DATE: October 21, 2013

TO: Honorable Mayor and Members of the City Council

FROM: John C. Brown, City Manager

SUBJECT: Letter Commenting on the Draft Amended Library Joint Powers Agreement

RECOMMENDATION:

It is recommended that the City Council provide any additional comments that may be appropriate in the attached letter from the City Manager, commenting on the Sonoma County Library Draft Amended Joint Powers Agreement.

BACKGROUND:

At your October 7, 2013 meeting, a representative of the Sonoma County Administrator’s Office who has been providing staff support to the effort to amend the Sonoma County Library Joint Powers Agreement (JPA) provided an update on the progress of the project, and solicited the Council’s comments on the draft document. He also shared with the Council comments of those jurisdictions who had previously received comments on his update, and indicated that the County would like the comments of all member jurisdictions returned before November 1, 2013 for the Library JPA Review Advisory Committee’s further consideration.

DISCUSSION:

The Council discussed, in the main, three points of concern with the Draft Amended JPA: “equity” associated with the application of funds obtained through local fund raising efforts; taxation; and JPA governance structure. The Council shared predominantly similar points of view on all these subjects, although differed in degree in strength of conviction, as it might relate to, standing in the way of a successful completion of the Amendment project. The item was scheduled as a Presentation, and, therefore did not provide the opportunity for deliberation. Accordingly staff proposed to bring the item back in the form of a draft letter to the County.

Attached for your review is a draft letter which is intended to be directed to the County over the City Manager’s signature.

Agenda Review:

City Attorney Finance Director City Manager
FINANCIAL IMPACTS:

None:

ATTACHMENTS:

1. Draft Letter from the City Manager, dated October 22, 2013.
October 22, 2013

Mr. Don Schwartz, Administrative Analyst III
Sonoma County Administrator’s Office
575 Administration Drive, Suite 104A
Santa Rosa, CA 95403

Dear Mr. Schwartz:

Thank you again for your presentation to the Petaluma City Council on October 7, 2013, regarding the Sonoma County Library Draft Amended Joint Powers Agreement.

As you are aware from the Council’s conversation during and following your presentation, Council members had concerns in two areas of the Draft Amended Agreement, and with comments provided by members of the governing bodies of other member jurisdictions regarding governance structure. This letter is to provide the Petaluma City Council’s comments regarding their concerns to the Review Advisory Committee prior to your requested November 1, 2013 deadline.

With respect to language that would allow a community to utilize locally raised funds to staff additional library hours in that community only, the City Council feels, as do the members of the Petaluma Library Advisory Board, that this presents an “equity” issue. Some communities will have particularly effective fundraising functions, or populations of sufficient size to fund these additional hours, while others will not. Over time, this could result in inequity of access to services; those communities with the least means will have less access to services while those with more will have more. Related to this concern is the instability any additional hours, and in particular staffing that may be added through fundraising efforts can create. This instability will no doubt result in complications in labor relations, and certainly affect the job security of any positions added from fund-raising sources. One of the main purposes of the JPA is to provide consistent and equal services to member libraries throughout the
County. Fundraising efforts should be limited to improvements to capital facilities, or directed to materials equipment and furnishings.

While Council members may differ by degree with the strength of conviction on this issue, it is accurate to say there is unanimity on the part of the Council with respect to this position. The Council also has concerns with provisions of the Draft that appear to provide the JPA with taxing authority that it currently does not, and should not have. Any effort to increase the Library System's tax base should be based on actions of each member jurisdiction (not the JPA Board); the results of those votes should be unanimous, and of course, must then be approved by the voters.

With respect to the comments provided by other elected bodies regarding governance structure, in the first instance that the County and the City of Santa Rosa should have more than one vote each; the Petaluma City Council respectfully disagrees. Each member jurisdiction should have one vote. In the second instance, that representatives on the JPA board should be elected officials, the City Council also disagrees. The language of the JPA is currently silent on this point; it should be left to each of the members to decide who will best represent their interests.

On the whole, as you heard, the City Council is enthusiastic about the progress that has been made thus far on the Draft JPA, and is looking forward to a successful conclusion to this project.

Thank you for the opportunity to comment. If you have any questions regarding this letter, please do not hesitate to contact me at (707) 778-4345.

Sincerely,

John C. Brown
City Manager