

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance/Administration • • • Executive/Legal • • • Enforcement • • • Conflict of Interest
(916) 322-5660 322-5901 322-6441 322-6444

November 2, 1978

78-11-110

Judith A. Ennis
1779 Virazon Drive
La Habra, California 90631

Dear Mrs. Ennis:

Thank you for your letter of October 22, 1978, in which you ask about the provisions of the Political Reform Act which require identification of campaign literature.

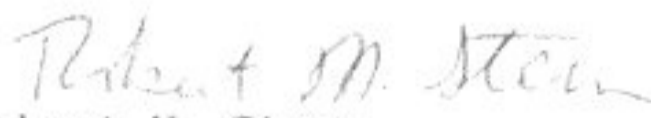
Government Code Section 84305 requires any mass mailing to have on its envelope and on one of its inserts the name and address of the person responsible for the mailing. Because the literature must be mailed, the material enclosed in your letter may not come within the provisions of the Act since it apparently was distributed door to door.

Elections Code Section 29410 has a similar provision which applies to all literature. However, this section is not interpreted nor enforced by our agency. The Elections Code provisions are interpreted by the Secretary of State and the Attorney General and by your local district attorney.

The Committee to Elect Fred Luevano is not registered with the Secretary of State. However, it does not have to register unless it has raised \$500 or more.

Please feel free to call on me if you have any further questions.

Sincerely,


Robert M. Stern
General Counsel

RMS:nc

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F P P C
OCT 25 9 05 AM '78

1779 Virazon Drive
La Habra, California 90631
October 22, 1978

Fair Political Practices Commission
P.O. Box 807
Sacramento, California 95804

Sir:

The cover sheet Incorporation is not free! was taped to the door of my mailbox in La Habra Heights on Saturday, October 21, 1978; the letter and two budget sheets were lying nearby. I saw many identical mailers taped to boxes or blowing about; one for each home amounts to 1,600 packets.

I understand that according to fair campaign practice laws, the name of the responsible committee must appear on each sheet of campaign literature. This has not been done on this literature. So, I protest this as illegal.

Is there a registered Committee to Elect Fred Luevano and has he filed an expense statement? Is he running an illegal campaign, as well?

This is the campaign for incorporation of La Habra Heights, proposition S.S. on the November ballot.

Sincerely,

Mrs. George Ennis

Mrs. George Ennis
(Judith A. Ennis)

"income sources will provide
more than sufficient revenue"

"you will save money
by voting for incorporation"

"at no additional cost to you"

Incorporation is not free!

Look inside for the facts →

Dear Members of the La Habra Heights Community:

Allow me to take a few moments of your time to introduce myself and members of the committee of Luevano for Council.

My name is Fred Luevano, Jr. Currently I am employed by the City of Anaheim as computer operations manager where I manage a multi-agency service center which provides Data Processing services to eleven cities. As computer operations manager, I represent the City of Anaheim in Board of Directors meetings which include City Council members, City managers, and Finance Directors from various cities. I received a Bachelor of Arts Degree in Public Management from the University of Redlands. My wife, Lupe, my children, Michael and Janis, and I are newcomers to the community of La Habra Heights. We completed our home in February of this year and look forward to enjoying the rural environment of La Habra Heights.

As your Councilman in the proposed city of La Habra Heights, my primary objectives are:

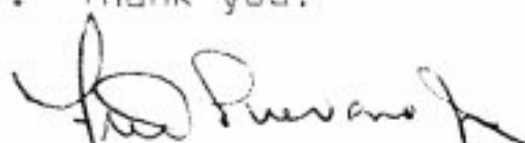
1. to monitor revenues and expenditures to assure proper checks and balances of taxpayer funds.
2. to oppose any measure that would burden the taxpayers of this community.
3. to support the existing General Plan and to maintain a rural environment.
4. to minimize the level of risk to the community by supporting adequate police and fire protection.

The Luevano for Council committee is comprised of Mrs. Jean Flath, treasurer, Annette Taylor, Barbara Taylor and Pat Messinger. The members of this committee and myself fully support local control of La Habra Heights, the General Plan, the Volunteer Fire Department and the many advantages of incorporation. We, however, believe that the taxpayers of this community should be aware that there are potential risks to Incorporation. For these reasons we have prepared a cost analysis of the LAFCO reports, the HAYS study, the Proponents for Incorporation budget, a revised Incorporation Budget based on approximate actual population and the City of Walnut, a contract city. The majority of the revenues would be derived as a result of population and we feel that the revenues derived from actual population would be closer to reality than would the 7,716 population revenue figures (registered voters X 3) used by LAFCO, HAYES, and Proponents for Incorporation.

We have chosen the City of Walnut for comparison purposes because they have a contract city, nearly the same area in size and a population slightly higher than ours. Hidden Hills (1.36 sq. miles and population of 1,560) and Bradbury (1.99 square miles and 880 population) as stated in the LAFCO report do not compare to our community.

I wish to thank the following people for the long hours contributed towards making this analysis possible and for the information they have contributed. Mr. El Hathaway of the Proponents for Incorporation, Mr. Pete Kraeger of COIN, and the members of the Luevano for Council committee.

We hope this analysis will assist you in your decision making process and on November 7, 1978 please VOTE FOR THE CANDIDATE THAT WILL KEEP YOU INFORMED AND ACT IN YOUR BEHALF. Thank you!



Pop. 7716 Pop. 7716

Pop. 4960 Pop. 7075

REVENUES	LAFCO		HAYS		Incorporation Approx. * Committee Present Pop.		City of Walnut
	7-27-77	1976	9-27-78	10-78	1978-79		
<i>Sources</i>							
State Sales Tax	\$ 14399	# 14281	} 34000	# 14281 ¹	# 48500		
Club Liquor License	200	198			198	2000	
State Cigarette Tax	16652	15517			9974	22000	
State Motor Veh. in lieu	89614	83178		90000	53469	141000	
State Gas Tax 2107	36162	33565	78000	21576	47900		
State Collier Unruh 2106	42209	39522	30000	27120	50500		
State Highway Users Tax	831	772	⊖	496	1400		
People Fines & Fort.	30000	30281	48000	30281	35800		
Utilities Franchises	47550	15000	⊖	15000	44000		
Federal Revenue Sharing	21200	31031	21000	21000	60000		
Business Real Prop. Trans.	6000	5500	16000	5500	25000		
Club+? Business License	500 ²	500	⊖	500	21250		
County Co. Aid to Cities	10000	⊖	⊖	⊖	15836		
Builders Bldg. Fees	⊖	108000	310000 ³	108000	139700		
Union Oil Mineral Removal Fee	⊖	⊖	80000	80000	⊖		
County Eng. Allotment	2000	2000	⊖	2000	3000		
Bank Interest	⊖	2000	⊖	⊖	95000		
People Prop. Tax Rate**	268098	308445	60000	60000	59982		
Trans., Users Fee, etc	⊖	⊖	⊖	⊖	717149		
Total Revenues	583415	689790	767000	449395	1530017		

** LAFCO & HAYS prior to Prop. 13

TOTAL REVENUES	583415	689790	767000	449395	1530017
Less EXPENDITURES	697864	670553	744000	744000	1486283
Less Prop. 13 LOSS	208098	248445	⊖	⊖	⊖

TOTAL SURPLUS			# 23000		# 43734
TOTAL DEFICIT	-# 322547	# 229208		# 294605	

* Population according to the Los Angeles Regional Planning Commission for La Habra Heights is 5,300 less the excluded sections or 480 = 4820 + (41 new homes - Jan. '77 to July '78 x 3.4) 140 = 4960..

1. actual Golf Club sales tax = \$5,881.
2. it is \$25.00 per license now.
3. the Water Co. records showed 18 new home meter turn ons for the first 6 months of this year. El Hathaway states in the Application for Incorporation that about 20 new homes would be built every year, but now believes that 80 to 100 new homes will be built each year.

HOW WILL WE PAY THE DIFFERENCE?

PROPOS CITY OF LA HABRA HEIGHTS
BUDGET COMPARISON

EXPENDITURES	LAFCO REPORT 7-27-77	HAYS STUDY 1976	Incorporation Committee 9-27-78	Approx. Present Pop. 10-78	City of Walnut 1978-79
City Council Exp.	2000	2000	} 30000	2000	9100
City Manager/Clerk	28000	53500		28000	82962
Secretary	8000	0		0	
Accounting Clerk	10000	0	0		31110
Building Rental	10000	20900			1500
Maintenance	900	} 8000	} 8000	} 8000	3800
Memberships/Publ.	2000				0
Office Supplies,					13080
Telephone	1000				3240
Employee Benefits ^{15%}	7000	0	0	0	32084
Insurance	18000	15000	15000	15000	15000
Audit	1000	1000	1000	1000	
City Attorney	15000	15000	6000	6000	16990
Emergency Ambul.	500	0	0	0	1000
Parks & Rec.	38000	24221	28000	28000	214130
Traffic/Law Enforc.	302564	268932	250000 ¹	250000 ¹	351652
Engineering	2000	0	0	0	0
Fire Protection	65000	62000	65000 ²	65000 ²	**
Back-up Paramedic	500	1000			0
Road Maintenance	143800	155025	} 186000	} 186000	218833
" Construction	26000	32700			42000
" Traffic & Light	13800	4275			28000
" Edison Chg.	2800	0			
Plan Ck/Bldg. Code	0	15000	155000*	155000*	83720
Community Develop.	0	0	0	0	108179
Landscape	0	0	0	0	201447
Elections	0	0	0	0	4500
Bikeways	0	0	0	0	4730
Horse trails	0	0	0	0	0
Community Promotion	0	0	0	0	6500
Ceta Benefits	0	0	0	0	17226
TOTAL EXPENDITURES	\$697864	\$670553	\$744000	\$744000	\$1486283

Only Walnut's budget reflects the 6-10% inflation rate.

** Fire Protection is provided by LA County Fire District and is funded by a tax rate.

* this figure could be adjusted to 1/2 the amount on line 14, p. 3

1. Chief of Police Meehan said "The \$250,000 might be adequate for 1 car-24 hr. coverage."
2. Capt. Paskett of LA Co. said "65,000 isn't even in the ballpark" for adequate protection defined by law.
3. Knowledgeable source states this is quite low - doesn't take all costs into consideration.

For additional information call 691-8054, 691-6055 or 691-4289