

Monte Lewis, Mayor (District 2)
Elizabeth Bruny, Mayor Pro Tem (District 5)
Richard T. Hale, Council Member (District 1)
Richard Barakat, Council Member (District 3)
Bruce Lathrop, Council Member (District 4)

City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Kevin Kearney, City Manager

DATE: April 20, 2021

SUBJECT: **INTRODUCTION OF ORDINANCE NO. 376: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, AMENDING THE BRADBURY MUNICIPAL CODE PROHIBITING PARKING OF MOBILE BILLBOARD ADVERTISING DISPLAYS AND PROHIBITING ROLLING BILLBOARDS**

ATTACHMENTS: 1) Ordinance No. 376

SUMMARY

Ordinance No. 376 would prohibit the parking and rolling/moving of mobile billboard advertising displays in the City.

It is recommended that the City Council, introduce, waive reading in full, and authorize reading by title only of Ordinance No. 376, and set the second reading; and read the title of Ordinance No. 376, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, AMENDING THE BRADBURY MUNICIPAL CODE PROHIBITING PARKING OF MOBILE BILLBOARD ADVERTISING DISPLAYS AND PROHIBITING ROLLING BILLBOARDS."

ANALYSIS

California Vehicle Code §21100 allows local authorities to adopt rules and regulations regarding the regulation of mobile billboard advertising displays. It also allows for establishment of penalties (both civil & criminal) and removal. California Vehicle Code §22651 allows for local authorities to adopt rules and regulations for providing policing powers to local law enforcement agencies to issue warnings, citations, and towing of prohibited mobile billboards.

Ordinance No. 376 restricts mobile billboards within the City of Bradbury and builds upon California Vehicle Codes §21100 and §22651 for enforcement mechanisms to enforce such restrictions.

As specified in California Vehicle Code §395.5, a parked mobile billboard includes any advertising display that is attached to a wheeled, mobile, non-motorized vehicle that carries, pulls, or transports a sign or billboard, and is for the primary purpose of advertising. Advertising on a rolling/moving billboard would be defined as advertising signs affixed to vehicles or trailers that advertise or promote a business that are the primary purpose of the vehicle. This would not include signage permanently affixed to the side of a business or commercial vehicle (e.g., vehicle wraps on a delivery or service vehicle) or to signs required by state or federal law (e.g. contractor's license numbers).

FINANCIAL ANALYSIS

Adoption of Ordinance No. 376 and restriction of mobile billboards within City limits poses no significant financial impact.

RECOMMENDATION

It is recommended that the City Council, introduce, waive reading in full, and authorize reading by title only of Ordinance No. 376, and set the second reading; and read the title of Ordinance No. 376, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, AMENDING THE BRADBURY MUNICIPAL CODE PROHIBITING PARKING OF MOBILE BILLBOARD ADVERTISING DISPLAYS AND PROHIBITING ROLLING BILLBOARDS."

ATTACHMENT #1

ORDINANCE NO. 376

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, AMENDING THE BRADBURY MUNICIPAL CODE PROHIBITING PARKING OF MOBILE BILLBOARD ADVERTISING DISPLAYS AND PROHIBITING ROLLING BILLBOARDS

**THE CITY COUNCIL OF THE CITY OF BRADBURY DOES ORDAIN AS
FOLLOWS:**

Section 1. Section 4.01.1060 is hereby added to the Bradbury Municipal Code to read as follows:

Sec. 4.01.1060. – Parking of mobile billboard advertising displays.

- a. Pursuant to the authority set forth in Vehicle Code § 21100, it is unlawful for any person to park, stand, or otherwise allow to remain upon any city street, any mobile billboard advertising display. The term “mobile billboard advertising display” shall have that meaning as set forth in Vehicle Code § 395.5, and includes any advertising display that is attached to a wheeled, mobile, non-motorized vehicle that carries, pulls, or transports a sign or billboard, and is for the primary purpose of advertising.
- b. Pursuant to the authority set forth in Vehicle Code § 22651, a mobile billboard advertising display may be removed by any police officer when left parked or standing in violation of this section, if the registered owner of the vehicle was previously issued a warning citation for violation of this section, advising the registered owner that he or she may be subject to penalties upon a subsequent violation of this section, that may include removal of the vehicle.
- c. Every registered owner of a mobile billboard advertising display that is removed pursuant to this section shall be subject to all provisions of the California Vehicle Code related to vehicle impound, storage, release, and disposition, including payment of all applicable fees.

Section 2. Section 9.106.035 is hereby added to the Bradbury Municipal Code to read as follows:

Sec. 9.106.035. –Rolling billboards prohibited.

Advertising signs affixed to vehicles or trailers that advertise or promote a business that are the primary purpose of the vehicle are hereby prohibited in all zones in the City. This prohibition does not apply to signs permanently affixed to the side of a business or commercial vehicle (e.g., vehicle wraps on a delivery or service vehicle) or to signs required by state or federal law (e.g., contractor’s license number).

Section 3. If any provision of this Ordinance is held to be unconstitutional, it is the intent of the City Council that such portion of this Ordinance be severable from the remainder and that the remainder be given full force and effect.

Section 4. The City Clerk shall certify to the adoption of this Ordinance.

PASSED, APPROVED and ADOPTED this ____ day of _____, 2021.

Mayor

ATTEST:

Claudia Saldana
City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF BRADBURY)

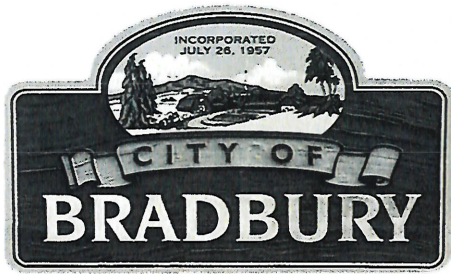
I, Claudia Saldana, City Clerk of the City of Bradbury, do hereby certify that the foregoing ordinance, being Ordinance No. 376, was duly passed by the City Council of the City of Bradbury, signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of the City Council held on the ____ day of _____, 2021, that it was duly posted and that the same was passed and adopted by the following vote, to wit:

AYES:

NAYS:

ABSENT:

Claudia Saldana
City Clerk
City of Bradbury



Monte Lewis, Mayor (District 2)
Elizabeth Bruny, Mayor Pro Tem (District 5)
Richard T. Hale, Council Member (District 1)
Richard Barakat, Council Member (District 3)
Bruce Lathrop, Council Member (District 4)

City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Kevin Kearney, City Manager

DATE: April 20, 2021

SUBJECT: **INTRODUCTION OF ORDINANCE NO. 377: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, AMENDING THE BRADBURY MUNICIPAL CODE REGARDING ADMINISTRATIVE FINES AND PENALTIES**

ATTACHMENTS: 1) Ordinance No. 377

SUMMARY

Ordinance No. 377 clarifies the City's fines and penalties. It also adds and clarifies a number of other code enforcement mechanisms, such as late payments on administrative citations and the issuance of a citation that did not occur in an officer's presence if it had been determined, through investigation, the responsible person did commit the violation.

It is recommended that the City Council, introduce, waive reading in full, and authorize reading by title only of Ordinance No. 377, and set the second reading; and read the title of Ordinance No. 377, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, AMENDING THE BRADBURY MUNICIPAL CODE REGARDING ADMINISTRATIVE FINES AND PENALTIES."

ANALYSIS

Ordinance No. 377 clarifies the City's civil fines as \$100 for the first offence, \$200 for the second offence, and \$500 for the third offence. These are the same denominations that the City has been issuing citations, but memorializing them in the City's municipal code brings greater clarity. The ordinance also specifies late payments on administrative citations.

Ordinance No. 377 also adds that an enforcement officer may issue a citation for a violation that was not committed in the officer's presence if the officer has determined, through investigation, that the responsible person did commit, or is otherwise responsible for, the violation.

The language in Ordinance No. 377 incorporates language already in the City of Bradbury's municipal code. All newer language derives from the City of San Marino's municipal code, which specifies their administrative fines and penalties.

FINANCIAL ANALYSIS

Adoption of Ordinance No. 377 poses no significant financial impact.

RECOMMENDATION

It is recommended that the City Council, introduce, waive reading in full, and authorize reading by title only of Ordinance No. 377, and set the second reading; and read the title of Ordinance No. 377, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, AMENDING THE BRADBURY MUNICIPAL CODE REGARDING ADMINISTRATIVE FINES AND PENALTIES."

ATTACHMENT #1

ORDINANCE NO. 377

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF BRADBURY,
CALIFORNIA AMENDING THE BRADBURY
MUNICIPAL CODE REGARDING
ADMINISTRATIVE FINES AND PENALTIES**

**THE CITY COUNCIL OF THE CITY OF BRADBURY DOES ORDAIN AS
FOLLOWS:**

Section 1. Title I, Chapter 5 of the Bradbury Municipal Code is hereby amended in the following particulars only:

Sec. 1.05.030. – Administrative fines and penalties

- (a) Enforcement officers may issue notices of violation and administrative citations, inspect public and private property, and use whatever judicial and administrative remedies are available under this Code and other law to enforce the ordinances of the City. More specific provisions regarding administrative or other enforcement authority and procedures for particular violations may exist in this Code and shall, to the fullest extent permissible, be construed to complement rather than contradict this chapter.
- (b) An enforcement officer may issue a citation for a violation not committed in the enforcement officer's presence if the enforcement officer has determined, through investigation, that the responsible person did commit, or is otherwise responsible for, the violation.

Sec. 1.05.070. – Administrative fines and penalties

- (a) Any responsible person may be subject to an administrative fine pursuant to this chapter for any Code violation.
- (b) Each day a code violation is committed, continued or permitted shall be a separate violation for which a citation may be issued. Any enforcement officer may charge several violations of the Code on a citation.
- (c) Each and every responsible person is jointly and severally liable, in accordance with notice and procedures of this chapter, for all fines, penalties and interest imposed for the Code violation as to which they are a responsibility.

- (d) The amount of each fine shall be set forth in a resolution adopted by the City Council. If a violation is classified as an infraction under this Code, the civil fine shall not exceed one hundred dollars (\$100.00) for the first offense, two hundred dollars (\$200.00) for the second offense within one year, and five hundred dollars (\$500.00) for a third offense within a year as set forth in California Government Code section 36900(b). Fines for violations that are classified as misdemeanors under this Code shall not exceed one thousand (\$1,000.00). The amounts of such fines may be modified from time to time by a resolution of the City Council.
- (e) Any person who fails to pay the City on or before the due date any civil fine imposed, shall be liable for the payment of a late payment charge as established by a resolution adopted by the City Council. In absence of such resolution, the late payment charge for payments received after the due date shall be fifty percent (50%) of the civil fine.
- (f) Administrative fines that are not fully paid to the city on or before the due date shall bear interest at the legal rate for judgments. Interest shall not be imposed on a late charge, and shall not exceed the maximum allowable rate allowed by law. The rate of interest and the commencement of its accrual may be modified from time to time by a resolution of the city council.
- (g) The administrative fines delineated in this chapter are in addition to, and do not preclude imposition of, any other remedies, criminal, civil, or admirative, available to the City. Imposition of administrative fines shall be at the sole discretion of the City.
- (h) Abatement of a violation shall not excuse the obligation of the responsible person to pay a civil fine, or any late charges or interest imposed on its untimely payment.
- (i) Unpaid civil fines and/or late charges, as well as interest thereon, shall be a personal obligation and debt of the responsible person may be collected by the city an any manner allowed by law. The remedies set forth in this article are not exclusive and may be used in addition to those set forth elsewhere in this code or by law.
- (j) The city shall be entitled to recover its attorneys fees and all related collection costs arising from any action to collect or foreclose any confirmed, final or uncontested civil fine, late charge or other fee imposed and unpaid pursuant to the procedures set forth in this article.

Section 1.05.110 is hereby repealed.

Sec. 1.05.120 – Payment of Fines

- a. All fines are due on the day specified in the administrative citation. Thereafter, a late charge and interest shall be due and owing.

- b. Fines shall be paid to the City. Payment may be made by mailing the fine amount paid by check or money order. Cash payments may be made only at City Hall.
- c. Payment of a fine pursuant to this chapter shall not excuse or discharge any continued or repeated violation of this Code.
- d. Pending a hearing by the hearing authority, payment of a fine may be stayed if the preliminary reviewing authority determines, pursuant to Section 1.05.130, that a responsible person is unable to pay the fine.

Section 2. If any provision of this Ordinance is held to be unlawful or unconstitutional, it is the intent of the City Council that such portion of this Ordinance be severable from the remainder and that the remainder be given full force and effect.

Section 3. The City Clerk shall certify to the adoption of this Ordinance.

PASSED, APPROVED and ADOPTED this ____ day of _____, 2021.

Mayor

ATTEST:

Claudia Saldana
City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF BRADBURY)

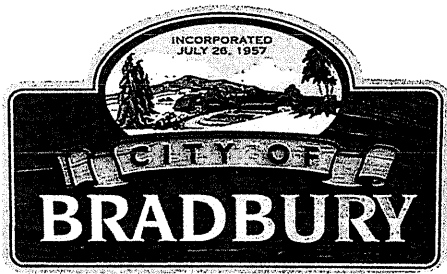
I, Claudia Saldana, City Clerk of the City of Bradbury, do hereby certify that the foregoing ordinance, being Ordinance No. 377, was duly passed by the City Council of the City of Bradbury, signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of the City Council held on the ____ day of _____, 2021, that it was duly posted and that the same was passed and adopted by the following vote, to wit:

AYES:

NAYS:

ABSENT:

Claudia Saldana
City Clerk
City of Bradbury



Monte Lewis, Mayor (District 2)
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Bruce Lathrop, Council Member (District 4)

City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Sophia Musa, Management Analyst

DATE: April 20, 2021

SUBJECT: **DISCUSSION ON SCHOOL DISTRICT REORGANIZATION**

ATTACHMENTS: 1. Los Angeles County Committee: School District Reorganization

SUMMARY

Per the direction of City Council from the March 2021 meeting, City staff has gathered general information to discuss the reorganization of school districts for the City of Bradbury. It is recommended that the City Council direct staff on how to proceed.

BACKGROUND

At the March 2021 meeting, during public comment, a resident inquired about the City of Bradbury transferring from Duarte Unified School District to Monrovia Unified School District. As a result, the City Council directed staff to further investigate what the process entails.

DISCUSSION

City staff recently spoke to the Los Angeles County Office of Education (LACOE) to inquire about the process of school district transfers, known as a transfer of territory. The LACOE is the regional education agency tasked with supporting and overseeing L.A. County school districts. Major steps in transferring school districts involve submitting a petition request to the LACOE and participating in an election. The petition request should include maps, a description of the areas proposed for reorganization, and supporting documentation. Required supporting documentation is to also include a petition signed by 25% of registered voters (745 total registered voters in Bradbury) residing within the transfer area or a resolution passed by a majority of City Council members. Once the supporting documents are verified, the proposal will be presented to the Los Angeles County Committee at their regular meeting. The Committee is an independent, 11-

member elected body that studies and makes recommendations and decisions on such matters as transferring territory between/among school districts, unifying or deunifying a school district and forming new districts.

After the information is presented, the LACOE staff will begin to gather data, conduct a CEQA study, prepare feasibility studies, and formulate plans and recommendations based on specified criteria. It is important to note that the studies are done at the cost of the County Committee. The County Committee will make a recommendation to approve or disapprove the proposal which is then forwarded to the State Board of Education (SBE).

Once the proposal is submitted to the SBE, a final public hearing is held to approve or disapprove the proposal. If the proposal is disapproved, the process ends. If the proposal is approved by the SBE, they select the area in which to hold an election. For example, the State can decide whether the election takes place in Bradbury alone or if it will occur in Bradbury, Duarte and/or Monrovia. If the reorganization election carries, the LA County Board of Supervisors will order the approved changes in school districts and the reorganization will become effective the following calendar year.

TIMELINE

In the L.A. County Committee School District Reorganization packet (Attachment 1), a detailed timeline of the transfer of territory process is outlined. In our recent conversation with LACOE, a more accurate timeline was provided which is the following:

- LACOE receives and reviews the petition request –6 months to 1 year
- LACOE prepares reports and conducts a CEQA study—1 to 3 years
- The SBE holds a public hearing and an election is held—up to 3 years

LACOE staff explained that if the process moves fast it could take up to 4-6 years. City staff also learned that other entities have experienced roadblocks that have prolonged the transfer of territory process which include appeals, litigation with school districts or parents, and disagreements between affected parties. City staff was advised that the best approach is to collaborate with all the school districts involved before sending in a petition request. A strong case consists of community support, rationale beyond preferences and a mutually beneficial agreement between all parties involved. The County Committee along with the State Board of Education will review and approve the petition if the decision creates more stability for the region as a whole.

A few complications that are specific to Bradbury that could elongate the process include exiting bond obligations with Duarte Unified School District, entering any bond obligations with Monrovia Unified School District and changes for Royal Oaks STEAM Academy in the Bradbury City boundaries. If the City is involved in a bond obligation and transferred to a different school district, the City may need to take that bond obligation with them until it is fully paid. Each component may require legal assistance to negotiate terms that

indicate how to proceed with the transfer of territory process. It is important to take into account the time these complications will add to the overall process.

FINANCIAL ANALYSIS

There could be significant financial impact to both the City and/or residents depending on the process. Some potential costs include:

- Hiring of a consultant on behalf of the City to facilitate the process
- Mapping
- Litigation and City Attorney work
- Potential trade-off costs to make school districts “whole”
- Resolving and/or entering into Bond Obligations

RECOMMENDATION

It is recommended that the City Council direct staff on how to proceed.

**LOS ANGELES COUNTY COMMITTEE
ON
SCHOOL DISTRICT ORGANIZATION
AND THE
PROCESS FOR
UNIFICATION AND FORMATION**

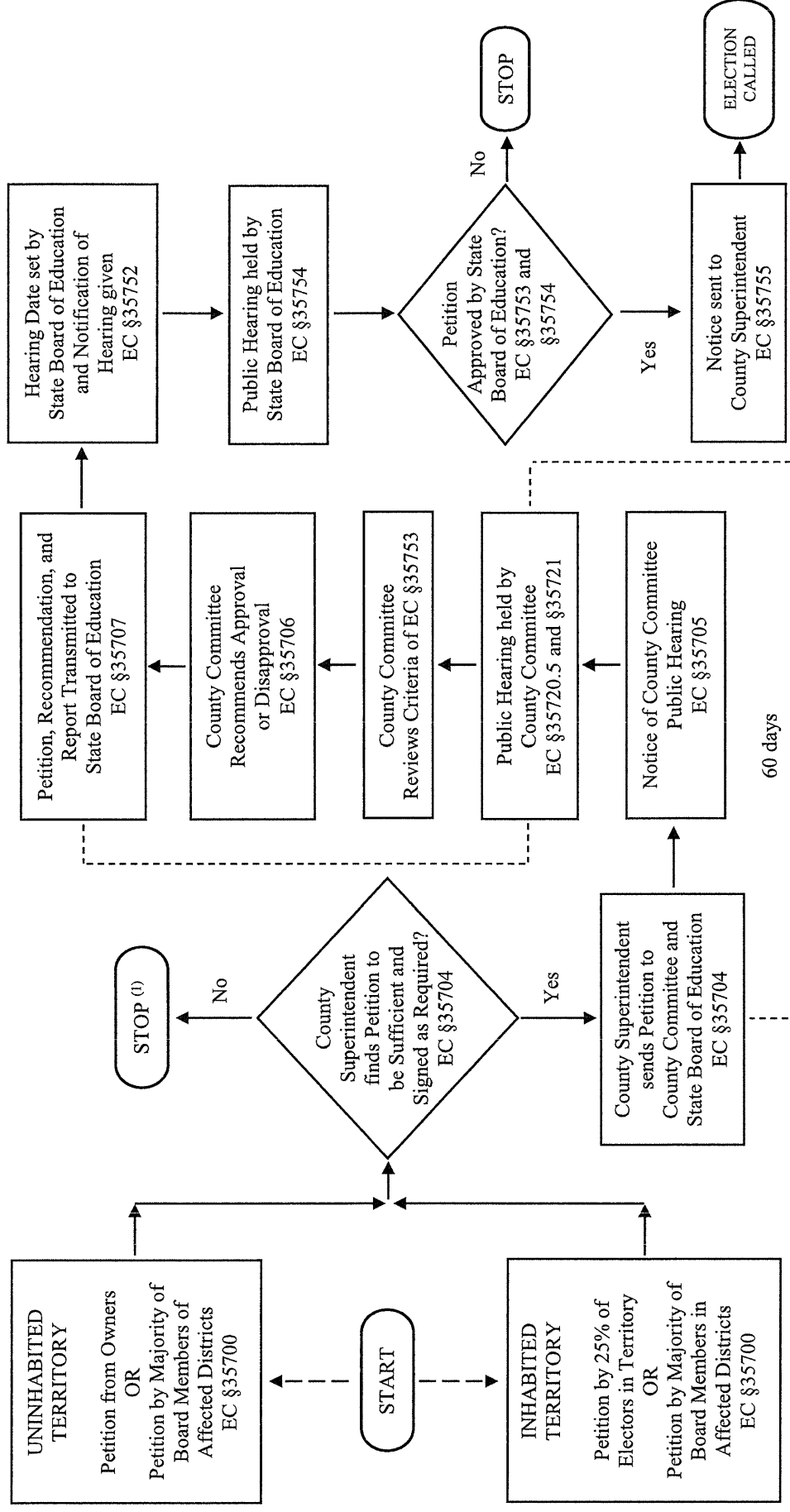
**LOS ANGELES COUNTY OFFICE OF EDUCATION
BUSINESS ADVISORY SERVICES**

SCHOOL DISTRICT REORGANIZATION PROCESS AND POTENTIAL TIMELINE*
SCHOOL DISTRICT UNIFICATION AND FORMATION
PURSUANT TO EDUCATION CODE §35700(a) *et seq.*

Petition Request	Should include a map and description of the area proposed for reorganization, supporting documentation, and rationale for proposal.
Petition Requirement	<ul style="list-style-type: none"> * Majority of the board members of each affected district, or * Signatures of a least 25 percent of the registered voters residing within the transfer area.
March 2021*	Completed petition containing required signatures returned to the Los Angeles County Superintendent of Schools (County Superintendent).
April 2021	Signatures verified by the County Superintendent (via Los Angeles County Registrar- Recorder/County Clerk) - 30 day timeline.
May 2021	If the petition is sufficient and signed as required by law, the proposal is presented to the Los Angeles County Committee on School District Organization (County Committee) at its next regular meeting.
May 2021 - July 2021	At least <u>one</u> public hearing will be held by the County Committee in <u>each</u> affected school district. Note: Public hearings <u>must</u> be held within 60 days after presenting the proposal to the County Committee.
July 2021 - October 2021	Staff gathers data, prepares feasibility study of area, and formulates plans and recommendations based on specified criteria contained in Education Code §35753.
November 2021	<p>Within 120 days of the first public hearing, the County Committee makes a recommendation to approve or disapprove the proposal, and forwards it to the State Board of Education (SBE).</p> <p>If the County Committee recommends approval of the proposal, they may also recommend the area in which to hold the election.</p>
May 2022	SBE holds a public hearing (no statutory timeline for SBE to hold hearing), and makes a final decision to approve or disapprove the proposal. If approved, the SBE selects the area in which to hold an election, and orders the County Superintendent to call an election. If disapproved, the process ends.
May 2022	The County Superintendent orders an election.
November 2022	Election is held regarding the proposal. Governing board election consolidated with reorganization election.
December 2022	If the reorganization election carries, the Los Angeles County Board of Supervisors will order changes in school districts (must be completed prior to the end of calendar year in order for reorganization to become effective July 1 of the following calendar year).
July 1, 2023	Reorganization effective.

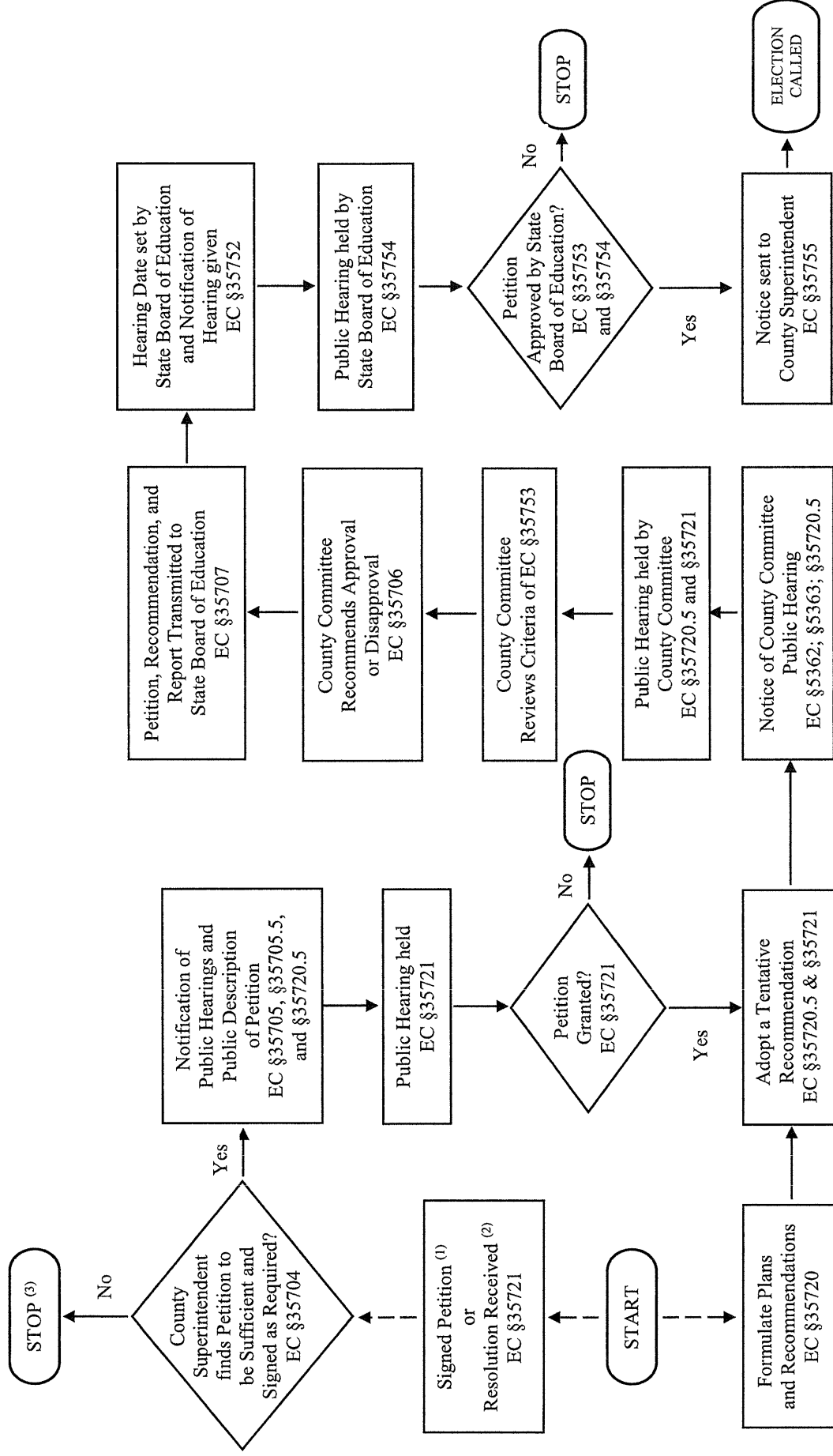
**Dates and timeline indicated are estimates, and used for illustrative purposes only.*

UNIFICATION INITIATED BY OWNERS, 25% PETITION, OR DISTRICT GOVERNING BOARD



(1) Petitioners may obtain supplemental signatures, and resubmit the petition to resume the process.

UNIFICATION INITIATED BY 10% PETITION, OR COUNTY COMMITTEE



- (1) A petition signed by at least 10% of the qualified electors residing in any district for consideration of unification.
- (2) A resolution approved by a majority of the members of a city council, county board of supervisors, governing body of a special district, or local agency formation commission that has jurisdiction over all or a portion of the school district.
- (3) Petitioners may obtain supplemental signatures, and resubmit the petition to resume the process.

LOS ANGELES COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
CONDITIONS AFFECTING REORGANIZATION PROPOSALS

Proposal: _____

Policy Statement

- The Los Angeles County Committee on School District Organization (County Committee) may vote to approve a proposal to transfer territory when the conditions contained in Education Code (EC) §35753(a)(1) through (10) are substantially met.
- The County Committee has the option to vote to recommend that a proposal for unification or formation be disapproved, when the conditions are substantially met, if it determines a proposal will not be in the best overall interests of those affected, there is no compelling reason for a change, the proposal will not improve the effectiveness and/or the efficiency of the delivery of educational services to students, or for any other reason(s) the County Committee deems relevant.
- The County Committee may vote to recommend approval of a proposal for unification or formation if it determines it is not practical nor possible to apply the EC §35753 conditions literally and circumstances with respect to the proposal present an **exceptional situation** sufficient to justify approval of the proposal.

I. Conditions Required To Be Considered By The County Committee

A. EC §35753(a)

NOTE: Following each condition is a list of considerations which may be used by the County Committee in determining if the condition has been substantially met. Because each reorganization proposal is unique, all considerations listed may not apply to specific proposals. Staff will use their discretion in determining which considerations to address in preparing reports and recommendations for the County Committee.

Condition #1 The reorganized districts will be adequate in terms of the number of pupils enrolled.	Condition Substantially Met	
	Yes <input type="checkbox"/>	No <input type="checkbox"/>

CONSIDERATIONS:

Type of School District
Elementary
High
Unified

Minimum # of Pupils
901
301
1501

The County Committee should consider the projected enrollment and the resulting increase/decrease.

It is not necessary to meet the minimum requirements if the County Committee feels there are extenuating circumstances, e.g., geographical barriers.

Condition #2 The districts are each organized on the basis of a substantial community identity.	Condition Substantially Met	
	Yes <input type="checkbox"/>	No <input type="checkbox"/>

CONSIDERATIONS:

The County Committee should consider the following criteria:

- isolation
- geography
- distance between social centers
- distance between school centers
- topography
- weather
- community, school, social ties, and other circumstances peculiar to the area
- size and style of homes and similarity of architecture
- usage patterns of park and school facilities for recreation programs
- traffic patterns and public transportation
- geopolitical factors such as cities, zip codes, and electoral districts
- neighborhood and regional shopping patterns

Condition #3 The proposal will result in an equitable division of property and facilities of the original district or districts.	Condition Substantially Met	
	Yes <input type="checkbox"/>	No <input type="checkbox"/>

CONSIDERATIONS:

- a. All property, funds, and obligations, except real property and bonded indebtedness (e.g., funds, cash on hand, monies due but uncollected, state apportionments).

The County Committee will determine which of the criteria authorized under EC §35736 shall apply for dividing the property:

- assessed valuation;
- revenue limit per pupil in each district;
- average daily attendance (ADA).

The County Committee should consider the value and location of the school property and such other matters as may be deemed pertinent and equitable.

b. Real Property

The real property and personal property and fixtures normally situated there shall be the property of the district in which the real property is located.

In reviewing the aspects of proposals dealing with school facilities, the County Committee should request long-range facilities plans from the districts affected. Those plans should include:

- demographic studies showing both current and projected student population data;
- development of maps showing census tracts, boundaries, current and proposed zoning, and projected development;
- an evaluation and report of the utilization, capacity, and condition of existing facilities; and
- development of a “comparison analysis” considering both existing and proposed divisions.

c. Bonded Indebtedness

Provided for under EC §35570-§35579.

NOTE: The County Committee may recommend, pursuant to EC §35565, the appointment of a board of arbitrators to resolve any disputes between the governing boards of the affected school districts concerning the division of funds, property, or obligations.

Condition #4 The reorganization of the district will preserve each district’s ability to educate students in an integrated environment and will not promote racial or ethnic discrimination or segregation.	Condition Substantially Met	
	Yes <input type="checkbox"/>	No <input type="checkbox"/>

CONSIDERATIONS:

The County Committee should consider the effects of the following criteria (Title V of the California Administrative Code (CAC) §18573). Each of these items should be evaluated to determine whether any imbalance would be so disproportionate that, realistically, minority students would be isolated from other students and that all students would be deprived of an integrated educational experience:

- The current number and percentage of pupils in each racial and ethnic group in the affected districts and schools in the affected districts, compared with the number and percentage of pupils in each racial and ethnic group in the affected districts and schools in the affected districts if the proposal or petition is approved.
- The trends and rates of present and possible future growth or change in the total population in the districts affected, in each racial and ethnic group within the total district, and in each school of the affected districts.
- The school board policies regarding methods of preventing racial and ethnic segregation in the affected districts and the effect of the proposal or petition on any desegregation plan or program of the affected districts, whether voluntary or court ordered, designed to prevent or alleviate racial or ethnic discrimination or segregation.
- The effect of factors such as distance between schools and attendance centers, terrain, and geographic features that may involve safety hazards to pupils, capacity of schools, and related conditions or circumstances that may have an effect on the feasibility of integration of the affected schools.
- The effect of the proposal on the duty of the governing board of each of the affected districts to take steps, insofar as reasonably feasible, to alleviate segregation of minority pupils in schools regardless of its cause.

The County Committee may also consider:

- participation in extracurricular activities;
- equipment of affected school districts;
- condition of facilities of affected school districts;
- perception of staff, administrators, and community regarding whether schools are segregated; and
- racial/ethnic makeup of staff and administration.

Condition #5 Any increase in costs to the state as a result of the proposed reorganization will be insignificant and otherwise incidental to the reorganization.	Condition Substantially Met	
	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>

CONSIDERATIONS:

- the proposal does not increase costs to the state for the affected territory by more than ten percent;

- other state special or categorical programs, and the increased state costs if students transferring would qualify in the gaining district and not in the losing district;
- the additional costs to the state if special or categorical program costs are higher in the gaining district; and
- the effect on the district's home-to-school and special education transportation cost and state reimbursement.

Condition #6 The proposed reorganization will continue to promote sound education performance and will not significantly disrupt the educational programs in the districts affected by the proposed reorganization.	Condition Substantially Met	
	Yes <input type="checkbox"/>	No <input type="checkbox"/>

CONSIDERATIONS:

The County Committee must look at the effect of the proposal on all school districts affected by the reorganization. The County Committee should look at district-wide programs and the school site programs in schools not a part of the proposal that will be affected by the proposal.

Condition #7 Any increase in school facilities costs as a result of the proposed reorganization will be insignificant and otherwise incidental to the reorganization.	Condition Substantially Met	
	Yes <input type="checkbox"/>	No <input type="checkbox"/>

CONSIDERATIONS:

The County Committee should evaluate the affected districts' school housing needs and the long-range facilities plans for meeting the current and projected facilities requirements including:

- local bonding capacity (potential);
- developer fee income;
- surplus property and asset management opportunities;
- eligibility for state school facilities funding;
- deferred maintenance, modernization, and reconstruction needs; and
- the portion of costs for additional housing to be assumed by state and local programs.

Condition #8 The proposed reorganization is primarily designed for purposes other than to significantly increase property values.	Condition Substantially Met	
	Yes <input type="checkbox"/>	No <input type="checkbox"/>

CONSIDERATIONS:

The County Committee should analyze the rationale presented in the petition for the transfer. The County Committee should consider whether increased property values might be the primary reason for the petition. The county tax assessor's office or local real estate boards should be consulted concerning the potential impact on property values in the area proposed for transfer or unification.

Condition #9 The proposed reorganization will continue to promote sound fiscal management and not cause a substantial negative effect on the fiscal status of the proposed district or any existing district affected by the proposed reorganization.	Condition Substantially Met	
	Yes <input type="checkbox"/>	No <input type="checkbox"/>

CONSIDERATIONS:

The County Committee should look at the percentage of lost revenue to total revenue of the affected districts. It should also look at the viability of a new school district to operate a meaningful educational curriculum with its anticipated revenue.

The County Committee should review the financial status of the districts for several preceding years and evaluate the financial impact of the reorganization on each of the districts affected. The County Committee might also review other sources of financial data including the annual audit reports prepared by the districts' independent auditors.

Additionally, the County Committee should review and consider any potential revenue gains and/or losses (e.g. community redevelopment agency agreements, Mello-Roos Community Facility District funds, parcel taxes, certificates of participation, mitigation agreements with developers, or any other categorical or specialized funds.)

B. EC §35707

The County Committee must report whether any of the following, in the opinion of the County Committee, would be true regarding the proposed reorganization.

The proposed reorganization would comply with the provisions of EC §35753.	True <input type="checkbox"/>	Not True <input type="checkbox"/>

The proposed reorganization would adversely affect the school district organization of the county.	True <input type="checkbox"/>	Not True <input type="checkbox"/>
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II. County Committee Decision/Recommendation

Within 120 days of the commencement of the first public hearing on the petition, the County Committee shall recommend approval or disapproval of a petition for unification of school districts; or for the division of the territory of an existing school district into two or more separate school districts, as the petition may be augmented; or shall approve or disapprove a petition for the transfer of territory, as the petition may be augmented.

A. May Approve the Proposal

If all the conditions of EC §35753 are substantially met.

Certain conditions may be waived, and the County Committee may approve a proposal if the County Committee determines circumstances with respect to the petition or proposal provide an exceptional situation sufficient to justify approval.

B. To Disapprove the Proposal

In making its decision, the County Committee should consider whether:

- a compelling reason necessitates the reorganization;
- the reorganization proposal improves the effectiveness and efficiency of the delivery of educational services;
- the reorganization is in the best interests of all those concerned;
- any other reasons deemed pertinent by the County Committee to support the reorganization.

Except for petitions for the transfer of territory, the County Committee shall forward its recommendation to the SBE.

DECISION / RECOMMENDATION	
The County Committee:	
<input type="checkbox"/>	Approves the proposed reorganization
<input type="checkbox"/>	Disapproves the proposed reorganization

III. Determine the Area of Election

STEP 1:

- Identify the petition area.

STEP 2

- The County Committee may expand the area of election beyond the petition area if it determines that there exists a logical and meaningful reason to do so.
- If not, then the election area is deemed to be the petition area.

RECOMMENDED AREA OF ELECTION

Area Description:

LOS ANGELES COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

Frequently Asked Questions

1. What is the Los Angeles County Committee on School District Organization?

County committees on school district organization were created in each county by the California State Legislature in 1949 pursuant to Education Code §4000 *et seq.* The Los Angeles County Committee on School District Organization (hereinafter referred to as the County Committee) is governed by the rules and regulations established by the Legislature and by its own policies and procedures. Its duties and responsibilities pertain to school and community college districts.

The County Committee is charged by the state to study and make recommendations and decisions on school district reorganization, establishing, rearranging, and abolishing trustee areas, and on changing the number of governing board members and the manner in which they are elected. The County Committee's responsibilities include revising its countywide Master Plan for school district organization.

The activities of the County Committee are coordinated by the Los Angeles County Office of Education (LACOE). The County Committee interacts with the California Department of Education, State Board of Education (SBE), the Los Angeles County Board of Supervisors (Board of Supervisors), Los Angeles County Registrar-Recorder/County Clerk, the Los Angeles County Department of Public Works, and other state and county agencies. Expenses and activities are funded from the County School Service Fund.

2. Who serves on the County Committee?

The County Committee consists of 11 members - two from each of the five county supervisorial districts, and one member serving at-large. Members are elected annually by a voting representative of each of the 94 school and community college district governing boards in Los Angeles County. The term of office is four years and begins upon election. County Committee members serve without pay.

3. How often does the County Committee meet?

The County Committee meets at 9:30 a.m. on the first Wednesday of each month in the LACOE Board Room at 9300 Imperial Highway, Downey. Public hearings related to matters before the County Committee are held throughout the county as required by law. Special meetings may be called by the chairperson or by a quorum of the County Committee. A majority of the members of the County Committee constitutes a quorum. The meetings are subject to the provisions of the Brown Act.

4. How do items get on the County Committee's agenda?

The Los Angeles County Superintendent of Schools or the designee serves as Secretary to the County Committee. Agenda items are originated by or submitted to the Secretary for the County Committee. Official minutes of each County Committee meeting are maintained and are available at LACOE.

5. What is “school district reorganization?”

The reorganization of school districts is one of the major responsibilities of the County Committee.

An action to reorganize school districts can refer to any one of the following:

- transfer of territory between/among school districts;
- school district unification or deunification;
- dissolution or lapsation of a school district;
- annexation of all or part of one district to another district;
- establishment of common governing boards; and
- formation of new districts of all types from territory of existing districts.

The processes to accomplish any of the above actions are similar.

6. What is the process for proposing a transfer of territory?

An action to transfer territory from one school district to another is initiated by the submission of a valid petition to the County Committee.

The petition may be initiated by:

- a) at least 25 percent of the registered voters residing in the area proposed for transfer (or by ten percent of the registered voters of the entire school district);
- b) the owner of the property if it is uninhabited;
- c) a majority of the members of the governing boards of each affected district; or
- d) a resolution approved by a majority of the members of a city council, county board of supervisors, governing body of a special district, or local agency formation commission that has jurisdiction over all or a portion of the school district.

The Secretary to the County Committee assists petitioners in securing the appropriate documentation.

After the County Committee has conducted a required public hearing(s) and/or studied the proposal, it prepares a series of findings, a report, and makes a determination to approve/disapprove the proposal. If the County Committee disapproves the proposal, the process ends. If the County Committee approves the proposal, an election is held on the proposal in territory selected by the County Committee. If the proposal passes at the election, the transfer action is implemented by the Board of Supervisors.

If the proposal is initiated by a majority of the governing board of each affected district and the territory proposed for transfer is less than ten percent of the territory of the transferring district, the proposal does not go to election.

Any action taken by the County Committee may be appealed to the SBE. The process is slightly different for community college districts and involves the Chancellor’s Office and the Board of Governors instead of the SBE.

7. What is the process for proposing a unification action?

Like a transfer of territory, an action to unify a school district(s) is initiated by the submission of a petition that has been determined to be sufficient and signed as required by law to the County Committee. The signature requirements are the same as those for a transfer of territory (except for proposals affecting the Los Angeles Unified School District [USD]).

After the County Committee has studied the proposal and held hearings on the matter in each of the affected school districts, it prepares a series of findings, a recommendation, and a unification plan for submission to the SBE. The SBE approves or denies the petition and plan. If approved, the proposal goes to an election in territory selected by the SBE. The SBE cannot be bypassed.

8. What is the process for proposing a formation action?

Like a unification, an action to form a school district(s) is initiated by the submission of a petition that has been determined to be sufficient and signed as required by law to the County Committee. The signature requirements are the same as those for a unification action.

After the County Committee has studied the proposal and held hearings on the matter in each of the affected school districts, it prepares a series of findings, a recommendation, and a plan for submission to the SBE. The SBE approves or denies the petition and plan. If approved, the proposal goes to an election in territory selected by the SBE. The SBE cannot be bypassed.

9. What is the County Committee's role in relation to the number of trustees and the manner by which they are elected?

Except in a school district governed by a board of education provided for in the charter of a city, the County Committee has the power to establish or abolish trustee areas, rearrange the boundaries of trustee areas, increase or decrease the number of members of the governing board of a school district, or adopt an alternative method of electing governing board members. Board members can be elected by the registered voters of the entire district and reside anywhere in the district ("at-large" method); be elected by the registered voters of the entire district but reside in a trustee area ("trustee area" method); or be elected by the registered voters of the trustee area in which they reside ("ward" method).

A request for such an action may be initiated by the County Committee, a petition of the qualified electors in a district, or a resolution of the governing board of a district. At the conclusion of hearings held within the district, the County Committee will approve or disapprove the proposal. Approval constitutes an Order of Election; denial terminates the proposal.

If the matter goes to election, the voters determine the final outcome of the proposal.

10. What are the requirements for a petition?

To request a petition to reorganize a school or community college district, any citizen or school or community college district must write a letter to the Secretary of the County Committee. The letter should include a statement of what is proposed, the names of the districts affected, a

list of the reasons for such proposal, and a map and boundary description of the area involved. The Secretary will provide the format for the petition. The number of signatures required for a valid petition varies depending upon the type of action proposed.

Proposed Action	Number of Signatures Required for School District Organization Petitions
Transfer of territory between/among districts	25 percent of the registered voters residing in the territory proposed for reorganization
Unification/deunification* *Except Los Angeles USD	-or- Ten percent of the registered voters residing in any district proposed to be reorganized
Formation of new district*	-or- The owner of uninhabited property if a subdivision map or an application for a project (as defined) has been filed
Dissolution or lapsation	-or- A majority of governing board members from each affected school district
Annexation	-or- A resolution approved by a majority of the members of a city council, county board of supervisors, governing body of a special district, or local agency formation commission that has jurisdiction over all or a portion of the school district
Trustee areas	Signature requirements are determined based on the number of registered voters within the area to be reorganized with trustee areas. Under Education Code §5019(c)(1), depending on number of registered voters, signature requirements range from 50 to 1,000. Consult the code for exact requirements. Signatures submitted must be no older than 180 days when the petition is turned in. These provisions do not apply in school districts governed by a board of education provided for in a city charter.
Common governing boards	
Method of electing governing boards	
Increase/decrease in number of governing board members of a school district	
(Los Angeles USD only) Formation of new districts	
Unification/deunification	-or- Five percent of the qualified electors residing in the school district.

11. Can the County Committee be bypassed?

Certain petitions may bypass the County Committee and, with enough valid signatures from registered voters (typically 10% of the area to be reorganized), may be submitted directly to the Registrar-Recorder/County Clerk to be placed on an upcoming ballot. Any person or group considering such a petition should contact the Secretary to the County Committee for assistance. Certain hearing and compliance requirements still apply to petitions that may bypass the County Committee.

12. Where is the specific authority for the County Committee?

Authorization for the County Committee and its actions can be found in the California Education Code §4000, *et seq.* and 35500, *et seq.*, and the California Administrative Code, Title V.

13. Where can I get specific answers to questions about the County Committee?

Further information can be obtained from the Secretary to the County Committee:

Octavio Castelo, Director
Business Advisory Services
Los Angeles County Office of Education
9300 Imperial Highway
Downey, CA 90242-2890
(562) 922-6131



**Los Angeles County Committee on
School District Organization**
c/o Los Angeles County Office of Education
9300 Imperial Highway, Downey, CA 90242-2890

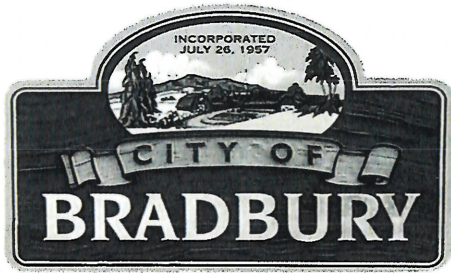
**Members of the
Los Angeles County Committee on School District Organization
(County Committee)**

Note: County Committee members are not appointed by the Board of Supervisors; they are elected by current Los Angeles County school and community college district board members. They are identified by supervisorial district because that is the district they live in - two members are elected who live in each supervisorial district, and one member is elected at-large.

January 2021

Term Expires Fall	First Supervisorial District (Hilda Solis)
2024	John Nunez
2022	Frank Ogaz – <i>Vice Chairperson</i>
Term Expires Fall	Second Supervisorial District (Holly Mitchell)
2021	Maria Calix
2023	Charles Davis
Term Expires Fall	Third Supervisorial District (Sheila Kuehl)
2023	Barry A. Snell
2021	AJ Willmer
Term Expires Fall	Fourth Supervisorial District (Janice Hahn)
2024	Donald LaPlante
2022	Martha Deutsch
Term Expires Fall	Fifth Supervisorial District (Kathryn Barger)
2024	Cherise Moore – <i>Chairperson</i>
2023	Suzan T. Solomon
Term Expires Fall	At-Large
2023	John Quintanilla

For further information, please contact Mr. Octavio Castelo, Secretary to the County Committee, at (562) 922-6131.



Monte Lewis, Mayor (District 2)
Elizabeth Bruny, Mayor Pro Tem (District 5)
Richard T. Hale, Council Member (District 1)
Richard Barakat, Council Member (District 3)
Bruce Lathrop, Council Member (District 4)

City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Kevin Kearney, City Manager

DATE: April 20, 2021

SUBJECT: **THE AMERICAN RESCUE PLAN ACT**

ATTACHMENTS: 1) National League of Cities: The American Rescue Plan Act
2) The American Rescue Plan: Impacts on California

SUMMARY

The American Rescue Plan Act of 2021 states the City of Bradbury receiving approximately \$201,000. Disbursement will come in two (2) roughly equal tranches approximately twelve (12) months apart. Unlike the CARES Act, the American Rescue Plan Act empowers governments to utilizing funding for a broader array of eligible purposes.

It is recommended that the City Council direct Staff on how to proceed.

BACKGROUND

H.R. 1319, also known as the American Rescue Plan Act of 2021, was signed into law by President Biden on March 11, 2021 and is a historical \$1.9 trillion economic federal stimulus bill that provides additional relief to address the continued impacts of COVID-19 on the economy, to public health, state and local governments, individuals, and businesses. The bill provides for a whole host of program funding, but this report will specifically address funding for cities and how it impacts the City of Bradbury.

The American Rescue Plan provides for \$350 billion in emergency funding to state and local governments, which California will see \$18.5 billion in local fiscal relief. Unlike the previous CARES Act that limited expenditures to costs directly related or incurred due to

the pandemic, the American Rescue Plan empowers governments to use funding for a broader array of eligible purposes.

ANALYSIS

The City of Bradbury is slated to receive approximately \$201,000 in funding allocations from the American Rescue Plan. The U.S. Department of Treasury will be dispersing funds directly to cities with a population over 50,000. The states will be distributing to those who do not met the Treasury's threshold. Regarding timelines, Treasury is to disperse funds within 60 days of legislation passage. In a webinar last week with Treasury, Staff was told that disbursement would be coming in weeks – not months from now. Once dispersed, the states will have an additional 30 days to distribute to the smaller cities. Disbursement will come in two (2) roughly equal tranches approximately twelve (12) months apart, and cities can use funds through December 31, 2024.

There are a number of uses for the funds allocated to local governments, and they include:

- Response to COVID-19 to address economic effects, including aid to households, small business, nonprofits, and industries such as tourism and hospital.
- Provide premium pay to essential employees. Premium pay cannot exceed base pay by \$13 per hour or \$25,000 per worker.
- Provide government services that were affected by COVID-19 revenue reduction.
- Make investments in water, sewer, or broadband infrastructure.

Local governments do have the option to transfer funds to private nonprofit groups.

Further guidance on these and other uses for the funds are expected to be released from Treasury in the coming weeks and months.

FINANCIAL ANALYSIS

The budgeting session in May and June, 2020 for the current Fiscal Year saw some changes from recent fiscal years due to COVID-19. Projections were that development activity in the City was slowing and would continue to slow because of COVID – leading to lower overall revenues. The pandemic also led to the cutting of certain line items, such as for Bradbury Night Out. Overall, one of the more significant line item altered due to decreased revenues was Staff's 3.4% COLA currently totaling \$6,693.

This Fiscal Year's overall general fund budget for the City of Bradbury, excluding sewer, is the following:

Revenues	Expenditures
\$1,183,520	\$989,240
<i>Budgeted Surplus: \$194,280</i>	

The budgeted surplus this year is roughly half experienced in past years mostly due to decreased revenues associated with planning department review, building construction permits, and building plan check fees. Although these line items are not expected to reach previous year levels, there is a current expectation that the City will either meet or exceed current development budget amounts. This may ultimately lead to a larger budgeted surplus that was originally projected.

The American Reduce Plan slates the City of Bradbury to receive approximately \$201,000 in funding allocations. Final allocations are still an estimate until finalized by the U.S. Treasury in the upcoming weeks.

RECOMMENDATION

It is recommended that the City Council direct Staff on how to proceed.

ATTACHMENT #1

The American Rescue Plan Act

League of California Cities - March 16, 2021

Irma Esparza Diggs and Mike Wallace
National League of Cities



\$65.1 Billion in Relief for Cities, Towns and Villages

- Historic. This is the first time in history the government will provide funding to all 19,000 cities, towns and villages
- The CARES Act, Coronavirus Relief Fund went to cities with a population of greater than 500,000
- Tell Your “Respond, Rebuild, Recover” Story
- Focus on Economic Recovery, Stabilizing Government, and Uplifting Our Communities

COVID-19 Impact on California

- Since the pandemic began, more than 3.5 million people have been infected with COVID-19 and more than 54,000 people have died.
- The unemployment rate is 9.3%, up from 4.3% before the pandemic. **Municipal Jobs Lost**
- Since February 2020, more than 1.6 million fewer people are employed.
- 3.2 million adults – 13% of people in the state – report not having enough food to eat. This includes 1.8 million adults living with children, or 17% of all adults living with children, who report that the children in their household do not have enough to eat.
- An estimated 1.9 million renters of 16% of renters are not caught up on rent.
- An estimated 11.4 million adults or 41% of all adults statewide report having difficulty covering normal household expenses
- **ARP State and Local Relief Funds: \$27 billion** in state fiscal relief; **\$18.5 billion** in local fiscal relief; More than **\$15 billion** in relief for K-12 schools
- Economic impact payments of up to \$1,400 per person (above the \$600 per person provided in December) for more than 22 million adults and 9 million children. This is 80% of all adults in the state and 81% of all children in the state.
- Additional relief of up to \$1,600 per child through the Child Tax Credit to the families of 7.8 million children, lifting 553,000 children out of poverty
- Additional relief of up to nearly \$1,000 through the Earned Income Tax to 1.8 million childless workers, including many in frontline jobs

Source: American Rescue Plan State Fact Sheets: White House

State and Local Emergency Relief Funds

The \$350 billion in funding in the bill is broken down as follows:

- States: Providing \$195.3 billion for the state government
- Localities: Providing \$130.2 billion for local governments both counties and municipalities
- Tribal Governments: Providing \$20 billion to federally recognized tribal governments
- \$10 Billion Capital Project Fund: “to carry out critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to the public health emergency.” Will go to states, tribes and territories

Use of Funds

- Respond to the COVID-19 emergency and address its economic effects, including through aid to households, small businesses, nonprofits, and industries such as tourism and hospitality.
- Provide premium pay to essential employees or grants to their employers. Premium pay couldn't exceed \$13 per hour or \$25,000 per worker.
- Provide government services affected by a revenue reduction resulting from COVID-19.
- Make investments in water, sewer or broadband infrastructure.
- State cannot use the funds towards pensions or to offset revenue resulting from a tax cut enacted since March 3, 2021. Local governments cannot use the funds towards pensions.
- State and local governments could transfer funds to private nonprofit groups, public benefit corporations involved in passenger or cargo transportation, and special-purpose units of state or local governments.

Allowable Uses As Drafted in Legislation

- (A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- (B) to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;
 - This allows a municipality to provide up to \$13 per hour above regular wages.
- (C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or
 - Key here: **prior to the emergency**. The base year against which you will measure lost revenue happens not the most recent full fiscal year but the most recent full fiscal year prior to the emergency.
- (D) to make necessary investments in water, sewer, or broadband infrastructure.

Process

- Upon Certification (Must Actively Seek): Disbursement comes in Two Tranches (12 months apart)
- Use funds through December 31, 2024
- Funds distributed by Treasury within 60 days to Metropolitan Cities – generally 50,000 in population and above (CDBG Entitlement as defined by HUD)
- All others will receive theirs through the State
 - Non-entitlement cities (As defined by CDBG – generally 50,000 population and below)
 - Distribution based upon population
 - State has 30 days to distribute, can request waiver but penalty otherwise
 - Non-entitlement cities may not receive more than 75 percent of the city's most recent budget
- Counties will receive their allocation per capita
- In the final version, ALL recipients of money will have to provide periodic reports to Treasury.
 - Recipients of "payment made under this section shall provide to the Secretary periodic reports providing a detailed accounting of the uses of such funds by such metropolitan city, nonentitlement unit of local government, or county and including such other information as the Secretary may require for the administration of this section."

State Aid

- Treasury could withhold up to half of State's allocation based on unemployment rate, and require updated certification of need
- Base of \$500 million; Rest based on unemployment rate over 3-month period (Oct-Dec 20)

ARP Funding for Your Residents and Your Local Businesses

- Direct Payments - \$1,400 per person, reduced eligibility (\$80,000) – already being distributed
 - Local governments may want to ramp up Buy Local campaigns, send reminders about utility or tax payments
- Tax Credits - Increase to and extension of Earned Income, Dependent Care, and Child Tax Credit
- Tax Credits - Employee Retention Credit and Paid Leave Credit
- Tax Credits - Makes states and local governments eligible for FFCRA paid leave reimbursable tax credit, beginning March 31, 2021
- Extension to additional Unemployment benefits, federal component – applies at State level (unless an employer provides unemployment benefits on a reimbursement basis, with 75% subsidy for that)
- Limited PPP funding increase (March 31 closes) – includes nonprofit eligibility; EIDL increase
- Restaurant Revitalization Fund – grants equal to pandemic-related revenue loss
- Funding for shuttered venue operators
- Extends SNAP and WIC increases

Health and Human Services

- Health - Supplemental vaccination and testing grants for state and local distribution
- Health - Funding available to state and local government public health departments to support workforce
- Health - Funding available for community health centers
- Health - Block grants under the Substance Abuse and Mental Health Services Administration
- Human Services - Child Care and Development Block Grant – these go to the State then to providers
- Human Services - Child Care Stabilization grants; Child Care Entitlement to States
- Human Services - Emergency Funding to states for low-income families with children
- Human Services - Mental Health Services Block grant, Substance Abuse Block grants, grants to Community Behavioral Health Clinics, funds for Head Start, home visiting programs, child abuse prevention and treatment grants, family violence grants
- Human Services - Older American Act funding, including nutrition programs
- Human Services - HHS – LIHEAP for energy assistance, plus water/sewer assistance
- Medicaid and Medicare provisions that will apply at the state level, ACA provisions
- 100% COBRA subsidy

FEMA, Transportation and Education

- Maintain 100% FEMA reimbursement to states and local governments (Apply!)
- FEMA firefighter, SAFER, and emergency management performance grants (Suggest joint grant)
- Food supply chain – USDA purchases of food and seafood, seafood processors
- Operating assistance formula grants to states to support rural transit programs/agencies
- Airport funding – costs related to operations and COVID response; non-primary airports aid
- Education (ESSERF)– school districts ventilation systems, support staff, reduced class sizes, PPE, learning loss remediation - -
Must have plan to return to in-person operations
- Education – funds to IDEA, non-public schools through governor; School and library internet funding through FCC E-rate program
- Education - States must maintain spending on both K-12 and higher education in FY 2022 and FY 2023 at least at the proportional levels relative to a state's overall spending, averaged over FY 2018, FY 2019 and FY 2020.
 - States cannot cut per-pupil spending for high-need districts more than other districts; cannot fund highest-poverty districts below FY19 funding

Utility, Consumer, and Housing

- University funding for lost revenue; restrictions on use, including to use for financial aid
- Emergency rent relief and utility assistance; extra for rural housing
- Emergency housing vouchers to address homelessness
- Homeowner Assistance Fund – mortgage payments, property taxes, utilities, insurance
- Housing – not more than 15% of funds can be used for admin by states and local governments
- Low-Income Household Drinking Water and Wastewater Emergency Assistance Program created under the FY 2021 Omnibus to assist with payments for drinking water and wastewater expenses
- VA construction funds to upgrade homes; support for state-operated facilities
- Emergency assistance through TANF
- EDA Economic adjustment assistance competitive grants for planning and projects
 - 25% reserved for states and communities to address losses in the travel, tourism or outdoor recreation sectors
- Corporation for Public Broadcasting – stabilization grants to small and rural stations

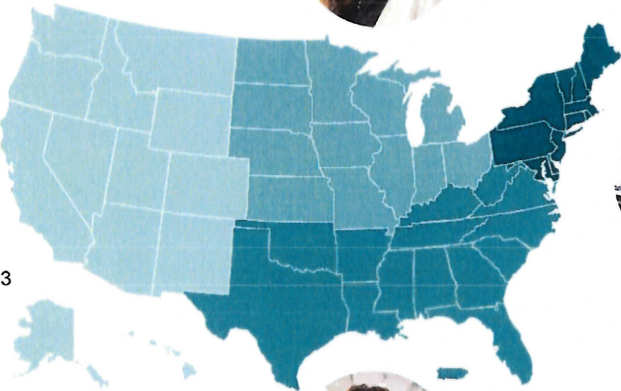
California's Allocations

- [State and Local Fiscal Relief](#)
State Government: \$26.065 billion; Metro Cities: \$7.046 billion; Non-Entitlement: \$1.310 billion;
Counties: \$7.663 Billion; State/Capital Projects: \$550 Million; Total \$42.634 Billion
- [Additional Round of Direct Payments](#): California Households: 17,030,537; Total Amount of Payments: \$45,245,424
- [Education Relief Funding](#): California State Share (SEA) \$15,068,885; Estimated Min to LEA \$13,561,996; \$2,712,399
- [Emergency Rental Assistance](#): \$2.066 billion for California
- [LIHEAP](#) \$255.821 Million for FY2020; \$199.904 Million for FY2021
- [Rural Transit](#): \$27,104,027 for Formula Grants for Rural Areas
- [FEMA Disaster Relief Fund Estimates](#)
- [Child Care and CCDBG](#)
- [Head Start](#): \$105.140 million for California (no including previous funding)
- [Transit Relief for Urbanized Areas](#) for Metropolitan Cities
- [Paratransit](#) for Populations of 200,000 or More
- [Enhanced and Expanded ACA subsidies, Additional Resources](#)
- Incentives for Non-Expansion States to Expand Medicaid

Next Steps

- Join NLC as a member! See Next Slide.
- NLC will begin working with the Treasury Department and White House on the implementation of this section of the American Rescue Plan Act, as well as work to make suggestions on guidance.
- Weekly NLC Calls on Friday @ 1:30PM EST
- If you have any input, questions or to share your ARP Story, you can email:
 - advocacy@nlc.org

Join NLC As Member Contact:



Kirk Ross
West Region
ross@nlc.org | (202) 626-3093

Alejandra Piers-Torres
Midwest Region
piers-torres@nlc.org | (202) 626-3160

Timothy Evans
Northeast/Mid-Atlantic Region
evans@nlc.org | (202) 626-3014

Katie Colten
South Region
kcolten@nlc.org | (202) 626-3160



@LEAGUEOFCITIES



ATTACHMENT #2



The American Rescue Plan: Impacts on California

The Need for Action in California

The pandemic and the associated economic crisis have had a severe impact on California. The need for action is clear:

- Since the pandemic began, more than 3.5 million people have been infected with COVID-19 and more than 54,000 people have died.
- The unemployment rate is 9.3%, up from 4.3% before the pandemic.
- Since February 2020, more than 1.6 million fewer people are employed.
- 3.2 million adults – 13% of all adults in the state – report not having enough food to eat. This includes 1.8 million adults living with children, or 17% of all adults living with children, who report that the children in their household do not have enough to eat.
- An estimated 1.9 million renters or 16% of renters are not caught up on rent.
- An estimated 11.4 million adults or 41% of all adults statewide report having difficulty covering normal household expenses.

The Effect of the American Rescue Plan on California

President Biden's American Rescue Plan will provide California with:

- \$27 billion in state fiscal relief
- \$18.5 billion in local fiscal relief
- More than \$15 billion in relief for K-12 schools
- Economic impact payments of up to \$1,400 per person (above the \$600 per person provided in December) for more than 22 million adults and 9 million children. This is 80% of all adults in the state and 81% of all children in the state.
- Additional relief of up to \$1,600 per child through the Child Tax Credit to the families of 7.8 million children, lifting 553,000 children out of poverty
- Additional relief of up to nearly \$1,000 through the Earned Income Tax Credit to 1.8 million childless workers, including many in frontline jobs
- Marketplace health insurance premiums that are \$1,270 lower per month for a 60-year old couple earning \$75,000 per year