# CITY OF LOS ANGELES INTER-DEPARTMENTAL CORRESPONDENCE

0590-00098-4470

Date:

August 2, 2013

To:

The Council

From:

Miguel A. Santana, City Administrative Officer

Subject:

2013-14 APPROPRIATION LIMIT (C.F. 13-0600)

Paragraph 13 of the 2013-14 Budget Resolution directs this Office to present a report setting forth the calculations necessary to establish the City's appropriations limit. These calculations shall reflect the final decisions of the Mayor and Council on the 2013-14 Budget.

Section 7910 of the Government Code of the State of California requires that the governing body of each local jurisdiction establish its appropriations limit for the following fiscal year pursuant to Article XIIIB of the State Constitution (Gann Initiative). The Gann Initiative limits the amount of revenue which can be appropriated in any fiscal year. However, not all revenues are restricted, only those referred to as "proceeds of taxes." The limit is adjusted annually for population growth, inflation or per capita income and other factors. Certain appropriations are exempt from the Gann limit, such as voter-approved debt, court orders, and federal mandates. Fifteen days prior to such determination the documentation used to calculate the appropriations limit shall be made available to the public. Transmitted herewith is documentation used to determine the appropriations limit for 2013-14.

The calculated appropriations limit for 2013-14 is \$4,786,591,114 (see Attachment 1), or \$1,241,114,352 more than the estimated \$3,545,476,762 appropriations subject to limit in the 2013-14 Budget (see Attachment 2). The calculation of the appropriations limit will be reviewed as part of the City's annual financial audit for 2013-14.

It should be noted that calculations of the limit do not include the use of a factor for the change in nonresidential new construction. Additional information and/or clarifying legislation are necessary before factors can be developed.

Documentation of the base year and subsequent years appropriations limit calculations is included as Attachment 3 to this report.

#### Recommendations

1. Provide the public, in accordance with Section 7910 of the Government Code, the opportunity to review the attached documentation for at least 15 days before adopting an appropriations limit for 2013-14. To facilitate this effort, the attached documentation will be sent to all certified neighborhood councils.

2. Adopt the following factors to be used to calculate the appropriations limit for 2013-14:

Population: City 1.00% California Per Capita Income 5.12%

- 3. Reserve the right to re-calculate the appropriations limit for each year at such time as State legislation is enacted (or other information is available) to determine factors to be used to calculate the annual change in nonresidential new construction.
- 4. Adopt \$4,786,591,114 as the appropriations limit for 2013-14.

## **Fiscal Impact Statement**

There is no fiscal impact in adopting this report.

MAS:BC:AMY:011400012c

**Attachments** 

## **CALCULATION OF 2013-14 APPROPRIATIONS LIMIT**

2012-13 APPROPRIATIONS LIMIT ADOPTED BY THE	\$ 4,554,024,205			
Factors used - see Attachment 3 as indicated:				
1. Population (paragraph B.1): City	1.00%			
<ol> <li>California per capita personal income or nonresidental new construction assessed valuation (paragraph B.2): California per capita personal income*</li> </ol>	5.12%			
3. Total Annual Adjustment Factor**	1.0513			
Annual Adjustment		\$ 233,646,909		
\$ 4,554,024,205 x 1.0513		\$ 4,787,671,114		
Reduction in limit due to change in financing from other r	revenues to user charges:			
<ol> <li>Public Right-of-Way Fee Increases:</li> <li>Zoo Entrance Fee Increases:</li> </ol>		(330,000) (750,000)		
2013-14 APPROPRIATIONS LIMIT		\$ 4,786,591,114		
* A methodology must be determined (which may require clarifying State legislation) in order to prescribe factors to determine the change in nonresidential new construction assessed valuation.				
** Total Annual Adjustment Factor was derived as follows: Population Change converted to a ratio: California Per Capita Income Change converted to a ratio: Calculation of Total Annual Adjustment Factor:	( 0.0100 + 100)/100= ( 5.12 + 100)/100= 1.0001 x 1.0512	1.00010045 1.05120000 1.05130559		
2013-14 APPROPRIATIONS LIMIT 2013-14 BUDGET APPROPRIATIONS SUBJECT TO L DIFFERENCE	IMITATION	\$ 4,786,591,114 3,545,476,762 \$ 1,241,114,352		

# 2013-14 BUDGET APPROPRIATIONS SUBJECT TO LIMITATION

	2013-14 Budget	Non Proceeds of Taxes	Proceeds of Taxes
General Receipts:			
Property Tax and State Replacement - 1% Fund	\$1,549,568,000	\$ -	\$1,549,568,000
Property Tax - Ex-CRA Increment	55,434,000		55,434,000
Utility Users' Tax	641,598,000		641,598,000
Licenses, Permits, and Fees	832,712,064	832,712,064	44.94
Business Tax	470,728,000	<b>₩</b> =	470,728,000
Sales Tax	352,790,000		352,790,000
Documentary Transfer Tax	160,106,000	<b>~-</b>	160,106,000
Power Revenue Transfer	253,000,000		253,000,000
Transient Occupancy Tax	174,423,000	***	174,423,000
Parking Fines	156,557,000	156,557,000	
Parking User Tax	94,947,000	****	94,947,000
Franchise Income	42,618,000	42,618,000	
State Motor Vehicle License Fees.	2,100,000	m m	2,100,000
Grant Receipts	6,192,664	6,192,664	
Tobacco Settlement	9,006,000	9,006,000	
Transfer from Telecommunications Development Account	5,220,000	5,220,000	
Residential Development Tax	2,100,000	***	2,100,000
Special Parking Revenue Transfer	35,142,475	35,142,475	-
Interest	14,621,000	3,300,923	11,320,077
Transfer from Reserve Fund		10.70	bread
Transfer from Budget Stabilization Fund	8,029,121	8,029,121	in the
Transfer from Tax Reform Fund			
Total General Receipts	\$4,866,892,324	\$1,098,778,247	\$3,768,114,077
Special Funds:			
	2013-14	Non Proceeds	Proceeds of
	Budget	of Taxes	Taxes
Property Tax and State Replacement	\$ 160,695,451	\$ ~	\$ 160,695,451
Sewer Construction and Maintenance Fund	703,467,529	703,467,529	later herb.
Proposition A Local Transit Assistance Fund	114,694,025	114,694,025	-ma Man
Proposition C Anti-Gridlock Transit Improvement Fund	102,290,809	102,290,809	Into MAP
Special Parking Revenue Fund	55,892,982	55,892,982	Red +95
Los Angeles Convention and Visitors Bureau Trust Fund	13,417,000	13,417,000	
Solid Waste Resources Revenue Fund	298,763,127	298,763,127	wa bok
FinesState Vehicle Code	8,263,551	8,263,551	
Special Gas Tax Street Improvement Fund	105,555,000	105,555,000	lar dan
Housing Dept. Affordable Housing Trust Fund	150,000	150,000	
Stormwater Pollution Abatement Fund	32,778,392	32,778,392	
Community Development Trust Fund	26,878,437	26,878,437	
HOME Investment Partnerships Program Fund	4,372,455	4,372,455	-
Mobile Source Air Pollution Reduction Trust Fund	4,783,557	4,783,557	
City Employees Retirement Fund	82,972,204	82,972,204	
Community Services Administration Grant	1,519,474	1,519,474	
Park and Recreational Sites and Facilities Fund	1,200,000	- Gard Sta-	1,200,000
Convention Center Revenue Fund	25,600,000	25,600,000	
Local Public Safety Fund	38,121,000	38,121,000	
Neighborhood Empowerment Fund	6,308,364	6,308,364	
Street Lighting Maintenance Assessment Fund	49,116,144	49,116,144	ne w
Telecom. Liquidated Damages and Lost Franchise TDA	14,068,478	14,068,478	Me box
Older Americans Act Fund	2,614,461	2,614,461	her sole
Workforce Investment Act	17,638,307	17,638,307	
Rent Stabilization Trust Fund	14,340,737	14,340,737	
Arts and Cultural Facilities and Services Trust Fund	13,623,741	13,623,741	
Arts Development Fee Trust Fund	1,142,966	1,142,966	
City Employees Ridesharing Fund	3,480,752	3,480,752	
Allocations from other sources	71,599,623	71,599,623	-
City Ethics Commission Fund	2,404,882	2,404,882	

				Attachment 2
	Staples Arena Special Fund	4,049,000	4,049,000	Passe.
	Citywide Recycling Fund	21,606,335	21,606,335	
	Special Police Communications/911 System Tax Fund	, , , , , , , , , , , , , , , , , , ,	AV PAV	· <u>-</u>
	Local Transportation Fund	2,067,333	2,067,333	
		2013-14	Non Proceeds	Proceeds of
		Budget	of Taxes	Taxes
	Planning Case Processing Revenue Fund	16,304,500	16,304,500	-
	Disaster Assistance Trust Fund	11,929,526	11,929,526	
	Landfill Maintenance Special Fund	4,837,000	4,837,000	
	Household Hazardous Waste Special Fund	3,395,000	3,395,000	
	Building and Safety Enterprise Fund	115,954,709	115,954,709	
	Housing Opportunities for Persons with AIDS Fund	459,158	459,158	
	Code Enforcement Trust Fund	41,550,000	41,550,000	<del></del> .
	El Pueblo de Los Angeles Historical Monument Revenue Fund	4,623,667	4,623,667	
	Zoo Enterprise Trust Fund	17,827,862	17,827,862	
	Local Law Enforcement Block Grant Fund	0 500 000	2 500 600	
	Supplemental Law Enforcement Services Fund	3,538,698	3,538,698	
	Street Damage Restoration Fee Special Fund	5,542,460	5,542,460	<del></del>
	Municipal Housing Finance Fund	4,437,592	4,437,592	
	Measure R Traffic Relief and Rail	45,236,142	45,236,142	
	Efficiency and Police Hires Fund	2 222 440	2 222 440 -	<del></del>
	Central Recycling and Transfer Fund	3,232,110	3,232,110	<del></del>
	Multi-Family Bulky Item Fund	6,367,000 527,905,446	6,367,000 527,905,446	<del></del>
	Total Special Receipts		\$2,656,721,535	\$ 161,895,451
	Total Special Receipts	\$Z,010,010,800	φ <u>κ.,</u> 000,7 <u>κ. 1,000</u>	0 101,000,101 Q
	· ·		n/number/transcript	
	Total	\$7,685,509,310	\$3,755,499,782	\$3,930,009,528
	· ·		n/number/transcript	
Lo	· ·		n/number/transcript	
	Total ess: Appropriations Not Subject to Limitation		n/manahan/manahan	
	Total ess: Appropriations Not Subject to Limitation  Debt Service on: (supported by taxes)		n/manahan/manahan	\$3,930,009,528
	Total  ess: Appropriations Not Subject to Limitation  Debt Service on: (supported by taxes)  1. General Obligation Bonds		n/manahan/manahan	
	Total ess: Appropriations Not Subject to Limitation  Debt Service on: (supported by taxes)		n/manahan/manahan	\$3,930,009,528
Α	Total  ess: Appropriations Not Subject to Limitation  Debt Service on: (supported by taxes)  1. General Obligation Bonds  2. Reserve for Special Police/9-1-1 System Bonds		n/manahan/manahan	\$3,930,009,528
Α	Total  ess: Appropriations Not Subject to Limitation  Debt Service on: (supported by taxes)  1. General Obligation Bonds  2. Reserve for Special Police/9-1-1 System Bonds  Federal Mandates:		n/manahan/manahan	\$3,930,009,528 \$ (160,695,451)
Α	Total  ess: Appropriations Not Subject to Limitation  Debt Service on: (supported by taxes)  1. General Obligation Bonds  2. Reserve for Special Police/9-1-1 System Bonds  Federal Mandates:  1. Medicare for New Employees	\$7,685,509,310	n/manahan/manahan	\$3,930,009,528 \$ (160,695,451) (38,914,735)
Α	Total  Pess: Appropriations Not Subject to Limitation  Debt Service on: (supported by taxes)  1. General Obligation Bonds  2. Reserve for Special Police/9-1-1 System Bonds  Federal Mandates:  1. Medicare for New Employees  2. Fire-Fair Labor Standards Act overtime costs - Firefighters & Civil	\$7,685,509,310	n/manahan/manahan	\$3,930,009,528 \$ (160,695,451) (38,914,735) (49,307,896)
Α	Total  Pess: Appropriations Not Subject to Limitation  Debt Service on: (supported by taxes)  1. General Obligation Bonds  2. Reserve for Special Police/9-1-1 System Bonds  Federal Mandates:  1. Medicare for New Employees  2. Fire-Fair Labor Standards Act overtime costs - Firefighters & Civil  3. Police-Fair Labor Standards Act overtime costs - Sworn & civilian	\$7,685,509,310	n/manahan/manahan	\$3,930,009,528 \$ (160,695,451) (38,914,735) (49,307,896) (23,826,165)
Α	Total  Pess: Appropriations Not Subject to Limitation  Debt Service on: (supported by taxes)  General Obligation Bonds  Reserve for Special Police/9-1-1 System Bonds  Federal Mandates:  Medicare for New Employees  Fire-Fair Labor Standards Act overtime costs - Firefighters & Civil Police-Fair Labor Standards Act overtime costs - Sworn & civilian Unemployment Compensation	\$7,685,509,310	n/manahan/manahan	\$3,930,009,528 \$ (160,695,451) (38,914,735) (49,307,896) (23,826,165) (5,000,000)
Α	Total  Pess: Appropriations Not Subject to Limitation  Debt Service on: (supported by taxes)  General Obligation Bonds  Reserve for Special Police/9-1-1 System Bonds  Federal Mandates:  Medicare for New Employees  Fire-Fair Labor Standards Act overtime costs - Firefighters & Civil Police-Fair Labor Standards Act overtime costs - Sworn & civilian Unemployment Compensation  Social Security for employees not in retirement system	\$7,685,509,310	n/manahan/manahan	\$3,930,009,528 \$ (160,695,451) (38,914,735) (49,307,896) (23,826,165) (5,000,000) (1,518,968)
Α	Total  Pess: Appropriations Not Subject to Limitation  Debt Service on: (supported by taxes)  General Obligation Bonds  Reserve for Special Police/9-1-1 System Bonds  Federal Mandates:  Medicare for New Employees  Fire-Fair Labor Standards Act overtime costs - Firefighters & Civil Police-Fair Labor Standards Act overtime costs - Sworn & civilian Unemployment Compensation	\$7,685,509,310	n/manahan/manahan	\$3,930,009,528 \$ (160,695,451) (38,914,735) (49,307,896) (23,826,165) (5,000,000)
В	Total  Pess: Appropriations Not Subject to Limitation  Debt Service on: (supported by taxes)  General Obligation Bonds  Reserve for Special Police/9-1-1 System Bonds  Federal Mandates:  Medicare for New Employees  Fire-Fair Labor Standards Act overtime costs - Firefighters & Civil Police-Fair Labor Standards Act overtime costs - Sworn & civilian Unemployment Compensation  Social Security for employees not in retirement system  Pensions Savings Plan	\$7,685,509,310	n/manahan/manahan	\$3,930,009,528 \$ (160,695,451) (38,914,735) (49,307,896) (23,826,165) (5,000,000) (1,518,968)
A B	Total  Pess: Appropriations Not Subject to Limitation  Debt Service on: (supported by taxes) 1. General Obligation Bonds 2. Reserve for Special Police/9-1-1 System Bonds  Federal Mandates: 1. Medicare for New Employees 2. Fire-Fair Labor Standards Act overtime costs - Firefighters & Civil 3. Police-Fair Labor Standards Act overtime costs - Sworn & civilian 4. Unemployment Compensation 5. Social Security for employees not in retirement system 6. Pensions Savings Plan  Capital Outlay Projects (fixed assets of \$100,000 or more with a	\$7,685,509,310	n/manahan/manahan	\$3,930,009,528 \$ (160,695,451) (38,914,735) (49,307,896) (23,826,165) (5,000,000) (1,518,968)
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A B	Total  Pess: Appropriations Not Subject to Limitation  Debt Service on: (supported by taxes) 1. General Obligation Bonds 2. Reserve for Special Police/9-1-1 System Bonds  Federal Mandates: 1. Medicare for New Employees 2. Fire-Fair Labor Standards Act overtime costs - Firefighters & Civil 3. Police-Fair Labor Standards Act overtime costs - Sworn & civilian 4. Unemployment Compensation 5. Social Security for employees not in retirement system 6. Pensions Savings Plan  Capital Outlay Projects (fixed assets of \$100,000 or more with a seful life of 10 years or more): 1. Capital Improvement Expenditure Program:	\$7,685,509,310	n/manahan/manahan	\$3,930,009,528 \$ (160,695,451) (38,914,735) (49,307,896) (23,826,165) (5,000,000) (1,518,968) (2,075,323)
A B	Pess: Appropriations Not Subject to Limitation  Debt Service on: (supported by taxes)  General Obligation Bonds  Reserve for Special Police/9-1-1 System Bonds  Federal Mandates:  Medicare for New Employees  Fire-Fair Labor Standards Act overtime costs - Firefighters & Civil Police-Fair Labor Standards Act overtime costs - Sworn & civilian Unemployment Compensation  Social Security for employees not in retirement system  Pensions Savings Plan  Capital Outlay Projects (fixed assets of \$100,000 or more with a seful life of 10 years or more):  Capital Improvement Expenditure Program:  General Fund - Municipal Facilities Projects	\$7,685,509,310	n/manahan/manahan	\$3,930,009,528 \$ (160,695,451) (38,914,735) (49,307,896) (23,826,165) (5,000,000) (1,518,968) (2,075,323)
A B	Pess: Appropriations Not Subject to Limitation  Debt Service on: (supported by taxes)  General Obligation Bonds  Reserve for Special Police/9-1-1 System Bonds  Federal Mandates:  Medicare for New Employees  Fire-Fair Labor Standards Act overtime costs - Firefighters & Civil Police-Fair Labor Standards Act overtime costs - Sworn & civilian Unemployment Compensation  Social Security for employees not in retirement system  Pensions Savings Plan  Capital Outlay Projects (fixed assets of \$100,000 or more with a seful life of 10 years or more):  Capital Improvement Expenditure Program:  General Fund - Municipal Facilities Projects  Park and Recreational Sites and Facilities Fund	\$7,685,509,310	n/manahan/manahan	\$3,930,009,528 \$ (160,695,451) (38,914,735) (49,307,896) (23,826,165) (5,000,000) (1,518,968) (2,075,323)
A B	Total  Debt Service on: (supported by taxes) 1. General Obligation Bonds 2. Reserve for Special Police/9-1-1 System Bonds Federal Mandates: 1. Medicare for New Employees 2. Fire-Fair Labor Standards Act overtime costs - Firefighters & Civil 3. Police-Fair Labor Standards Act overtime costs - Sworn & civilian 4. Unemployment Compensation 5. Social Security for employees not in retirement system 6. Pensions Savings Plan  Capital Outlay Projects (fixed assets of \$100,000 or more with a seful life of 10 years or more): 1. Capital Improvement Expenditure Program:     a. General Fund - Municipal Facilities Projects     b. Park and Recreational Sites and Facilities Fund     c. General Fund - Physical Plant Projects	\$7,685,509,310	n/manahan/manahan	\$3,930,009,528 \$ (160,695,451) (38,914,735) (49,307,896) (23,826,165) (5,000,000) (1,518,968) (2,075,323) (23,990,000) (1,200,000)
A B	Pess: Appropriations Not Subject to Limitation  Debt Service on: (supported by taxes)  General Obligation Bonds  Reserve for Special Police/9-1-1 System Bonds  Federal Mandates:  Medicare for New Employees  Fire-Fair Labor Standards Act overtime costs - Firefighters & Civil Police-Fair Labor Standards Act overtime costs - Sworn & civilian Unemployment Compensation  Social Security for employees not in retirement system  Pensions Savings Plan  Capital Outlay Projects (fixed assets of \$100,000 or more with a seful life of 10 years or more):  Capital Improvement Expenditure Program:  General Fund - Municipal Facilities Projects  Park and Recreational Sites and Facilities Fund  General Fund - Physical Plant Projects  Capital Finance Administration Program	\$7,685,509,310	n/manahan/manahan	\$3,930,009,528 \$ (160,695,451) (38,914,735) (49,307,896) (23,826,165) (5,000,000) (1,518,968) (2,075,323) (23,990,000) (1,200,000)  (29,307,203)
A B C us	Total  Debt Service on: (supported by taxes) 1. General Obligation Bonds 2. Reserve for Special Police/9-1-1 System Bonds Federal Mandates: 1. Medicare for New Employees 2. Fire-Fair Labor Standards Act overtime costs - Firefighters & Civil 3. Police-Fair Labor Standards Act overtime costs - Sworn & civilian 4. Unemployment Compensation 5. Social Security for employees not in retirement system 6. Pensions Savings Plan  Capital Outlay Projects (fixed assets of \$100,000 or more with a seful life of 10 years or more): 1. Capital Improvement Expenditure Program:     a. General Fund - Municipal Facilities Projects     b. Park and Recreational Sites and Facilities Fund     c. General Fund - Physical Plant Projects	\$7,685,509,310	n/manahan/manahan	\$3,930,009,528 \$ (160,695,451) (38,914,735) (49,307,896) (23,826,165) (5,000,000) (1,518,968) (2,075,323) (23,990,000) (1,200,000)

2013-14 BUDGET APPROPRIATIONS SUBJECT TO LIMITATION

\$3,545,476,762

#### CITY OF LOS ANGELES

Calculation of Appropriations (Gann) Limit (Article XIIIB of the State Constitution)

#### A. Determination of Base Year

- 1. **Original Determination.** The December 4, 1980 report from the City Administrative Officer (CAO File No. 0230-02771), adopted by City Council December 22, 1980 (C.F. 78-5568 S2) and concurred in by the Mayor December 30, 1980 was the basis for the original determination of the base year.
- Contributions to Retirement Santa Barbara Taxpayers Association versus County of Santa Barbara (194 Cal. App. 3d 674-review denied November 18, 1987). Assumption #3, Attachment I of December 4, 1980 report was negated by this case whereby it was determined that contributions to a retirement fund constitute appropriations subject to limitation and are not considered "indebtedness" -- the City had previously deducted contributions necessary to meet any unfunded liability existing at January 1, 1979. Similarly, payments for leasebacks are not considered "indebtedness". Attachment 3, sections D and E under "LESS APPROPRIATIONS NOT SUBJECT TO LIMITATION" are added back.
- 3. **Water and Power Revenue Transfers.** Assumption #2, Attachment 1 indicates that transfers of surplus funds from the Water and Power Department are "proceeds of taxes" except for reimbursement for services provided. An annual review is conducted to ascertain the costs of services provided to the Department of Water and Power by the Controller, Treasurer, and Personnel Departments.
- 4. May Adopted City Budget. The City adopted the 1978-79 Budget in compliance with Charter requirements that a budget must be adopted by the Council by June 1. Assumption #1, Attachment 1, indicates that the adopted budget was used to determine appropriations subject to limitation for 1978-79. This was the conclusion of the City Attorney in a February 15, 1979 report to the City Administrative Officer (page 19) that "... any authorization which existed during the fiscal year 1978-79, including the Budget in effect until July 24, 1978 and interim appropriations during the same fiscal year from the Reserve Fund subsequent to the adoption of the Budget, would be considered appropriations subject to limitation' within the meaning of Subsection (b)" of Section 8.
- 5. **Interim Authorizations added to base.** Council File 78-5568 and S1, adopted by the Council on June 25, 1979 provided for various appropriations which added to the 1978-79 base as follows (see Attachment 3 for additions):

- a. Excess General Fund revenues subject to limitation. The total appropriation of \$40,470,163.89 was reduced to \$30,246.692 by applying a factor of 88.5% to the interest earnings portion.
- b. The end-of-year Reserve Fund transfer of \$971,614.94 was reduced to \$859,879 by applying a factor of 88.5%.
- c. For-Hire Trucking revenues of \$8,310.75 exceeding the budget were appropriated.
- d. Section B is self-explanatory. Section C includes over 30 items that were appropriated from the Reserve Fund throughout the year, exclusive of appropriations for non-limited items (primarily grant advances), for a total of \$9,118,967. Section D is self-explanatory.
- 6. Franchise Fees Santa Barbara County Taxpayers Association versus Santa Barbara County (209 Cal. App. 3d 940 -- review denied 1989). This case determined that franchise fees are not "proceeds of taxes". In light of this decision, the base was reduced by eliminating the amount budgeted for Franchise Income (\$3,549,000) and excess General Fund revenues attributable to Franchise Income (revenues of \$4,510,290 exceeded the budget estimate of \$3,549,000 by \$961,290). It is noted that these adjustments do not impact the factor of 88.5% which is applied to interest earnings, etc.
- 7. **Revised Base Year.** The base year is revised as follows:

#### APPROPRIATIONS SUBJECT TO LIMITATION

December 4, 1980 Report			763,061,903
Paragraph 2 above	- D.1.		28,558,915
- D.2.			73,878,573
- E.1.			2,558,130
- E.2.			4,700,000
- E.3.			1,966,045
Paragraph 6 above			<u>(4,510,290</u> )
REVISED BASE	1978-79	\$	870,213,276

### B. Annual Adjustments

1. <u>Population</u>. Prior to the passage of Proposition 111 on the June 5, 1990 ballot, the change in the City population was used as an adjustment factor each year. Proposition 111 provides that the City may choose either the increase in the City or County population. For 1990-91, the 1986-87 limit is adjusted for factors up to 1990-91.

The State Department of Finance provides a population number and the population percent change factor each May 1. However, the population number is usually adjusted the following year, creating an erosion as the adjustment is generally upward. Below is a listing of adjusted population amounts through 1989 reported by the State Department of Finance. The amounts after 1989 should be adjusted at such time as the City recalculates the limit for all years after that date (when factors are available for the change in nonresidential new construction - see paragraph 2).

(As of January 1)     Amount     % Change     Amount     % Change       1978     2,899,690       1979     2,930,267     1.05       1980     2,953,310     0.79       1981     2,978,607     0.86       1982     3,010,172     1.06       1083     3,063,057     1.75	ge
1979       2,930,267       1.05         1980       2,953,310       0.79         1981       2,978,607       0.86         1982       3,010,172       1.06	
1980       2,953,310       0.79         1981       2,978,607       0.86         1982       3,010,172       1.06	
1981       2,978,607       0.86         1982       3,010,172       1.06	
1982 3,010,172 1.06	
·	
1002 2.062.057 4.75	
1983 3,062,957 1.75.	
1984 3,103,774 1.33	
1985 3,146,314 1.37	
1986 3,249,047 3.27 8,228,477	
1987 3,313,074 1.97 8,400,370 2.09	
1988 3,365,380 1.58 8,532,396 1.57	
1989 3,395,273 0.89 8,632,069 1.17	
1990 Unadj. 3,428,770 0.99 8,749,615 1.36	
1991 3,531,757 3.00 8,964,736 2.46	
1992 3,574,521 1.21 9,065,427 1.12	
1993 3,602,526 .78 9,139,357 .81	
1994 3,615,698 .36 9,208,731 .76	
1995 3,590,357 (.71) 9,229,730 .23	
1996 3,635,515 1.28 9,356,784 1.38	
1997 3,679,165 1.20 9,476,976 1.28	
1998 3,719,925 1.11 9,590,909 1.20	
1999 3,778,539 1.58 9,744,931 1.61	
2000 3,820,095 1.10 9,871,788 1.30	
2001 3,799,854 (.53) 9,790,152 (.83)	
2002 3,804,063 0.11 9,811,918 0.22	
2003 3,862,134 0.15 9,968,146 0.16	
2004 3,910,607 1.26 10,092,305 1.24	
2005 3,956,666 1.18 10,216,040 1.18	
2006 3,974,892 0.46 10,235,632 0.78	
2007 3,991,768 0.99 10,263,866 0.72	
2008 4,041,183 1.24 10,352,128 0.86	
2009 4,061,730 1.09 10,382,451 0.90	
2010 4,090,497 1.08 10,430,366 0.83	
2011 3,805,881 (6.96) 9,848,442 (0.06)	
2012 3,822,324 0.43 9,874,366 0.26	

2. <u>Cost of Living</u>. Prior to the passage of Proposition 111 on the June 5, 1990 ballot, the lesser of the United States cost of living (CPI) or California per capita personal income change was used for the annual calculation. Proposition 111 provides that the City may choose either the California per capita personal income change or the change in nonresidential new construction on the local assessment roll; for 1990-91, the 1986-87 limit is adjusted for factors up to 1990-91. The following is a listing of the annual factors provided by the State Department of Finance:

		Per (	Capita
Lesser Factor	% Change	Income	% Change
CPI	10.17		
Per Capita Income	12.11		
Per Capital Income	9.12		
CPI		6.79	
Per Capita Income	2.35		
CPI		4.74	
CPI		3.74	
CPI		2.30	
CPI		3.04	3.47
CPI		3.93	4.66
CPI		4.98	5.19
	CPI Per Capita Income Per Capital Income CPI Per Capita Income CPI CPI CPI CPI CPI CPI	CPI 10.17 Per Capita Income 12.11 Per Capital Income 9.12 CPI Per Capita Income 2.35 CPI CPI CPI CPI CPI CPI	Lesser Factor         % Change         Income           CPI         10.17           Per Capita Income         12.11           Per Capital Income         9.12           CPI         6.79           Per Capita Income         2.35           CPI         4.74           CPI         3.74           CPI         2.30           CPI         3.04           CPI         3.93

Use either Per Capital Income or Nonresidential New Construction

1990-91	Per Capita Income	4.21
1991-92	Per Capita Income	4.14
1992-93	Per Capita Income	(0.64)
1993-94	Per Capita Income	2.72
1994-95	Per Capita Income	0.71
1995-96	Per Capita Income	4.72
1996-97	Per Capita Income	4.67
1997-98	Per Capita Income	4.67
1998-99	Per Capita Income	4.15
1999-00	Per Capita Income	4.53
2000-01	Per Capita Income	4.91
2001-02	Per Capita Income	7.82
2002-03	Per Capita Income	(1.27)
2003-04	Per Capita Income	2.31
2004-05	Per Capita Income	3.28
2005-06	Per Capita Income	5.26
2006-07	Per Capita Income	3.96

2007-08	Per Capita Income	4.42
2008-09	Per Capita Income	4.29
2009-10	Per Capita Income	0.62
2010-11	Per Capita Income	(2.54)
2011-12	Per Capita Income	2.51
2012-13	Per Capita Income	3.77
2013-14	Per Capita Income	5.12

**Note:** A methodology must be determined, which may require clarifying legislation, prior to calculating factors for the change in nonresidential new construction. Some of the methods advanced appear to be unrealistic (e.g., determining the growth only for those properties experiencing growth and ignoring the total base).

- 3. <u>Annexations</u>. Annually the appropriations limit is adjusted to reflect the negotiated property tax transfer with the County or other jurisdiction for annexations, de-annexations, or other jurisdictional changes. Such changes have not been significant to date.
- 4. <u>Transfer from "Proceeds of taxes" to fees.</u> When a new fee is imposed for an existing service or a fee is increased to recover a proportionally greater amount of the cost of a service, the appropriations limit must be reduced since it is presumed that "proceeds of taxes" are being replaced with fees to finance the service. The methodology used to reduce the limit is to deduct the year-to-year increase in the cost of the service from the increase in revenues from fee increase adjustments or the prior year cost of the service from the new fee.
- 5. Transfer of Financial Responsibilities. Whenever the financial responsibility of providing a service is transferred between governmental agencies, they are supposed to adjust their limits by an agreed upon amount. In practice, however, the agency that is to adjust its limit downward very likely will not agree to an amount. The City may be able to adjust its limit for such transfers in the future, e.g., the transfer of the financial responsibility of property tax administration and booking of prisoners which occurred in 1990-91.

# C. Appropriations Subject to Limitation -- Reserve Fund Transfers

The December 4, 1980 report from the City Administrative Officer and subsequent reports through 1988-89 counted transfers from the Reserve Fund either as part of the Budget (proportionately, as a ratio of General Fund "proceeds of taxes" to total General Fund revenues) or on an interim basis against the appropriations limit. In response to a request from the City Administrative Officer, the City Attorney reported (Opinion No. 88:23, January 26, 1989) that transfers from the Reserve Fund (or by inference, the use of any available balance) do not count against the appropriations limit. All excess revenues (the amount above the Budget estimate) continue to be counted against the limit in the year received when they are appropriated.

### D. Calculations for Annual Appropriations Limit

Calculations for the annual appropriations limit are as follows:

(2) Animal Regulation - dog license late payment fee (new)

Jaiou.auor.	o to the difficult appropriations in the do to to to to	
REVISED I	BASE 1978-99 (see paragraph A.7.)	\$ 870,213,276
1979-80	Population Change - 1.05% times CPI Change - 10.17%	\$ 11.33% 968,808,440
	Reduction in limit due to change in financing from other revenues to user charges:	
	(1) Harbor Fire Protection. Budget revenues (\$1,650,000) less difference between 1979-80 cost (\$4,203,704 and 1978-79 cost (\$3,847,469)	(1,293,795)

		Ψ 307,204,070
1980-81	Population Change - 0.79% times	
	Per Capita Personal Income Change - 12.11%	13.00% \$ 1,092,997,783
	Add Property Tax transfers for annexations	3,224
		<u>\$ 1,093,001,007</u>

Reduction in limit due to change in financing from other revenues to user charges:

(1) Harbor Fire Protection.
Increased Budget revenues (\$2,350,000)
less difference between 1981-82 cost
(\$5,100,000) and 1980-81 cost
(\$4,412,619)

(\$4,412,619) \$ (1,662,619) (2) Additional Planning fees (new) <u>(440,000)</u> \$\frac{1}{2}00,854,289

1982-83 Population Change - 1.06% times CPI Change - 6.79%

7.92% \$ 1,295,961,949

(260,000) 967 254 675

Add Property Tax transfer for annexation.
Reduction in limit due to change in financing
from other revenues to user charges:

	<ul> <li>(1) Harbor Fire Protection. Increased revenues (\$1,652,000) less difference between 1982-83 cost (\$5,652,000) and 1981-82 cost (\$5,429,378)</li> <li>(2) Police Burglar Alarm Fees</li> </ul>	(1,429,378) (500,000) \$ 1,294,040,525
1983-84	Population Change - 1.75% times Per Capita Personal Income Change - 2.35%	4.14% \$ 1,347,613,803
	Add Property Tax transfer for annexations Reduction in limit due to change in financing from other revenues to user charges Police Burglar Alarm Fees	\$ 23,376 (1,500,000) \$ 1,346,137,179
1984-85	Population Change - 1.33% times CPI Change - 4.74%	6.13% \$ 1,428,655,388
	Adjust for Property Tax transfers for annexations	(14,153) \$ 1,428,641,235
1985-86	Population Change - 1.37% times CPI Change - 3.74%	<u>5.16</u> % \$ 1,502,359,123
1986-87	Population Change - 3.27% times CPI Change - 2.30%	<u>5.65</u> % \$ 1,587,242,413
1991-92	City Population Change - 3.% times Per Capita Personal Income Change - \$4.14%	7.26% \$ 2,149,597,445
	Reduction in limit due to change in financing from other revenues to user charges -	

	Stormwater Pollution Abatement Charge for flood control program	<u>(5,217,509)</u> \$ 2,144,379,936
1992-93	City Population Change - 1.21% times Per Capita Personal Income Change - (-0.64)%	0.56% \$ 2,156,388,427
1993-94	County Population Change - 0.81% times Per Capita Personal Income Change - 2.72%	3.55% \$ 2,232,940,188
	Reduction in limit due to change in financing from other revenues to user charges:	
	<ul><li>(1) Sanitation Equipment Charge increase</li><li>(2) Water and Electricity -</li><li>(a) Transfer of Fire Hydrant Service to</li></ul>	(20,900,000)
	Department of Water and Power  (b) Transfer of Traffic Signal and  Utilitarian Lighting costs to  Department of Water and Power  (c) Transfer of General Benefit Lighting  costs to Department of Water  and Power	(5,164,000)
		(6,134,129)
		<u>(763,875)</u> \$ 2,199,978,184
1994-95	County Population Change - 0.76% times Per Capita Personal Income Change - 0.71%	1.48% \$ 2,232,537,877
	Reduction in limit due to change in financing from other revenues to user charges:  Water and Electricity -	
	<ul> <li>a. Transfer of General Benefit Lighting Costs</li> <li>to Department of Water and Power</li> <li>b. Transfer of Public Property Lighting to</li> </ul>	(763,875)
	Street Lighting Assessments	(670,000) \$ 2,231,104,002
1995-96	County Population Change - 0.23% times Per Capita Personal Income Change - 4.72%	4.96% \$ 2,341,766,758

1996-97	County Population Change - 1.38% times Per Capita Personal Income Change - 4.67%	6.11% \$ 2,475,949,932
	Reduction in limit due to change in financing from other revenues to user charges: Street Deterioration Fees	(15,000,000) \$ 2,460,949,932
1997-98	County Population Change - 1.28% times Per Capita Personal Income Change - 4.67%	6.01% \$ 2,601,962,363
1998-99	County Population Change - 1.20% times Per Capita Personal Income Change - 4.15%	<u>5.40</u> % \$ 2,774,065,184
1999-00	County Population Change - 1.61% times Per Capita Personal Income Change - 4.53%	6.21% \$ 2,931,130,793
2000-01	County Population Change - 1.30% times Per Capita Personal Income Change - 4.91%	6.27% \$ 3,114,912,694
2001-02	City Population Change - (0.53%) times Per Capita Personal Income Change - 7.82%	7.25% \$ 3,340,743,864
2002-03	City Population Change - 0.11% times Per Capita Personal Income Change - (1.27%)	(0.0098%) \$ 3,301,991,235
2003-04	City Population Change - 1.53% times Per Capita Personal Income Change - 2.31%	3.88% \$3,430,108,495
2004-05	City Population Change - 1.26% times Per Capita Personal Income Change - 3.28%	4.58% \$3,587,207,464
2005-06	City Population Change - 1.18% times Per Capita Personal Income Change - 5.26%	6.50% \$3,820,375,949

2006-07	City Population Change – 0.46% times Per Capita Personal Income Change – 3.96%	<u>4.44%</u> \$3,989,932,486
2007-08	City Population Change – 0.99% times Per Capita Personal Income Change – 4.42%	5.45% \$4,207,533,748
2008-09	City Population Change – 1.24% times Per Capita Personal Income Change – 4.29%	5.58% \$4,442,448,604
2009-10	City Population Change – 1.09% times Per Capita Personal Income Change – 0.62%	1.02% <u>\$4,518,714,696</u>
2010-11	City Population Change – 1.08% times Per Capita Personal Income Change – (2.54)%	0.98% \$4,451,501,888
	Reduction in limit due to change in financing from other revenues to user charges:  (1) Solid Waste Fees -  (2) Fire Fees -  (a) Brush Clearance Initial Inspection  (b) Brush Clearance Reinspection	(165,537,537) (1,400,000) _(_650,000) \$4,283,914,632
2011-12	City Population Change – (6.96)% times Per Capita Personal Income Change – 2.51%	1.022% \$4,388,385,333
2012-13	City Population Change – 0.43% times Per Capita Personal Income Change – 3.77%	1.037% \$4,554,024,205
2013-14	City Population Change – 1.00% times Per Capita Personal Income Change – 5.12%	1.051% \$4,787,671,114
	Reduction in limit due to change in financing from other revenues to user charges:  (1) Public Right-of-Way Construction  (2) Zoo – Entrance Fee Increase	( 333,000) ( 750,000) \$4,786,591,114