



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

DATE: December 1, 2003

BOARD MEETING DATE: December 16, 2003

TO: Honorable Board of Supervisors

FROM: County Counsel and Director of Environmental Services Agency

SUBJECT: Adoption of Resolution Authorizing the Director of the Environmental Services Agency to Give Notice of Withdrawal of Participation in the San Mateo County Library Joint Powers Authority

Recommendation:

Adopt a resolution authorizing and directing the Director of the Environmental Services Agency to give written notice of the County's withdrawal from the San Mateo County Library Joint Powers Authority ("Library JPA") on or before December 31, 2003.

Background:

On December 15, 1998, the Board approved a Joint Powers Agreement forming the San Mateo County Library JPA. Other members participating in the Library JPA include the cities of Atherton, Belmont, Brisbane, East Palo Alto, Foster City, Half Moon Bay, Millbrae, Pacifica, Portola Valley, San Carlos, and Woodside. The purpose of the Library JPA was to consolidate the authority and operations of the members to provide a more efficient and effective library system. As a result of certain issues concerning governance which have developed since the Library JPA was formed, a Governance Study was conducted which resulted in certain recommendations for amendments to the JPA Agreement. In order to be implemented, amendments to the JPA Agreement must be approved by all members of the Library JPA. To date, not all parties have concurred in the amendment package. In the absence of the proposed governance changes, there are significant disadvantages to the County continuing as a party to the Library JPA.

Discussion:

The JPA Agreement provides a method by which individual parties may withdraw from the County Library JPA. Under section III of the Agreement, any party may withdraw from the Library JPA by giving notice by December 31 of any fiscal year, with such withdrawal becoming effective at the end of that fiscal year (i.e., by June 30 of the following calendar

year). Thus, if the County were to give notice of withdrawal by December 31, 2003, such withdrawal would be effective as of June 30, 2004. If, however, notice is given on or after January 1, 2004, withdrawal would not be effective until June 30, 2005, a delay of one full year.

It is anticipated that the package of amendments will come before the Board for its consideration in January of 2004. The County may not know until that time, or sometime thereafter, whether the package of amendments will be acceptable to all parties. To protect itself against the possibility that concurrence cannot be obtained, we recommend that the County give notice of withdrawal before December 31, 2003. If the necessary concurrence is attained by early next calendar year, the County can then take action to revoke its notice of withdrawal.


Fiscal Impact:

This action will not require any expenditures by the County. If County withdrawal becomes effective, the County would maintain its share of property tax revenue dedicated to the County Free Library System, and would be relieved of its obligation to make an annual contribution from the General Fund to the Library JPA in the amount of \$225,000, adjusted by inflation from 1998-99.

Vision Alignment:

The County efforts to update the JPA agreement support Visioning goals #20 and 22 addressing partnerships. Goal #20 states that government decisions should be based on careful consideration of future impact, rather than temporary relief or immediate gain. If all of the other members of the Library JPA do not agree to the recommended changes, the County would need to continue to provide services under a changed framework. Providing notice to the Library JPA by the end of this calendar year simply allows the County the necessary flexibility to ensure the continued high level of library services are provided well into the future.

The County continues to work with the Library JPA members to resolve issues and amend the agreement. This work to maintain the high level of library services is consistent with Goal #22 which outlines county and local governments effectively communicating, collaborating and developing strategic approaches to issues.



Marcia Raines, Director, ESA



Thomas F. Casey III, County Counsel

cc: John Maltbie, County Manager

RECOMMENDED
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COUNTY MANAGER