TAXES

The tax raising authority of cities has been severely limited for many years. Proposition 13, enacted in 1978, amended the California Constitution and imposed new restrictions and requirements on the taxing powers of cities. Court decisions rendered over the next several years interpreted Proposition 13 and resulted in additional changes in city practices. Proposition 218 enacted in 1996 further restricted the ability to levy taxes and fees.

General taxes are adopted by an ordinance or resolution passed by a majority vote of the legislative body unless another method is required by local charter or specific statute. Local agencies adopting new or increased taxes or assessments must also comply with the notice requirements which are now part of the Ralph M. Brown Act.

In 1986 Proposition 62 was enacted. Under the provision of this statutory initiative, all cities may levy or increase general taxes (so long as the tax is not based on the value of the property) if the measure is passed by two-thirds of the legislative body and a majority of voters voting in an election. Applying to both charter and general law cities, Proposition 62 also requires that taxes be proposed by ordinance or resolution and include the type of tax, the tax rate, and the method of collection. A subsequent California appellate court decision invalidated the voter approval requirement for cities.

Special taxes (defined as taxes imposed for a specific purpose rather than for any municipal purpose) may be increased if approved by two-thirds of the voters voting in an election of the issue. This provision is contained in Proposition 13 and also applies to both charter and general law cities.

Property Tax – Property tax is imposed on real property (land and permanently attached improvements such as buildings) and tangible personal property (movable property) located within the state. The California property tax is ad valorem, based on the value of property rather than on a fixed amount or benefit to the property or persons. Proposition 13 (Article XIIIA of the California Constitution) limits the real property tax rate to 1 percent of a property’s assessed value. Counties are responsible for the administration of property tax.

Property Tax in Lieu - Derived from a portion of property taxes allocated by the State of California to cities to replace vehicle license fees. In 2004 the State permanently swapped 90% of city VLF revenue for property tax, which was distributed on a per capita basis. On-going growth of this revenue is tied to growth in assessed valuation.

Sales & Use Tax - Derived from the sales tax paid by consumers purchasing items in Lancaster and use tax allocated by the State from the State and County pools. The City receives one cent of the 9.00 cents sales tax. Current year estimate involves a trend analysis of quarterly returns, and a "future factor" based on the regional changes in major tax generators.

Franchises - Derived from the taxes paid by businesses that have a franchise to operate in Lancaster. The businesses include Southern California Edison, The Gas Company, Time Warner (cable), and Waste Management. Current year estimate based on "new construction" and rate change analysis for the individual franchisees.
Business Licenses - Derived from the fee levied to recover the cost of licensing businesses to operate within the City.

SB1186 - Disability Access Fee – Derived from a $1.00 tax required on business licenses. Portion of revenue remitted to the State to fund the expanded CASp Inspection Program.

Transient Occupancy Tax - Derived from the seven percent tax charged on all motel/hotel room rates in the City. Current year estimate based on information from motel/hotels.

Misc. Court Fines-Local - Derived from fines paid by persons who violated local ordinances.

Maintenance District Tax – Derived from assessments on properties within each district.

Parking Violation Fines - Derived from fines paid for parking violations with the City. These became the responsibility of the City on November 1, 1993.

Property Transfer Tax - Derived from a tax imposed on all transfers of real property in the City.

Aircraft Tax - Derived from tax imposed on private aircraft stationed within the City as of the January 1 lien date, and on commercial aircraft operating in the city.

STATE SUBVENTIONS

A "subvention" is defined as "a providing of assistance or support" and a "subsidy from the government" (Webster's Third International Dictionary). Taxes levied by the state and subvened to cities are Gasoline Tax and Motor Vehicle In-Lieu Tax.

Vehicle In-Lieu Tax - Derived from the annual fee paid by automobile owners registering their vehicle with the State Department of Motor Vehicles.

AB 2766 Fees - Derived from a portion of additional charges levied on automobile owners dedicated for the purpose of reducing air pollution from motor vehicles.

Gasoline Tax - Derived from taxes collected from the purchase of gasoline and remitted to the City pursuant to Section 2105, 2106, 2107, and 2107.5 of the California Street & Highways Code. This is allocated mostly on a per capita basis.

FEES

All cities may levy fees which are limited to recovering the cost of regulatory activities or services provided. This authority was derived from the city's police powers as defined by Article XI, Section 7 of the California Constitution, Propositions 13 and 4, Assembly Bill 1600.

However, California Proposition 26, or the Supermajority Vote to Pass New Taxes and Fees Act, was approved on the November 2, 2010 ballot in California as an initiated constitutional amendment. Proposition 26 requires that certain local fees be approved by two-thirds of voters. Proposition 26 also increased legislative vote requirement to two-thirds for certain tax measures, including those that do not
result in a net increase in revenue, currently subject to majority vote. Proposition 26 amended these parts of the state's constitution: Section 3 of Article XIII A and Section 1 of Article XIII C.

**Development Fees**

**Building & Safety Fees** - Derived from fees charged for the issuance of certain permits, plan checks, and inspections on construction projects. These are designed to recover the cost of providing the services. Current year estimate is based on information from developers about their construction projects.

**Engineering Fees** - Derived from fees charged to developers for inspections.

**Planning & Zoning Fees** - Derived from fees charged for processing zoning and development proposals.

**Traffic Signal Fees** - Derived from fees collected from developers to pay for traffic signal installation and upgrades necessitated by the development.

**Drainage Fees** - Derived from fees collected from developers to pay for drainage channels, retention/detention basins, and other facilities necessitated by the development; based on a per residential unit fee and impervious surface of commercial industrial developments.

**Park-In-Lieu Fees** - Derived from fees collected from developers to pay for additional park facilities necessitated by the development; based on a fee per dwelling unit according to number of bedrooms.

**Traffic Impact Fees** - Effective 1-1-90, these fees are collected from developers to pay for specific traffic improvement projects necessitated by new development; based on a flat fee per dwelling unit or trip generation factor for commercial, industrial, and multi-family development.

**Urban Structure Program Fees** - Collected from developers to defray the extra operating costs generated by development away from the urban core. This fee is calculated by a complex matrix of formulas that have won state awards for innovation in infrastructure and operations funding.

**Local Fees**

**Recreation Fees** - Derived from fees charged for various recreational programs. Current estimate for recreation fees are based on the prior year demand, and the rate established for the programs.

**Concession/Lease Fees** - Derived from private concessions on City property and lease of City park facilities.

**Publications & Copies** - Derived from the sale of City publications.

**Stadium Fees** – Derived from the lease agreement with the Lancaster Jethawks, the California League baseball franchisee, and from individual rentals.

**Theatre Fees** - Derived from ticket sales, concessions, and rents charged at the Performing Arts Theatre. This is budgeted through the Performer Fees "Fund" with process set to provide a small surplus over the performance costs to offset some operating costs.

**Recycled Water Fees** – Derived from recycled water sales and water connection fees.
OTHER REVENUE SOURCES

Cities are authorized to raise revenue through certain other activities, such as investing idle funds and a variety of entrepreneurial ventures.

**Interest Income** - Derived from the investment of City cash in various interest bearing accounts. Estimates are based on the earnings rate in the market, a projection of monthly cash available for investment, and a projection of Federal Reserve policy.

**Other Revenues**

**Election Fees** - Derived from fees charged to candidates in municipal elections for the costs of printing the candidates' statements and other related services.

**Miscellaneous Revenues** - Derived from various payments made to the City which do not come within other revenue definitions.

**Insurance Payments** - Derived from payments made by insurance companies for damage to City property.

**Narcotics Seizure Revenues** - Derived from the assets used in illegal drug activities, and confiscated to pay for specific enforcement.

**City Property Sales** - Derived from sale of City owned property.

REIMBURSEMENT FROM OTHER FUNDS

**Overhead/Administration** - Payments from special districts for administrative services rendered by the City.

TRANSPORTATION/ROAD FUNDS

**Transportation Development Act** - Derived from one quarter percent of the sales tax returned to the County for public transportation services. The estimate is derived from a formula which is based on Sales Tax state-wide.

**Bikeway Improvement** - Derived from a portion of the transportation development fund to be used for the construction, improvement, and maintenance of the City's bicycle lanes.

**Proposition A** - Derived from special half-cent sales tax in Los Angeles County for mass transit related projects.

**Proposition C** - Derived from special half-cent sales tax in Los Angeles County for other transit and road related projects.

**Proposition 1B** – Highway safety, traffic reduction, air quality and Port Security Bond Act of 2006. These are state funds to be used for transportation related projects.
Proposition 42 – Transportation Congestion Improvement Act of 2002. These are state funds to be used for projects that would reduce traffic congestion.

Measure R – Derived from special half-cent sales tax in Los Angeles County and allocated on a “per capita” basis for the developing and/or improvement of transit and highway related projects.

STPL – Surface Transportation Program – Local are federal funds given to local jurisdictions annually based on a population formula.

GRANTS

CDBG - Derived from the Community Development Block Grant program authorized under the Housing and Community Development Act of 1974, as amended for specific types of projects. Revenue estimate provided by the U. S. Housing and Urban Development Department.

FEMA Grant - Derived from the Federal Emergency Management Agency to fund emergency preparedness programs and reimbursement from damages of Declared Emergencies.

Parks Bond Act - Derived from a grant from the State Department of Parks and Recreation.

Measure A - Derived from assessments authorized by the Los Angeles County voters by the approval of Measure A in November 1992.

COURT FINES - STATE

Vehicle Code Fines - This revenue source is derived from court fines imposed on State motor vehicle violation citations issued within the City.