

July 24, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**SET PUBLIC HEARING TO ADOPT RESOLUTION
FOR SPECIAL TAX MEASURE ON NOVEMBER 4, 2003 ELECTION BALLOT
(All Districts) (3-VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Set a public hearing for August 5, 2003 for the purpose of considering the resolution submitted by a city requesting the Board to place the County Library's special tax measure on the city's November 4, 2003 municipal election ballot.
2. Following the public hearing, adopt a resolution in substantially the same form as the attached draft resolution, instructing the County Registrar-Recorder/County Clerk to take any and all steps necessary to submit the question of the special tax to the qualified voters within the requesting city at the November 4, 2003 election.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will set a public hearing date for the Board to consider resolutions from cities served by the County Library but not currently participating in the Library's special tax to be included in the special tax program by placing the special tax measure on the ballot for the city's general municipal election on November 4, 2003.

On June 23, 2003 the Board approved a motion to restore \$7.3 million to the Public Library's 2003-04 budget. That motion was approved with a requirement that all cities served by the County Library that are not currently participating in the Library's special tax place a measure on their local ballot by June 30, 2004 to give their voters the opportunity to vote on whether to participate in the special tax. On July 2, 2003 I sent letters to the seven cities which have municipal elections scheduled for November to advise them of the Board's June 23 action, and inviting each city to consider submitting a resolution to its council for approval in time for the Board to place the special tax measure on the city's

November ballot. To date, we have reason to believe that at least two cities may take the required action to place this measure on their November ballot.

In order to respond to any city resolutions, the Board must set and conduct a public hearing to consider the city's request. In addition, the Board must adopt its own resolution instructing the County Registrar-Recorder/County Clerk to place the measure on the ballot.

Implementation of Strategic Plan Goals

Approval of the recommended actions is consistent with the County's Strategic Plan in the area of fiscal responsibility to effectively manage financial resources and to financially stabilize the County.

FISCAL IMPACT/FINANCING

Placing this measure on individual city ballots will incur additional election costs for the County. It is therefore required that each city requesting this action include a provision in the resolution adopted by the city council which provides for reimbursement to the County for the additional election costs.

If the special tax measure is approved by a city's voters, the County will be able to include that city in the Library's special tax program and levy the special tax against parcels within the city in the same amounts and for the same purposes as the special tax is levied by the County against parcels in other portions of the Library's service area to fund library services and facilities. The amount of the special tax revenue raised in each city varies depending on the number of parcels subject to the tax. An estimate of the amount of special tax revenue for a specific city can be provided to the Board at the time of the public hearing for any city that submits a resolution requesting the Board to place the measure on the ballot to include the city in the special tax.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The County Public Library's special tax was created by voter approval of Proposition L at the June 3, 1997 special election, and the tax was first levied for the 1997-98 Fiscal Year. The special tax is currently levied in 11 cities and the unincorporated areas served by the Public Library. The special tax rate for Fiscal Year 2003-04 is \$24.76 per parcel. A city that is not currently participating in the special tax may do so by submitting the matter to the qualified voters in the city and obtaining approval of the measure by two-thirds of the voters. Seven

cities not currently participating in the special tax (Agoura Hills, Diamond Bar, Hawaiian Gardens, Hawthorne, Hermosa Beach, Montebello and Westlake Village)

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have municipal elections on November 4, 2003 and will have the opportunity to place the special tax measure before their voters. In the event that any of those cities chooses to do so, they will need to adopt a resolution requesting the Board of Supervisors to place the measure on the city's November ballot.

The latest date the Board can act to put a measure on the November ballot is August 5, 2003. To take such an action, the Board must set and conduct a public hearing, and adopt a resolution placing the measure on the ballot pursuant to Government Code Section 50077. The attached draft resolution has been prepared by County Counsel for that purpose. It is recommended that the Board set a public hearing for Tuesday, August 5, 2003 to consider any resolution that may be submitted by a city requesting that the special tax be placed on its November ballot. Setting the hearing for August 5 will allow the latest possible opportunity for a city to submit its resolution to the Board so that the Board may act by the last date allowed by law to place a matter on the November ballot. A final version of the proposed resolution will be prepared prior to the public hearing and will include the name of any city requesting the Board to take this action. In the event that no city resolution is received by the time of the hearing, the Public Library will request that the hearing be canceled. However, if the need arises for the Board to take action on August 5, the legal hearing requirement will be met and the matter will be on the Board's agenda for consideration and action.

IMPACT ON CURRENT SERVICES

If more cities participate in the Public Library's special tax it will provide additional revenue to augment service levels in those cities, or to offset the impact of other potential revenue losses or budget reductions. Due to the County's serious budget constraints, this potential source of additional revenue to supplement existing service levels is important for the County Library to continue providing service in cities. If cities choose not to participate in the special tax program, the service levels provided will be based on available revenue from other sources, and continuation of current service levels cannot be assured.

Respectfully submitted,

Margaret Donnellan Todd
County Librarian

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Attachment

c: Chief Administrative Officer
County Counsel
Registrar-Recorder/County Clerk