CONTRA COSTA COUNTY LIBRARY COMMISSION
AGENDA ATTACHMENT 3

MEETING DATE: Thursday, August 24, 2017
AGENDA ITEM #: 11.B.
ITEM: STATE CONSTITUTIONAL AMENDMENT-3

RECOMMENDED ACTION:

No action is recommended.
Good morning colleagues,

On behalf of the CLA Legislative & Advocacy Committee, I am writing to enlist your support in mobilizing your respective networks of volunteers, advocates and library supporters to contact your Senator Glazer to request his support of SCA 3-Dodd (55% vote threshold for library bonds). Specifically the committee is recommending mobilization of 100 constituents from Alameda and Contra Costa Counties to make direct contact in the coming week(s) with the Senator via email or a phone call:

Les says it is essential for legislators to hear DIRECTLY from their OWN constituents. As such, we are in need of identifying someone who can take the lead in each of these Senate districts listed - who can email or get on the phone to their vast networks and have 50-100 constituents call THEIR OWN Senator below. Ideally this person would be a library director, a Friends President, a literacy leader, etc.

SENATOR STEVE GLAZER (Counties of Alameda and Contra Costa. Cities of Antioch, Brentwood, Concord, Danville, Dublin, Lafayette, Livermore, Moraga, Oakley, Orinda, Pittsburg, Pleasanton, San Ramon, Walnut Creek)

Thank you for your assistance in this endeavor!

Best regards,

Michael Lambert
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Good morning all,

Please take a look at the email below from Christina and Mike. We need to think about next steps for SCA 3 Dodd strategy and what the committee can do to engage these specific Senators below. Please review to see if your area is listed or if you know someone from any of the districts we can contact. If the committee members can come with some ideas that would be great. It will be an agenda item for discussion.

As a reminder - our monthly meeting is NEXT week - Friday, May 19th at 10:00am. It is a phone in meeting.

Thanks so much!

Jennifer Addington
Deputy Director | Palos Verdes Library District
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jaddington@pvld.org

From Christina and Mike:

We were wondering if you would be willing to forward this note to the CLA Legislative Committee so that the committee members can start giving some thought to some SCA 3-Dodd strategy in advance of our Legislative Committee meeting next Friday?

We met yesterday with Les Spahn in Senator Dodd’s office regarding “next steps” for SCA 3-Dodd (55% vote threshold for library bonds). The Senate Leadership sent the bill straight to the Senate Floor so that we could avoid having to go to the Senate Appropriations Committee first. Since Constitutional Amendments do not
have to follow the same deadline as traditional legislation, the bill does not have to be out of the Senate by June 2 – the “House of Origin deadline.”

Les is requesting that we focus on several Senators who may not yet have a firm position on SCA 3 or the larger issue of lowering the local vote threshold for bonds, special taxes, etc. CLA needs to determine when we think we might have a solid vote count that will allow us to try to pass the bill on the Senate Floor. We will need all of the Democrats (all 27), as SCA 3 requires a two-thirds vote of the Senate and we will not have one vote to spare. We are almost all but certain that no Republican will vote “aye” due to the Republican Caucus position against lowering the local vote threshold for bonds and special taxes. We will, however, still reach out to every member of the Senate, and with CLA member help.

Les says it is essential for legislators to hear DIRECTLY from their OWN constituents. As such, we are in need of identifying someone who can take the lead in each of these Senate districts listed - who can email or get on the phone to their vast networks and have 50-100 constituents call THEIR OWN Senator below. Ideally this person would be a library director, a Friends President, a literacy leader, etc.

SENATOR STEVE GLAZER  (Counties of Alameda and Contra Costa. Cities of Antioch, Brentwood, Concord, Danville, Dublin, Lafayette, Livermore, Moraga, Oakley, Orinda, Pittsburg, Pleasanton, San Ramon, Walnut Creek)

SENATOR CATHLEEN GALGIANI (Counties of Sacramento, San Joaquin, and Stanislaus. Cities of Escalon, Galt, Lathrop, Lodi, Manteca, Modesto, Ripon, Riverbank, Stockton, Tracy)

SENATO BEN HUESO (Counties of Imperial and San Diego. Cities of Brawley, Calexico, Chula Vista, El Centro, Imperial Beach, National City, and San Diego)

SENATOR JOSH NEWMAN (Counties of Los Angeles, Orange, and San Bernardino. Cities of Anaheim, Brea, Buena Park, Chino, Chino Hills, City of Industry, Cypress, Diamond Bar, Fullerton, La Habra, La Palma, Placentia, Rowland Heights, Stanton, Walnut, West Covina, Yorba Linda)

SENATOR TONY MENDOZA (Counties of Los Angeles and Orange. Cities of Artesia, Bellflower, Buena Park, Cerritos, Commerce, Downey, Hacienda Heights, La Habra Heights, La Mirada, Lakewood, Montebello, Norwalk, Pico Rivera, Santa Fe Springs, South Whittier, Whittier)
SENATOR RICHARD PAN (Counties of Sacramento and Yolo. Cities of Elk Grove, North Sacramento, and Sacramento.)

SENATOR ANTHONY PORTANTINO (Counties of Los Angeles and San Bernardino. Cities of Altadena, Arcadia, Burbank, Claremont, Duarte, Glendale, Glendora, La Canada Flintridge, Pasadena, San Dimas, San Marino, South Pasadena, Upland)

SENATOR RICHARD ROTH (Riverside County. Cities of Corona, Eastvale, Jurupa Valley, Moreno Valley, Norco, Perris, Riverside)

SENATOR STEVE BRADFORD (Los Angeles County. Cities of Carson, Compton, Gardena, Harbor City, Hawthorne, Inglewood, Lawndale, South Los Angeles, San Pedro, Torrance)

SENATOR ANTHONY CANNELLA (REPUBLICAN) – (Counties of Fresno, Madera, Merced, Monterey, San Benito, Stanislaus. Cities of Atwater, Ceres, Chowchilla, Coalinga, Hollister, King City, Los Banos, Madera, Merced, Modesto, Patterson, Salinas, Soledad.

Again, if the Legislative Committee could give some thought regarding the best way to do outreach to the key contacts in these important Senate districts, we can discuss it in more detail on our Legislative Committee call next Friday. Similar to how the Committee reached out to specific Library directors when we were doing a Budget Subcommittee push for funding a couple of years ago, this might be the same kind of approach.

Thank you in advance for your help. We will also be going out to the field next week with a big “Call to Action” for SCA 3 with specific instructions on how to make a quick call to their Senator.

-Christina and Mike

Christina DiCaro

KP PUBLIC AFFAIRS

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Senate: 1st  Cmt  3rd
Assembly:

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Introduced by Senator Dodd
(Coauthors: Senators McGuire Hill, McGuire, and Wieckowski)

January 30, 2017

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIII A thereof, and by amending Section 18 of Article XVI thereof, relating to public libraries.

LEGISLATIVE COUNSEL'S DIGEST

SCA 3, as amended, Dodd. Local government financing: public libraries: voter approval.

The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions that include a tax rate to service bonded indebtedness incurred by a school district, community college district, or county office of education for school facilities and approved by 55% of the voters of the district or county voting on the proposition at an election.

This measure would create an additional exception to the 1% limit for a rate imposed by a city, county, city and county, or special district to service bonded indebtedness incurred to fund public library facilities, that is approved by 55% of the voters of the city, county, city and county, or special district, as applicable, if the proposition meets specified requirements.

The California Constitution prohibits specified local government agencies from incurring any indebtedness exceeding in any year the income and revenue provided in that year, without the assent of 2/3 of
the voters and subject to other conditions. In the case of a school district, community college district, or county office of education, the California Constitution permits a proposition for the incurrence of indebtedness in the form of general obligation bonds for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, to be adopted upon the approval of 55% of the voters of the district or county, as appropriate, voting on the proposition at an election.

This measure would similarly lower to 55% the voter-approval threshold for a city, county, or city and county to incur bonded indebtedness, exceeding in any year the income and revenue provided in that year, that is in the form of general obligation bonds issued to fund public libraries.

State-mandated local program: no.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 2017–18 Regular Session commencing on the fifth day of December 2016, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California, that the Constitution of the State be amended as follows:

First—That Section 1 of Article XIII A thereof is amended to read:

SECTION 1. (a) The maximum amount of any ad valorem tax on real property shall not exceed 1 percent of the full cash value of that property. The 1 percent tax shall be collected by the counties and apportioned according to law to the districts within the counties.
(b) The limitation provided for in subdivision (a) shall not apply to ad valorem taxes or special assessments to pay the interest and redemption charges on any of the following:
(1) Indebtedness approved by the voters prior to July 1, 1978.
(2) Bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by the voters voting on the proposition.
(3) Bonded indebtedness incurred by a school district, community college district, or county office of education to fund the construction, reconstruction, rehabilitation, or replacement of
school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, approved by 55 percent of the voters of the district or county, as appropriate, voting on the proposition on or after November 8, 2000. This paragraph shall apply only if the proposition approved by the voters and resulting in the bonded indebtedness includes all of the following accountability requirements:

(A) A requirement that the proceeds from the sale of the bonds be used only for the purposes specified in this paragraph and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

(B) A list of the specific school facilities projects to be funded and certification that the school district board, community college board, or county office of education has evaluated safety, class size reduction, and information technology needs in developing that list.

(C) A requirement that the school district board, community college board, or county office of education conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed.

(D) A requirement that the school district board, community college board, or county office of education conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects.

(4) (A) Bonded indebtedness, approved by 55 percent of the voters of a city, county, city and county, or special district, as applicable, voting on the proposition on or after the effective date of the measure adding this paragraph, incurred by the city, county, city and county, or special district to fund the construction, reconstruction, rehabilitation, or replacement of public library facilities, including the furnishing and equipping of public library facilities, or the acquisition or lease of real property for public library facilities.

(B) This paragraph shall apply only if the proposition approved by the voters includes all of the following accountability requirements:

(i) A requirement that the proceeds from the sale of the bonds be used only for the purposes specified in this paragraph and not
for any other purpose, including personnel and operating expenses
of the public library.
(ii) A list of the specific public library facilities projects to be
funded and certification that the city, county, city and county, or
special district has evaluated the degree to which existing public
library facilities are inadequate in meeting the needs of, and the
degree to which the proposed public library facilities projects
respond to the needs of the residents in the library service area,
in the development of that list.
(iii) A requirement that the city, county, city and county, or
special district conduct an annual, independent performance audit
to ensure that the funds have been expended only on the public
library facilities projects listed.
(iv) A requirement that the city, county, city and county, or
special district conduct an annual, independent financial audit of
the proceeds from the sale of the bonds until all of those proceeds
have been expended for the public library facilities projects.
(C) For purposes of this paragraph, “special district” has the
same meaning as that term is used in subdivision (c) of Section 1
of Article XIII C, but does not include a redevelopment agency.
(c) Notwithstanding any other provisions of law or of this
Constitution, a school district, community college district, county
office of education, city, county, city and county, or special district
may levy a 55-percent-vote ad valorem tax pursuant to subdivision
(b).
Second—That Section 18 of Article XVI thereof is amended to
read:
SEC. 18. (a) A county, city, town, township, board of
education, or school district shall not incur any indebtedness or
liability in any manner or for any purpose exceeding in any year
the income and revenue provided for that year, without the assent
of two-thirds of the voters of the public entity voting at an election
to be held for that purpose, except that with respect to any such
public entity that is authorized to incur indebtedness for public
school purposes, any proposition for the incurrence of indebtedness
in the form of general obligation bonds for the purpose of repairing,
reconstructing, or replacing public school buildings determined,
in the manner prescribed by law, to be structurally unsafe for school
use, shall be adopted upon the approval of a majority of the voters
of the public entity voting on the proposition at that election; nor
unless before or at the time of incurring the indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest on the indebtedness as it falls due, and to provide for a sinking fund for the payment of the principal thereof, on or before maturity, which shall not exceed forty years from the time of contracting the indebtedness.

(b) Notwithstanding subdivision (a), on or after November 8, 2000, in the case of any school district, community college district, or county office of education, any proposition for the incurrence of indebtedness in the form of general obligation bonds for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, shall be adopted upon the approval of 55 percent of the voters of the district or county, as appropriate, voting on the proposition at an election. This subdivision shall apply only to a proposition for the incurrence of indebtedness in the form of general obligation bonds for the purposes specified in this subdivision if the proposition meets all of the accountability requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A.

(c) Notwithstanding subdivision (a), on or after the effective date of the measure adding this subdivision, in the case of any city, county, or city and county, any proposition to incur indebtedness in the form of general obligation bonds shall be adopted by 55 percent of the voters of the city, county, or city and county, as applicable, voting on the proposition at an election, where the general obligation bonds would fund public libraries, including, but not limited to, the construction, reconstruction, rehabilitation, or replacement of public library facilities, the furnishing and equipping of public library facilities, or the acquisition or lease of real property for public library facilities.

(d) When two or more propositions for incurring any indebtedness or liability are submitted at the same election, the votes cast for and against each proposition shall be counted separately, and when two-thirds or a majority or 55 percent of the voters, as the case may be, voting on any one of those propositions, vote in favor thereof, the proposition shall be deemed adopted.