and Directional Alternatives [VIDA]), safe streets (Operation Safe Streets [OSS]), scientific services, and records management (Records and Identification Bureau [RIB]).

The California Highway Patrol (CHP) has primary traffic enforcement and traffic collision investigation responsibility in the unincorporated area.

According to LASD, the costs of providing services to ELA (excluding park patrol, traffic enforcement, and regional services provided to all County residents) in FY 2009-10 were \$34.6 million.⁴⁵ These costs funded 198 total personnel including 160 total sworn officers (including overhead sworn officers) plus 13 park patrol officers who have since been consolidated with the patrol operations.⁴⁶

⁴⁵ County of Los Angeles CEO letter to LAFCO, Att. I, 3/1/11 ("Net Total Expenditures").

⁴⁶ Correspondence from Sheriff Baca to D. Park, County of Los Angeles CEO's Office, March 17, 2011, Att. I.

Park Patrol

During FY 2009-10, the Office of Public Safety (OPS) provided law enforcement services to county facilities, neighborhood parks, nature centers lakes, natural areas, and nature trails located in the unincorporated area of ELA Station at an estimated gross cost of \$1.8 million. These law enforcement services are now provided by LASD.

Services following Incorporation

After incorporation, the new city is assumed to contract with LASD to provide law enforcement, traffic control, and park patrol. While it may be possible for the new city to establish its own department, it is likely that the annual costs would be substantially higher than a contract for comparable service based on a review of cities with their own police departments, and start-up costs would be greater. Currently, the trend in the provision and organization of police services is toward County contracts, as cities seek to deal with adverse budget conditions. The costs of services in adjacent cities are comparable to, or greater than, the average Sheriff cost.

LASD developed a potential service contract for purposes of this CFA.⁴⁷ The contract staffing provides for the same level of services currently provided by the Sheriff's Department, including park patrol, and adds traffic enforcement currently provided by the CHP. The proposed staff totals 224 including 170 sworn personnel providing law prevention and enforcement, traffic control, park patrol, and overhead functions; excluding overhead staff, the proposal includes 138 sworn officers. The staffing is greater than the existing number of staff in order to provide for traffic enforcement and park patrol. The proposed cost for contract services is \$31.2 million. In addition, LASD indicated initial start-up costs, including station and parking expansion, additional equipment, and vehicles totaling an additional one-time cost of \$6.8 million.

LASD's contract proposal provides for 5 traffic units on duty at all times, and 8 to 16 criminal units on duty depending on the time of day. Eighteen additional units would provide functions comparable to current services, including the CIT, COPS, Graffiti Abatement, Special Problems, Community Relations, Youth Activity League (YAL), VIDA, Reserve Coordinator/Emergency Operations Center/Disaster Preparedness, and Motorcycle Units. Supplemental units provide supervisory, technical, and administrative support. Additional staff provide various overhead functions and are included in the costs for the aforementioned services.

The proposed ELA contract staff and cost are higher than other cities under contract to LASD. The ratio of sworn patrol officers to population under the ELA contract proposed by LASD would be about 1.1 patrol officers per thousand residents; the ratio for other contract cities ranges from 0.4 to 0.9 patrol officers per thousand residents,⁴⁸ averaging 0.7 patrol officers per thousand population.⁴⁹ The contract costs include payment for overhead staff in addition to the patrol officers.

⁴⁷ Correspondence from Sheriff Baca to J. Orozco, County of Los Angeles CEO's Office, April 26, 2011.

⁴⁸ City of Commerce ratio is 2.0 per thousand residents due to the high proportion of employment relative to residents.

⁴⁹ Average excludes Commerce and Santa Clarita. See **Appendix Table B-5** for additional detail.

ELA crime rates relative to population fall within the range of other contract cities reviewed. However, the population density of ELA is relatively high, which helps to explain the high number of officers relative to other contract cities.

An alternative contract was evaluated in this CFA based on reduced staffing levels more typical of the contract cities shown. Sworn staff were reduced about 30 percent to 0.7 patrol officers per thousand residents, which is comparable to the average for the contract cities. The total cost for the alternative contract is \$21.1 million.

The alternative contract would provide 6 to 11 criminal units depending on time of day, and 12 additional units for various specialized functions (as described above for the 18 additional units proposed by the LASD contract). There would be three traffic units at all times compared to five under the LASD proposal. The actual deployment of the different units would be determined by the new city at the time a contract is prepared and would vary depending on community priorities and funding available.

Following are selected key indicators.

Item	Existing	LASD Proposal	CFA Alt.	Contract City Avg. ¹
Residents	126,500	<i>Same as existing</i>	<i>Same as existing</i>	112,588
Residents/Square Mile	16,866/sq.mi.	<i>Same as existing</i>	<i>Same as existing</i>	6,811/sq.mi.*
Part I Crimes/10,000 Res.	260	<i>Not estimated</i>	<i>Not estimated</i>	330
Patrol Officers ² //Total including overhead officers	118//160	138//170	93//114	75//92
Patrol Officers//Total Officers/1,000 Residents	0.9//1.3	1.1//1.3	0.7//0.9	0.7//0.8
Patrol Officers//Total Officers/Square Mile	15.7//21.3	18.4//22.7	12.5//15.2	4.4//5.4*
Police Expenditures ³	\$36.4 mill. \$288/resident	\$31.2 mill. \$247/resident	\$21.1 mill. \$166/resident	\$18.1 mill. ⁴ \$163/resident*
Avg. Response Time (minutes) to emergency	4.5 min.	<i>Not estimated</i>	<i>Not estimated</i>	4.9 min.

¹ Contract city average includes Carson, Compton, Lancaster, and Norwalk. **Appendix Table B-5** also includes Commerce and Santa Clarita for information purposes.

² Existing LASD patrol estimated by EPS based on LASD staffing. Total officers from LASD, 8/29/11.

³ Includes contract cost plus other city police expenditures; "Existing" includes park patrol, excludes cost of CHP traffic enforcement.

⁴ Contract cities spend an additional \$4.5 million on average for other police-related costs (e.g., overhead staff).

* Note: EPS calculated contract city factors based on average of each city, not the totals of all cities. The former approach minimizes the bias due to the large Norwalk area.

While a reduction in staffing would reduce the costs of a contract with LASD, it is likely that response times would be less than current response times. The average response time to emergency calls in ELA is currently 4.5 minutes, which is lower than the average response time of 4.9 minutes for the contract cities shown.⁵⁰ While a detailed study of response times is beyond the scope of this CFA, it is reasonable to expect that a Sheriff's contract for reduced services could result in longer response times; however, the magnitude of potential specific impacts on response times and crimes rates has not been quantified.

Animal Control

Current Services

The Los Angeles County Department of Animal Care and Control Department (DACC) provides patrols looking for stray and injured animals, conducts humane investigation, sells dog licenses, provides rescue in natural disasters, and enforces all state and local animal regulations.

The Department's Downey shelter (11258 S. Garfield Avenue) provides sheltering, licensing, veterinary, and field services to ELA. Adoption is provided as a general service to any resident. Administrative services, call center, Major Case Unit, and canvassing are services provided centrally to all shelters. The Downey shelter provided a total of 592 housing days and 2,433 field service hours, issued 4,876 licenses, handled 301 owner surrenders and animal disposals, and impounded 96 animals during FY 2009-10 in the study area. The Department typically canvasses areas every 18 months; canvassing involves officers from the DACC going door to door, checking for up-to-date licenses and current rabies vaccinations, and ensuring that residents are in compliance with the mandatory spay/neuter and microchip ordinance. No canvassing was conducted in ELA during FY 2009-10 (canvassing occurs every 18 months); therefore, those service costs and revenues are not included in the County's net cost of service.

Services Following Incorporation

After incorporation, the new city is assumed to contract with the DACC for animal care and control. The costs and revenues are assumed to be comparable to the costs estimated for service in the Base Year. The city may choose to contract for additional hours for canvassing services. No net costs for canvassing are assumed in future years, as canvassing-related revenues appear to cover costs.⁵¹

Public Health/Environmental Health

The Department of Public Health (DPH) provides services to ELA which are also provided countywide. However, the County provides certain services to ELA which the new city may wish to continue providing itself. For example, within the ELA community, there is an increased need for environmental health-related code enforcement activity because of the increased level of street vending occurring in the public rights-of-way and private property. In past years, the County Supervisors have funded an increased service level in ELA; for FY 2009-10, the County

⁵⁰ County of Los Angeles Sheriff's Dept. follow-up response, received by EPS 5/12/11.

⁵¹ County of Los Angeles Animal Control follow-up response, received by EPS 4/13/11.

indicated that approximately \$520,000 was spent in ELA, which was fully funded and incurred no net County cost. Other cities, such as the City of Los Angeles, provide equipment such as trucks to tow away illegal food vendors.⁵²

Services Following Incorporation

The new city would have the option to continue to fund public health services related to food vending operations; this CFA assumes that those services would be funded at a level which would be offset by related fees and fines, or by allocation of General Fund revenues.

Consumer Affairs

The County provides Consumer Affairs services to ELA. Expenditure and revenue data for the Department of Consumer Affairs (DCA) was based on actual services provided, which included two full-time Consumer Affairs Representative II positions in the Greeter Program and Consumer Protection Program respectively, as described further below.⁵³

Greeter Program

The Greeter Program is exclusively for the ELA County Hall. The program provides a full-time greeter for the purpose of orienting and assisting visitors at the ELA County Hall and entering them into a queue system. The greeter is bilingual and versed in County programs and services, as well as local nonprofits that can assist residents with various issues. The ELA County Hall is the only County facility with a full-time greeter.

Consumer Protection Program

The Consumer Protection Program staff assists residents arriving at the ELA County Hall with consumer affairs-related issues and provides referrals to appropriate departments. In addition, issues related to federal, State and other non-County or government agencies are referred to the appropriate agencies. The Consumer Protection Program is a countywide service. However, ELA residents have a higher than average need for consumer affairs assistance and are particularly vulnerable to consumer fraud; therefore, a representative was established at the ELA County Hall.

Services Following Incorporation

This CFA assumes a continuation of the current County expenditures for a Consumer Protection Program. The County Greeter orients and assists visitors with County programs and services, and therefore is not included in the new city budget.

⁵² County of Los Angeles, e-mail from Julia Orozco to Richard Berkson, EPS (April 1, 2011).

⁵³ Ibid.

Other City Expenditures

The new city would require office space, supplies, and equipment to conduct its operations. Cost estimates are based on the anticipated number of city staff. Costs are estimated at \$1.75 per square foot per month including utilities, maintenance, and common area charges. Costs may differ depending on the actual amount, location, and cost of space leased. The new city would also incur costs for insurance, which are included in the proposed budget at 4 percent of total General Fund expenses (excluding non-departmental costs). This CFA also includes expenditures for initial acquisition of furnishings, fixtures and equipment, including computers, networks, printers and copiers, office furniture, and telephones. Ongoing expenses are included for supplies and other operating expenses.

A number of unforeseen costs may occur that would have to be borne by the city. The cost estimates include a contingency allowance estimated at approximately 5 percent of total General Fund costs to account for unforeseen costs or cost increases above the projected amounts in the CFA budget. If the contingency funds are not required, they could provide a reserve that could be strategically applied to specific purposes, e.g., capital improvements.

State guidelines⁵⁴ recommend that the new city establish operating and capital reserves equal to 20 to 30 percent of annual expenditures. **Table 1** illustrates potential reserves that could be established from the accumulation of surplus revenues in any given year, less draw-downs as necessary to help cover operations.

County Repayment of First Year County Services

The County would most likely continue to provide a number of services to the city for the first fiscal year of city operation after incorporation, the "Transition Year." Services that would continue to be provided are likely to include sheriff, animal control, land use planning, building, code enforcement, and road maintenance. It is assumed that the County would request repayment of its first year expenses to provide services. The costs could be repaid by the new city over a five-year period in accordance with State law; the interest rate is negotiable. To the extent that County services are required for less than one full year, the repayment would be correspondingly lower; however, initial year staff costs for the new city are likely to be higher. The CFA assumes that a full year of Transition services would be required to help establish city procedures, operations and staff.

This CFA analysis assumes the new city receives a partial year of sales tax revenues and no property tax revenues; because of the timing of the creation of the new city, payments from the State would be delayed and a portion of revenues would continue to be sent to the County in the transition year. It is expected that the County and new city would arrange to transfer those funds (as well as other revenues received for Transition Year services) to the city and/or credit them against the initial year's service cost equal to any tax revenues retained by the County during the Transition Year.

⁵⁴ A Guide to the LAFCO Process for Incorporations, Governor's Office of Planning and Research, October 2003.

Revenue Neutrality Mitigation Payments

As summarized in **Tables 4** and **5**, the CFA estimates that there would be no adverse impact on the County. This is due to the service cost savings that are shown to exceed the transfer of revenues to the new city. If there were an adverse impact, this impact would be mitigated through agreement between the new city and the County, or through Terms and Conditions imposed by LAFCO.

Public Facilities

All dedicated County roads would be conveyed to the new city. All parks are assumed to be conveyed to the new city, including Belvedere Park. However, further negotiations between the County and Proponents could determine that certain facilities, e.g., Belvedere Park, would remain a County responsibility. Should it decide to approve the cityhood request, LAFCO could include a term or condition relative to the disposition of Belvedere Park.

This CFA focuses on annual operating revenues and expenditures. However, the new city would be responsible for capital improvements, including major road improvements. It is anticipated that the new city would utilize gas taxes and other road-related funding sources, including grants, as well as a portion of any surplus General Fund revenues for capital improvements.

Local Government Services Not Provided by the City

A variety of services, including fire protection and emergency medical services, public utilities, water and wastewater, flood control, library, public health, and environmental health, would continue to be provided by existing service providers. The new city may wish to improve or enhance these services over time through cooperative arrangements with existing agencies or businesses.

Table 4
Change in County Costs and Revenues: General Fund

Item	TOTAL
1	
2 REVENUE REDUCTIONS	
3 Property Tax	\$17,069,376
4 Property Transfer Tax	56,424
5 Sales and Use Tax	3,356,800
6 Sales Tax Pool	355,821
7 Transient Occupancy Tax	50,969
8 Motor Vehicle In-Lieu (VLF)	
9 Franchise Fees	
10 Water	289,553
11 Petroleum	11,000
12 Cable and Telecommunications	239,194
13 Gas	105,000
14 Electric	<u>684,095</u>
15 Subtotal	\$1,328,842
16 Utility User Tax	
17 Gas	493,867
18 Electric	3,078,426
19 Telephone	<u>866,216</u>
20 Subtotal	\$4,438,509
21 Business Licenses	\$107,107
22	
23 Total Revenue Reductions	\$26,763,846
24	
25 EXPENDITURE REDUCTIONS	
26 <u>Law Enforcement</u>	
27 County Sheriff (funded by General Revenues)	\$17,815,240
28 Office of Public Safety	<u>\$1,779,358</u>
29 Total, Law Enforcement	\$19,594,598
30	
31 Consumer Affairs	108,133
32	
33 Regional Planning	\$1,614,595
34	
35 Animal Care and Control	\$408,691
36	
37 Parks and Recreation	
38 Operations	<u>\$4,649,407</u>
39 Total, Parks and Recreation	\$4,649,407
40	
41 Public Works (Cnty Engineer)	\$939,903
42	
43 Other Code Enforcement	
44 County Counsel	\$51,502
45 District Attorney	\$583,093
46	
47 Library (Gen'l Fund)	\$4,502,878
48	
49 Total Expenditure Reductions	\$32,452,800
50	
51	
52 NET GAIN or (loss) to County General Fund	\$5,688,954
53	
54	
55 County Sheriff (funded by Prop. 172 revenues)	\$16,682,850
56	
57 NET GAIN or (loss) to County after Prop. 172 funding	\$22,371,804

See Table 14, Table 11, Table 15 and supporting tables.

55 Prop. 172 funds are restricted to public safety. The funds not required for ELA may replace General Fund revenues currently used in unincorporated areas for public safety, or may augment public safety services elsewhere in the unincorporated County areas.

Table 5
Change in County Costs and Revenues: Roads and Transit, and Total w/GF

ROADS AND TRANSIT	
1 REVENUE REDUCTIONS	
2 Gas Tax	\$200,000
3 Excise Tax	170,000
4 Prop A	1,900,000
5 Prop C	1,562,000
6 Measure R	1,230,000
7 STP-L	400,000
8 TDA 3 (Bikeway Fund)	75,000
9 Road District	<u>194,351</u>
10 Total Revenues	\$5,537,000
11	
12 EXPENDITURE REDUCTIONS	
13 Street Maintenance	\$7,115,081
14 Transit (Enterprise Fund)	2,301,596
15 Road District	<u>553,430</u>
16 Total Expenditures	\$9,416,677
17	
18	
19 NET GAIN or (loss) to County Roads and Transit	\$3,879,677
20	
21	
22 TOTAL GAIN or (loss) to Roads, Transit and General Fund with Prop. 172-funded Sheriff Costs	\$26,251,481

Revenues and expenditures based on County of Los Angeles CEO letter to LAFCO, Exh. I and II, 3/1/11, except as noted.
See Table 14, Table 11, Table 15 and supporting tables.

5. MUNICIPAL REVENUE ESTIMATES

This CFA is based upon a Municipal Budget Model that reflects a potential city budget during its first ten years of municipal operations. Data and assumptions are based on current revenues generated to the County from the area, a transfer of property tax in accordance with State law, and other revenues available to cities in California. Detailed calculations are included in **Appendix A**.

The analysis assumes an incorporation election before November in advance of an effective date the following July 1. This timing would allow for the new city to file with the State Board of Equalization in order to receive property taxes in its first year and to receive sales taxes in its first year. The timing of receipt of certain revenues would vary during the year, and some revenues may continue to be paid to the County in the initial year for taxes owed by taxpayers or businesses for the prior year (e.g., franchise fees). This CFA assumes a “cash basis” accounting of revenues, so any revenues received by the County during the initial year of the new city would be paid to the new city by the County or credited against the cost of transition-year services provided by the County on behalf of the new city.

Growth and Development

A market analysis has not been prepared as a part of this CFA. However, the analysis does include assumptions about future growth in order to illustrate the implications of development upon the new city’s budget. The increase in residential units assumes 0.5 percent annual population growth.⁵⁵ The actual rate of growth would vary by area and depend on economic cycles as well as policies adopted by the new city council. This rate of growth, in addition to inflation and a nominal improvement in economic activity, is the basis for the estimates of future property tax and sales tax growth.

Property Tax

The property tax transfer from the County to the new city would be determined in accordance with GC 56810. This statute requires calculation of the new city’s initial property tax base by multiplying the net cost of County services by the “Auditor’s Ratio”; this calculation bears no relationship to the current assessed value in ELA or to the amount of property taxes currently generated in ELA. The new city’s revenues after its initial year would be influenced by local property values; the new city would receive a share of future property tax growth from property transfer reassessments, property improvements and expansions, and the constitutionally mandated annual assessment increase. This CFA assumes an average growth in assessed value of approximately 1 percent above inflation; this growth assumes modest annual household growth, as well as turnover and value increase of existing residential and commercial properties.

⁵⁵ Southern California Association of Governments, 2008 RTP Growth Forecast.

The County Auditor calculated the Auditor's Ratio for FY 2009-10 to be 52.598 percent.⁵⁶ The Auditor's Ratio equals the percentage of total County property taxes to total "revenues available for general purposes" including property taxes. Revenues available for general purposes are discretionary and exclude: funds restricted by statute revenues from fees, charges and assessments for a service; and revenues from the State and federal government required to be used for a specific purpose.

The amount of property tax to be transferred to the new city determined by this calculation would be adjusted when the first payments are made to the new city. The transfer amount would be adjusted by the County Auditor proportionate to the growth in assessed value in ELA from FY 2009-10 to the year the property tax is transferred. The County would deduct collection charges from the property tax revenues paid to the new city.

Net Cost of County Services

The net cost of County services was established for the Base Year of FY 2009-10. This cost includes those services provided to ELA by the County which would be transferred from County responsibility to the new city.

Future Property Tax Growth

Property taxes to the new city would grow as assessed value grows over time. New development over the past ten years has averaged about one-third of 1 percent annually; the area is nearly built out, and development activity which may occur within the redevelopment areas would not produce significant property tax revenues to the new city in the near term. The forecast assumes that new development and rehabilitation activity, plus growth in existing values resulting from reassessments, would slightly exceed inflation by about 1 percent.

The amount of property tax transferred to the new city, as described above, would exceed the amount of property tax currently accruing to the County from the ELA area; County property tax revenue would be shifted from other areas of the County in order to provide the base property tax transfer amount.

In order for the new city's property tax base to grow at the same rate as the growth in assessed value in ELA, the new city's tax allocation factor would need to be approximately 44 percent—this factor is estimated by dividing the new city's base property tax by the total 1 percent property tax collected in ELA (before including special district tax factors that would transfer to the new city). However, this factor exceeds the County's current factor in ELA and cannot be applied to the new city's share of property tax growth without adversely affecting other property tax-collecting jurisdictions within ELA. This CFA assumes that the new city receives a share of future property tax growth comparable to other cities in Los Angeles County, or approximately 26.8 percent of the combined city and County shares of property tax (excluding the City of Los Angeles).⁵⁷ The new city's tax allocation factor would be approximately 6.7 percent of future incremental property tax growth, assuming the new city receives 26.8 percent of the County's

⁵⁶ County of Los Angeles CEO letter to LAFCO, Exh. IV, 3/1/11.

⁵⁷ Typical TRA Listing for Cities - FY 2010-2011, County of Los Angeles Auditor-Controller.

current 25 percent⁵⁸ average allocation factor in ELA. About half of the cities in Los Angeles County have a tax allocation factor between 5 and 7 percent.

Sales Tax

Estimates of taxable retail sales generated within city boundaries after incorporation were based on existing taxable sales provided by the County and an estimate of a share of “unallocated sales tax”⁵⁹ consistent with current allocations to unincorporated Los Angeles County. The new city would receive a portion of sales tax revenue from the State in the form of property tax. This property tax in lieu of sales tax would have no financial implications for the new city; the estimated sales tax in this CFA includes the in-lieu amount.

Property Transfer Tax

Property transfer tax revenues accruing to the city are generated from the value of property sold each year and a share of the transfer tax rate accruing to the city of \$0.55 per 1,000 of value transferred. The estimated revenues are based on FY 2010 transfer taxes relative to assessed value. The actual amount would vary in a given year depending on economic cycles and real estate activity.

Franchise Fees

For each utility franchise in California, which uses a municipality’s streets and rights-of-way to provide the commodity, the utility company may be required to pay a percentage of its annual receipts (or lineal feet of pipeline, in the case of petroleum) derived from the use, operation, or possession of the franchise or a percentage of its gross annual receipts from the sale, transmission, and distribution of the commodity within the limits of the municipality. The fee differs based on municipality and utility type. Franchise fees apply to electricity, gas, cable (not including internet), water, and petroleum pipeline services in the unincorporated area of ELA.

With the exception of the petroleum providers, franchise fees are collected from the consumers by the franchise companies on a monthly basis as part of the billing system. Franchise fees are collected by the County 60 to 105 days after the end of the calendar year (depending on the utility), with the exception of the cable franchise, which is collected 45 days after the end of each calendar quarter. Nearly all transporters of petroleum products pay annual franchise fees to the municipalities based upon the linear footage of their pipelines, not a percentage of their gross receipts.

The single petroleum pipeline transporter in East Los Angeles—Pacific Pipeline System LLC—is a regulated common carrier and the annual franchise fees paid to the County are regulated by the

⁵⁸ Current County average based on TRA factors weighted by property tax from each TRA in ELA per L.A. County Auditor–Controller/Tax Division, Taxing Agency Share per TRA of the General 1% Levy Fiscal Year 2009-2010, County of Los Angeles CEO letter to LAFCO, Exh. III, November 1, 2010.

⁵⁹ “Unallocated sales taxes” include taxes from mail order and Internet sales within California, as well as sales related to special events, distributed proportionately to situs sales tax.

California Public Utilities Commission (CPUC), based upon a linear footage formula as published by the CPUC (Cal. Pub. Util. Code §6231.5). The CPUC changed from percentage of gross formula to this linear footage formula effective January 1990, although a few long-term percentage of gross franchises may still remain on the books in some cities.⁶⁰

Since Pacific Pipeline System LLC does not provide any service to the public, (transporting products only for itself and other petroleum companies), consumers are not billed for petroleum franchise fees.

The new city would receive franchise fees from utilities serving residents and businesses within the city. The CFA assumes that the city continues the same franchise fee rates currently imposed by the County, which are consistent with charges allowed by State law to general law cities.

Utility User Tax

Los Angeles County levies a 4.5 percent UUT on electricity, gas, and telephone (wireless and landline) utilities in unincorporated Los Angeles (UUT Ordinance Title IV Chapter 4.62). The UUT is not applicable to Internet services provided by telephone companies (UUT Ordinance Title IV Chapter 4.62.030 U.). This CFA assumes that this rate is charged within the new city and generates revenues that accrue to the new city's General Fund.

The rate of the tax is at the discretion of the local agency; however, it must be approved by the voters through an appropriate election process. Los Angeles County voters recently approved a UUT reduction from 5 percent to 4.5 percent in 2008. Similar to the franchise fee, the tax is collected from residential and business customers on the regular bills and then remitted to the County within 20 days after the end of each month.

Transient Occupancy Tax

Transient Occupancy Tax (TOT) revenues are based on County revenues collected in FY 2009-10 with the same tax rate⁶¹ assumed to apply within the new city and accrue to the new city's General Fund. A 1 percent annual increase above inflation is assumed from revenue growth. A new 29-room motel, which is near completion, is assumed in the budget forecast.

Community Development Revenues

This CFA assumes revenues comparable to current County revenues. Once the new city is formed, it may choose to revise current County fees and adopt its own schedule. The amount of revenues would also depend on the level of development activity.

⁶⁰ Chief Executive Office – Real Estate Division, 8/29/11

⁶¹ Current TOT rate is 12 percent in unincorporated Los Angeles County. The TOT is authorized under Title IV of the Los Angeles County Code (Code) Chapter 4.27 Transient Occupancy Tax.

Public Works/Engineering Revenues

Fees can be charged for a variety of activities conducted by the Public Works Department, including development review. This CFA assumes revenues comparable to current County revenues. Once the new city is formed, it may choose to revise current County fees and adopt its own schedule. The amount of revenues would also depend on the level of development activity.

Fees, Fines and Penalties

The average fines and penalties per resident accruing to the city were based on an EPS review of comparable cities and data provided by the County. The amount does not include public works, building, code enforcement and zoning-related fees, nor does it include recreation fees, which are shown in separate items; this is an important consideration when comparing to other cities.

State Motor Vehicle License Fees

State Motor Vehicle License Fees (VLF) are one of the most important revenues for newly incorporating cities trying to achieve financial feasibility. It is one of the only revenue sources that are not transferred from the County and, as a result, do not have to be mitigated by the new city. In addition, the allocation to new cities provides a bump or "helping hand" to newly incorporated cities for the first five years after formation.

In August 2004, the California Legislature approved a VLF swap for property tax as part of a state-local budget agreement ("VLF for Property Tax Swap of 2004"). Subsequent legislation implementing the swap did not provide funding for future incorporations. To remedy this situation legislation provided that new cities would receive a per capita amount; the initial amount would be "bumped" 150 percent in the first year, with the "bump" declining by 10 percent annually until 100 percent is reached. Newly incorporated communities also receive a small per capita amount of VLF equal to the amount received by other existing cities.

The CFA includes additional VLF revenues based on \$48 per capita⁶² adjusted annually (150 percent in first year, declining to 100 percent over subsequent five years). The actual amount each year would also depend upon the total amount of VLF collected statewide and the change in population statewide. For purposes of the forecast, those changes are assumed to be approximately similar.

Investment Earnings

Investment earnings would be accumulated on annual revenues as well as earnings from reserve and fund balances. The CFA includes a conservative estimate of potential earnings based on cash flow. Additional earnings may accrue depending on the size of fund balances, enterprise funds, and other investments.

⁶² VLF based on estimates prepared by Michael Coleman, CaliforniaCityFinance.com, Shared Revenue Estimates: California State Revenue Allocations to Cities, March 4, 2011.

Other Revenues

Redevelopment

Redevelopment tax increment is required to be used for debt obligations, capital improvements, planning and special studies related to the elimination of blight within the redevelopment area. As noted above in the discussion of redevelopment, a portion of tax increment may help to pay for staff time and overhead required for redevelopment.

Other Cost Allocations

In addition to overhead costs (including staff time) that can be funded through a share of redevelopment revenues, revenues from other funds can similarly help to offset the new city's "cost allocations" of overhead costs and staff time to those funds. **Table 1** includes estimated overhead allocations from Road Maintenance, Transit, the Belvedere District, and the Lighting Maintenance district. The allocations are based on the overhead component of County staff costs. Although it is likely that the special districts shown in the CFA would be dissolved and become part of the new city, it is expected that the cost and revenue structure would not differ significantly – only the manner of accounting would change.

Road Fund

Special Road District #1

Road District #1 covers unincorporated territory that extends beyond the boundaries of ELA. This CFA assumes that the ELA services funded by Road District #1 property taxes would continue to be funded in the same amount for the new city. The revenues are based on the amount of property tax generated to the District from within the new city boundaries; this amount is less than the amount currently spent by the County in ELA using funds from other areas. This CFA further assumes continuation of expenditures at current levels, however, if additional funds are not found by the new city (e.g., reserves, capital sources, allocation of General Fund revenues) it may be necessary to reduce the current level of expenditures.

It is anticipated that within one year of the new city's effective date, Road District #1 territory within ELA would be detached and the new city's property tax base and tax factor would be increased by a corresponding amount.

Gas Taxes

Gas taxes are the primary source of Road Fund revenues. The new city would receive gas tax revenues via a number of different highway user taxes. The State Controller's Office provides current estimates of lump sum and per-capita rates that would accrue to the cities. The per-capita rates were applied to the projected population and added to the annual lump-sum payments to estimate the gas tax revenues accruing to the city each year. As a new city, gas tax revenues would benefit from the "bump" of 150 percent declining by 10 percent annually until 100 percent is reached.

Other Road Revenues

- **Measure R**—This is a one-half cent sales tax collected within all cities and unincorporated areas of Los Angeles County, effective for 30 years from voter adoption in 2008. It is

allocated to transit and highway capital projects, transit operations, and a fifteen percent portion to “local return” for local projects. The local return is distributed based on population. These funds may be put to work by cities for projects such as pothole repairs, major street resurfacing, left-turn signals, bikeways, pedestrian improvements, streetscapes, traffic signal synchronization and local transit services.⁶³ This CFA assumes these funds continue to fund road maintenance.

- **Prop. A**—Proposition A is funded by a one-half cent sales tax measures approved by Los Angeles County voters in 1980. Twenty-five percent of the Proposition A tax is designated for the Local Return (LR) Program. The local return is distributed based on population. The Proposition A Ordinance requires that LR funds be used exclusively to benefit public transit. Expenditures related to fixed route and paratransit services, Transportation Demand Management, Transportation Systems Management and fare subsidy programs that exclusively benefit transit are all eligible uses of Proposition A LR funds. Proposition A LR funds may also be traded to other jurisdictions in exchange for general or other funds. This CFA assumes that these revenues would continue to fund transit services.
- **Prop. C**—Proposition C is a one-half cent sales tax measures approved by Los Angeles County voters in 1990. Twenty percent of the Proposition C tax is designated for the Local Return (LR) Program. The LR is distributed based on population. The Proposition C Ordinance directs that the LR funds also be used to benefit public transit, as described above, but provides an expanded list of eligible project expenditures including, Congestion Management Programs, bikeways and bike lanes, street improvements supporting public transit service, and Pavement Management System projects. Proposition C funds cannot be traded. This CFA assumes these funds continue to fund road maintenance.
- **STP-L**—The Federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) created the Surface Transportation Program (STP) to provide funding for a variety of highway and transit capital projects. STP funds are apportioned to cities and counties and are referred to as STP Local (STP-L) Funds.
- **TDA 3**—The Transportation Development Act allocates State sales tax revenues to bicycle and pedestrian projects. These funds are distributed on a per-capita basis.

Grants

The new city may receive additional grant funds (not estimated) which could help to fund road improvements. Due to the uncertainty in predicting these funds, which are generally one-time in nature and often used for special projects, they have not been included in the forecast of ongoing annual operating revenues applied toward road-related maintenance.

⁶³ <http://www.metro.net/projects/measurer/>

6. IMPACTS UPON EXISTING AGENCIES

Existing service providers would continue to provide the court system, public health, social services, structural fire protection, water supply and wastewater disposal, flood control, library services and environmental health services. The new city may wish to improve or enhance some of these services over time through cooperative arrangements or contracts with existing agencies or businesses.

County of Los Angeles

The incorporation of the area would change the operating budget of the County of Los Angeles in both the short term and long term.

Short-Term Fiscal Impact on the County of Los Angeles

The short-term fiscal effect upon the County of Los Angeles government from County municipal services provided in the initial (transition) year of the new city is assumed to be mitigated by payments made by the new city to the County as a part of the State-allowed repayment for first-year services over a one- to five-year period, including interest. The CFA assumes a credit against the cost of Transition Year services for revenues retained by the County during the Transition Year which otherwise would accrue to the new city.

Revenue Neutrality and Long-Term County Impacts

As summarized in **Table 4**, the CFA estimates that the reduction in County General Fund costs would exceed the reduction in County revenues resulting in a significant financial gain to the County; therefore, there would be no adverse impact requiring mitigation per State law. The gain is shown for the General Fund, and expenditure savings for Sheriff services funded from Prop. 172 revenues are added separately since they are limited to public safety expenditures.

The County Road Fund is likely to experience a positive impact because of the significant reduction in County road maintenance costs, as shown in **Table 5**. County Road Fund revenues are partially independent of unincorporated population and maintained road miles, and therefore not significantly affected by incorporation. The County also would gain from the elimination of transit responsibilities and costs in the area; related revenue reductions are less than the cost reductions.

Special Districts

A number of special districts collect assessments or taxes for use within the district. The CFA assumes that the services provided by those entities would continue unaffected by incorporation, and the revenues would continue to be collected and utilized for the benefit of the properties assessed. The management of the service, however, would be transferred to the new city. The disposition of each district would be addressed by LAFCO during the incorporation process.

Other Agencies

Other agencies serving the incorporation area, including school districts, water and sanitation districts, and electrical, natural gas and telephone utilities would not be significantly affected by the incorporation. These service providers are summarized in **Table 2**.