

CITY OF LOS ANGELES  
INTER-DEPARTMENTAL CORRESPONDENCE

Date: November 16, 2010

To: The Mayor  
The City Council

From: Miguel A. Santana, City Administrative Officer 

Subject: **FISCAL IMPACT OF PROPOSED CHARTER AMENDMENT FOR LIBRARY FUNDING**

On November 4, 2010 the Council approved a report from the Rules and Elections Committee and an Amending Motion (Parks-LaBonge et al, C.F. 10-1057, 26C) to approve placement of a Library Funding measure on the March 2011 ballot. The proposed ballot measure increases the Library's Charter Appropriation to from its current level of 0.0175% to 0.0300% of the assessed value of all property in the City.

The attached Ordinance provides for an incremental increase over the next four years to restore Library services to the 2009-2010 level and to increase the reimbursement of General Fund related costs. If approved, at least 45% of the total appropriation will be required annually to fund the full restoration of Library services. In 2011-2012, a minimum of \$5.3 million will be required for Library services. A three-year phased restoration of services and increase in related cost reimbursement to full cost recovery is reflected in the following chart:

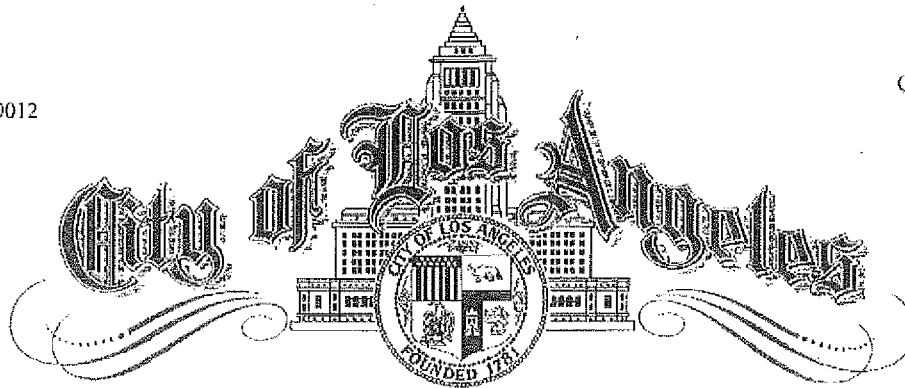
Fiscal Year	Percentage	Estimated Funding Increase	Restoration of Library Services over three years	Estimated Increased Related Cost Reimbursement
2011-2012	0.0206	\$ 11,787,569	\$ 6,000,000	\$ 5,787,569
2012-2013	0.0237	\$ 25,098,360	\$ 12,000,000	\$ 13,098,360
2013-2014	0.0269	\$ 38,366,625	\$ 18,000,000	\$ 17,548,212
2014-2015	0.0300	\$ 51,677,416	\$ 18,000,000	\$ 17,548,212

It will, however, increase the projected 2011-2012 General Fund deficit of \$319 million by approximately \$6 million and increase the projected deficits contained in the Five-Year Forecast. The City will be required to dedicate all of the proposed increase to the Library and these funds will no longer be available to fund other General Fund activities. The proposed Charter amendment does not provide new revenue to the Library; it reallocates existing Property Tax revenue to the Library. Therefore, the Mayor and Council will need to identify other General Fund service reductions to offset the impact of the increased appropriation on projected deficits.

Attachments  
MAS:EOS:08110110

City Hall East  
200 N. Main Street  
Room 800  
Los Angeles, CA 90012

(213) 978-8141 Tel  
(213) 978-8211 Fax  
CTrutanich@lacity.org  
www.lacity.org



**CARMEN A. TRUTANICH**  
City Attorney

**REPORT NO. R 10 - 0 3 8 3**

NOV 10 2010

**REPORT RE:**

**BALLOT RESOLUTION AND BALLOT TITLE RESOLUTION REGARDING A PROPOSED CHARTER AMENDMENT TO INCREASE THE FUNDING FOR THE LOS ANGELES PUBLIC LIBRARY WHILE REQUIRING REIMBURSEMENT FOR THE DIRECT AND INDIRECT COSTS FOR FINANCIAL SUPPORT OF THE LIBRARY AND ORDINANCE CALLING A SPECIAL ELECTION AND CONSOLIDATING IT WITH THE CITY'S PRIMARY NOMINATING ELECTION OR STATEWIDE SPECIAL ELECTION ON MARCH 8, 2011**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Council File No. 10-1057

Honorable Members:

On November 2, 2010, the City Council requested this Office to prepare the documents necessary for a proposed Charter amendment, for presentation to the electorate on the next City-wide ballot.

Attached please find a ballot title resolution and a ballot resolution, approved by this office as to form and legality, relating to the proposed Charter amendment. The amendment would change Article V, Section 531 of the City Charter. In addition, we transmit an ordinance calling a Special Election and consolidating it with the City's General Primary Election or a Statewide Special Election to be held on Tuesday, March 8, 2011. Pursuant to Council Rule 38, this office sent a copy to the City Clerk, City Administrative Officer, Library Department and Board of Library Commissioners.

If adopted, this measure would appropriate an annual sum equal to 0.300% of assessed value of all property in the City as assessed for City taxes increased to that sum over four years as follows: Fiscal Years Prior to 2011-2012: 0.0175%; Fiscal Year 2011-2012: 0.206%; Fiscal Year 2012-2013: 0.237%; Fiscal Year 2013-2014: 0.0269%; and Fiscal Year 2014-2015 and thereafter: 0.300%. This measure would also require the Library to be ultimately responsible for all of its direct and indirect costs.

The proposed amendment incrementally increases the appropriation to the Library to help restore library service hours, purchase books and support Library programs, while incrementally requiring the Library Fund to reimburse the General Fund for direct and indirect costs paid for the financial support of the Library. Direct and indirect costs include, but are not limited to, health, dental, pension, building services and utility costs. The Charter amendment provides, for fiscal years 2011-12, 2012-13 and 2013-14, that the Council shall, by ordinance, establish a minimum level of funding from the incremental increases in appropriations based on assessed property value for restoration of Library services and programs, and use the remainder of those annual increases to pay for indirect costs. The ordinance must provide that the amount of the increased appropriation dedicated for restoration of Library services and programs be at least 45% of the increase in appropriation over the sum appropriated based on assessed property value in the base year of 2010-2011. Beginning in fiscal year 2014-15 and thereafter, the Library Department shall be responsible for payment of all of its direct and indirect costs.

City Election Code Section 601 requires that these resolutions be adopted by no later than 110 days before the election. With regard to the March 8, 2011 City Election, that date is November 17, 2010.

If you have any questions regarding this matter, please contact Deputy City Attorney Basia Jankowski at (213) 978-8169. She or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

CARMEN A. TRUTANICH, City Attorney

By 

PEDRO B. ECHEVERRIA  
Chief Assistant City Attorney

PBE:BJ:fa  
Transmittal

ORDINANCE NO. \_\_\_\_\_

An ordinance calling a Special Election to be held on Tuesday, March 8, 2011 for the purpose of submitting to the qualified voters of the City of Los Angeles a certain Charter amendment and consolidating this Special Election with the City's Primary Nominating Election to be held on the same date.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

Section 1. A Special Election is hereby called to be held in the City of Los Angeles on March 8, 2011, for the purpose of submitting to the qualified voters of the City a certain Charter Amendment ordered submitted by the Council of the City of Los Angeles.

Sec. 2. The ballot title and question to be used at the Special Election for the measure to be submitted to the qualified voters of the City of Los Angeles shall be:

**PUBLIC LIBRARY FUNDING. CHARTER AMENDMENT \_\_\_\_.**

Shall the Charter be amended to incrementally increase the amount the City is required to appropriate annually from its General Fund to the Library Department to an amount equal to .0300% of the assessed value of all property in the City, and incrementally increase the Library Department's responsibility for its direct and indirect costs until it pays for all of its direct and indirect costs, in order to provide Los Angeles public libraries with additional funding to help restore library service hours, purchase books and support library programs?

Sec. 3. The measure shall be designated on the ballot or ballot pages by a letter or number determined by the City Council in accordance with applicable City and state laws. Upon the designation by the proper officials of the letter or number to be assigned to the measure, that letter or number is hereby adopted and shall be the designation for the ballot title.

Sec. 4. To vote on the measure, the voter shall mark the ballot next to the word "Yes" or the word "No." A "Yes" vote shall be counted in favor of adoption of the measure and a "No" vote shall be counted against adoption of the measure.

Sec. 5. The Special Election hereby called shall be, and hereby is ordered to be, consolidated with the City's Primary Nominating Election to be held in the City of Los Angeles on Tuesday, March 8, 2011.

Sec. 6. The voting polls on election day shall open at 7:00 a.m., March 8, 2011, and shall remain open until 8:00 p.m. of the same day when the voting polls shall be closed, except as provided in City Election Code Section 857.

Sec. 7. The election precincts, polling places, and officers of election for the Special Election shall be the same as those provided in the City of Los Angeles for the Primary Nominating Election, and the elections shall be held in all respects as if there were only one election. Furthermore, for the precincts, polling places, and officers of election, reference is hereby made to the list that will be prepared and approved by the City Clerk and filed in the City Clerk's Office not later than February 8, 2009, and that list is incorporated into and made part of this ordinance.

Sec. 8. In all other particulars, the Special Election shall be held and conducted as provided by law for the conduct of the Primary Nominating Election in the City of Los Angeles.

Sec. 9. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of \_\_\_\_\_.

JUNE LAGMAY, City Clerk

By \_\_\_\_\_ Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By *Basia Jankowski*  
BASIA JANKOWSKI  
Deputy City Attorney

Date 11-10-10

File No. 10-1057

**RESOLUTION**

**WHEREAS**, the Council of the City of Los Angeles has adopted a resolution to place a Charter amendment before the qualified voters of the City of Los Angeles at the March 8, 2011 Special Election to be consolidated with the City's Primary Nominating Election to be held on the same date; and

**WHEREAS**, the City Election Code requires the City Attorney to prepare and present a ballot title and question consisting of an impartial statement of the measure; and

**WHEREAS**, the City Attorney has presented the following ballot title and question for the proposed measure:

**PUBLIC LIBRARY FUNDING. CHARTER AMENDMENT \_\_\_\_.**

Shall the Charter be amended to incrementally increase the amount the City is required to appropriate annually from its General Fund to the Library Department to an amount equal to .0300% of the assessed value of all property in the City, and incrementally increase the Library Department's responsibility for its direct and indirect costs until it pays for all of its direct and indirect costs, in order to provide Los Angeles public libraries with additional funding to help restore library service hours, purchase books and support library programs?

**NOW, THEREFORE, BE IT RESOLVED** that the ballot title and question presented by the City Attorney be adopted by the City Council.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on \_\_\_\_\_.

JUNE LAGMAY, City Clerk

By \_\_\_\_\_  
Deputy

C.F. No. 10-1057

## RESOLUTION

Resolution providing that a ballot measure be submitted to the qualified voters of the City of Los Angeles.

### BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LOS ANGELES AS FOLLOWS:

Section A. The following amendments to the Charter of the City of Los Angeles are hereby proposed to be submitted to the qualified voters of the City of Los Angeles at a Special Election to be called and consolidated with the City's Primary Nominating Election held on March 8, 2011:

#### CHARTER AMENDMENT \_\_\_\_\_

**Section 1.** Section 531 of the Charter of the City of Los Angeles is amended to read:

Sec. 531. Financial Support.

(a) For the financial support of the Library Department, there shall be appropriated an annual sum equal to a percentage of assessed value of all property in the City as assessed for City taxes, as follows:

Fiscal Years Prior to 2011-2012: 0.0175%

Fiscal Year 2011-2012: 0.0206%.

Fiscal Year 2012-2013: 0.0237%.

Fiscal Year 2013-2014: 0.0269%.

Fiscal Year 2014-2015 and thereafter: 0.0300%.

(b) Additional appropriations may be made from the General Fund.

(c) All money derived from (a) or (b) plus sums received by the Library Department from fines, sales, gifts or otherwise in connection with the operation of the library, shall be placed to the credit of the Library Department in a fund to be known as the Library Fund.

(d) Except as provided in Section 342 with regard to funds appropriated from the General Fund to the Library Fund pursuant to subsection (b), money in the Library Fund shall be used only for the financial support of the Library Department, its operations and its facilities, including all Library Department direct and indirect costs. For fiscal years 2011-12, 2012-13 and 2013-14, the Council shall, by ordinance, establish a minimum level of funding from the incremental increases in appropriations based on assessed property value for restoration of Library services and programs, and the remainder of



those annual increases shall be used to pay for indirect costs. Provided, however, that in each of those fiscal years the amount of the increased appropriation dedicated for restoration of Library services and programs shall not be less than 45% of the increase in appropriation over the sum appropriated based on assessed property value in the base year of 2010-2011. Beginning in fiscal year 2014-15 and thereafter, the Library Department shall be responsible for payment of all of its direct and indirect costs, which shall include, but not be limited to, health, dental, pension, building services and utility costs.

Sec. B. The City Clerk is hereby authorized and directed to publish a notice containing the proposed ballot measure, specifying the date of March 8, 2011 as the date the measure is to be voted upon by the qualified voters of the City of Los Angeles. The notice shall be published once in a newspaper of general circulation in the City of Los Angeles, and in each edition thereof during that day of publication. The City Clerk is authorized and directed to prepare and keep in the City Clerk's office a sufficient supply of copies of the proposed ballot measure and to distribute the proposed ballot measure to any and all persons requesting a copy. Further, the City Clerk is authorized and directed to mail copies of the proposed ballot measure to each of the qualified voters of the City of Los Angeles.

Sec. C. The City Clerk is hereby authorized and directed to cause a notice to be published once in a newspaper of general circulation that copies of voter information pamphlets containing the proposed ballot measure may be obtained upon request in the City Clerk's office.

Sec. D. The City Clerk shall file a duly certified copy of this Resolution forthwith with the Board of Supervisors and with the Registrar-Recorder of the County of Los Angeles.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on \_\_\_\_\_.

JUNE LAGMAY, City Clerk

By \_\_\_\_\_ Deputy

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By   
BASIA JANKOWSKI  
Deputy City Attorney

Date 11-10-10

C.F. No. 10-1057