

EXHIBIT I

INITIAL OCCOG RESPONSIBILITIES

1. Demographic activities in conjunction with California State University (or successor) as described in attached Memorandum of Understanding
2. Air Quality Activities
 - Input to development of Transportation Control Measures for Air Quality Management Plans. Market incentive plans and technologies promotion and implementation.
 - Monitoring regional, state and federal air quality plans and requirements
 - Liaison with SCAG, SCAQMD and others on air quality issues
3. Orange County Input to SCAG Activities
 - Regional Comprehensive Plan & Guide development and implementation
 - Input to development of long-range transportation plans prepared by transportation commissions
 - Preparation of other long-range plans/strategies as agreed by affected officials
4. Intergovernmental coordination with public and private sectors
5. Legislative Review/Outreach/Interface on activities affecting member agencies
6. Regional Housing Needs Assessment

**BYLAWS
ORANGE COUNTY COUNCIL OF GOVERNMENTS
(A JOINT POWERS AUTHORITY)**

PREAMBLE

The Orange County Council of Governments ("OCCOG") is a separate public agency voluntarily established by its Members pursuant to the Joint Exercise of Powers Act, chapter 5 of Division 7 of Title 1 (commencing with Section 6500) of the California Government Code, which authorizes two (2) or more public agencies by a Joint Powers Agreement to exercise any power common to them. Said Agreement, attached as Exhibit "A" herein, was duly approved and enacted. Said Agreement remains fully effective.

In conjunction with, and subject to the limitations of, the terms of the Agreement, these Bylaws authorize, govern, and regulate the powers, conduct, rules, procedures, and operations of OCCOG.

Article I. Definitions

For purposes of these Bylaws and throughout the Agreement, the following words, terms, phrases and their derivations shall have the meaning given herein. Hereinafter, the word "shall" is always mandatory and not merely directory.

"Affected Agency" shall mean any public agency that is statutorily responsible for providing a specified and particular service.

"Agreement" shall mean the Joint Powers Agreement for the Orange County Council of Governments.

"Alternate Board Member" or "Alternate" shall mean an individual who is designated to substitute in the capacity as a Member of the OCCOG Board for a specified Board Member who may become absent. The Alternate shall not become a governing director of OCCOG or serve as Board Member until such time as the Alternate assumes the seat of the absent Board Member.

"Appointee to the OCCOG Board" shall mean either a Board Member or an Alternate.

"AQMD" shall mean the South Coast Air Quality Management District.

"Board" or "Board of Directors" shall mean the collective governing body of the OCCOG which represents all Members and exercises the powers and functions of the JPA Agreement.

"Board Member" or "Member of the OCCOG Board" shall mean a designated individual or an Alternate who serves on the OCCOG Board of Directors.

"City Member" shall mean a Member Agency to the OCCOG that is incorporated as a city within the geographical boundaries of Orange County.

"Elected Official" shall mean an individual elected to the governing body of a Member Agency by the general public.

"Ex Officio Member" shall mean a Member of the OCCOG Board of Directors who does not have a vote in OCCOG governing decisions and whose presence shall not be counted in determining whether a quorum exists. Ex Officio Members may place items on the agenda for consideration by the Board and participate in Board discussions.

"Fiscal Year" shall mean the annual period from July 1 to and including the following June 30.

"Founding Member" shall mean a Member whose governing body determined to join the OCCOG prior to the first Board meeting on August 15, 1996.

"General Assembly" shall mean the collective OCCOG body consisting of one representative designated by each Member Agency.

"ISDOC" shall mean the Independent Special Districts of Orange County.

"League of California Cities" or "Division" shall refer to the association of public entities which comprise the Orange County Division of the League of California Cities.

"Majority" shall mean fifty percent (50%) plus one (1), unless otherwise stated.

"Member Agency" or "Member" shall mean a party to the Joint Powers Agreement for the Orange County Council of Governments.

"Member of the General Assembly" shall mean a representative to the OCCOG General Assembly designated by a Member Agency.

"OCCOG" shall mean the Orange County Council of Governments.

"SCAG" shall mean the Southern California Association of Governments.

"SCAG District" shall mean a geographical jurisdiction designated by SCAG. For purposes of the OCCOG, SCAG Districts shall be used solely for geographical reference and shall not imply any method of representation.

Article II. Purpose and Functions

2.1 Purposes.

As stated in the Agreement, the OCCOG was formed for the following broad purposes:

- A. To facilitate areawide planning and coordination in order to provide advice to public entities on a range of issues that affect multiple interests in Orange County; and,
- B. to create a unified subregional organization which will improve Orange County's abilities to be represented in the Southern California region, the State of California and the nation on issues and matters that affect collective Orange County interests; and,
- C. To accomplish the preparation of subregional plan components mandated by state and federal law; and,
- D. To conduct studies and projects designed to improve and coordinate the common governmental responsibilities and services on an areawide and regional basis through the establishment of a council of governments; and,
- E. To explore areas of intergovernmental cooperation and coordination of government programs and provide recommendations and solutions to problems of common general concern.

2.2 Tasks and Functions.

Toward the accomplishment of the above-mentioned purposes, the OCCOG shall have the authority to conduct the following tasks and functions as stated throughout the Agreement.

- A. Serve as a forum for consideration, study and recommendation on areawide and regional problems; and,
- B. Assemble information helpful in the consideration of problems peculiar to Orange County; and,
- C. Explore practical avenues for intergovernmental cooperation, coordination, and action in the interest of its members; and,
- D. Seek economies of scale whenever practical in the administration of governmental services; and,
- E. Conduct demographic activities, including but not limited to the approval of Orange County projections at the regional statistical level, in conjunction with the Center for Demographic Research at California State University, Fullerton (or successor); and,
- F. Conduct air quality activities including: advising the development of Transportation Control Measures for Air Quality Management Plans, market incentive plans and technologies promotion and implementation; monitoring regional, state and federal air

quality plans and requirements; and, serving as liason for Members with SCAG, South Coast AQMD and others on air quality issues; and,

G. Provide Orange County input and advice regarding SCAG activities including: the development and implementation of SCAG's Regional Comprehensive Plan & Guide; the development of long-range transportation plans prepared by transportation commissions; and, the preparation of other long-range plans/strategies as agreed by the OCCOG Board of Directors; and,

H. Facilitate intergovernmental coordination with public and private sectors on issues common to Orange County governmental agencies; and,

I. Provide legislative review, outreach, and interface on activities affecting member agencies; and,

J. Participate in the Regional Housing Needs Assessment activities for Orange County.

2.3 Additional Tasks and Responsibilities.

Pursuant to Section 5.3 of the Agreement, the OCCOG shall also have the authority to examine issues as requested by Member and Non-Member Agencies and present recommendations to the OCCOG Board of Directors. However, the OCCOG may not implement tasks beyond those enumerated in Section 2.2 above without the approval of two-thirds (2/3) of the total voting membership of the Board and the concurrence of affected agencies. For the purposes of these Bylaws and the Agreement, "concurrence of affected agencies" shall mean all of those agencies statutorily responsible for providing the service. Legal counsel shall advise the Board on any procedural steps required for the expansion of tasks prior to Board approval of the new tasks.

2.4 General Powers.

The OCCOG shall possess the authority to exercise any and all those legislative, administrative, and financial powers which are common to all Members at the time the power is exercised and are necessary to accomplish the purposes of the OCCOG as stated above and throughout the Agreement, subject to the limitations specified in Section 2.5 of these Bylaws below.

2.5 Limitation of Powers.

The exercise of power by the OCCOG shall be limited by the following:

A. The OCCOG shall have no authority or jurisdiction to impose any land use requirements on the owner, developer, or occupant of any property, nor shall OCCOG mandate that any public entity must adopt any such requirement. The OCCOG shall have no authority or jurisdiction with respect to the establishment of land use planning, spheres of influence for cities, or land use approvals. Further no action by the OCCOG will change, reduce, or interfere with the local authority and decisionmaking of cities or the County. However, the OCCOG

may study regional and subregional land use issues and may provide information and recommendations to public and private entities regarding such.

B. The OCCOG shall have no authority or jurisdiction to impose any tax or assessment, nor shall OCCOG impose any fee that is not reasonably related to recover the cost of a service provided by OCCOG.

C. The manner in which the OCCOG may exercise its powers shall be subject to any statutory limitations applicable to the City of Lake Forest, including but not limited to administrative procedures, personnel policies, and the letting of contracts and agreements.

Article III. Membership

3.1 Members of the OCCOG.

Members of the OCCOG shall be all public agency parties to the Agreement, including any addendum, supplement or amendment thereto, as individually executed on behalf of the respective governing bodies of the public agency parties, and which have not duly withdrawn from the membership as provided herein. Founding Members shall consist of those public agencies which determined to join the OCCOG prior to the date of the first Board meeting on August 15, 1996.

Following the first Board meeting, any additional public agency located within the geographical boundaries of Orange County may petition to become a Member of the OCCOG by submitting to the Board of Directors a resolution adopted by the petitioner's governing body requesting consideration for membership along with any additional information required by the OCCOG Board. The Board shall review the petition for qualification as membership and shall vote to approve or disapprove the petition. Petitioners shall become Members at such time as a majority of the total voting membership of the Board approves the petition, and the petitioner signs an addendum to the Agreement assenting to the terms and conditions of the Agreement and these Bylaws. Exhibit 2 to the Agreement which lists the names and addresses of Members shall be updated from time to time as a Supplement to the Agreement.

3.2 Withdrawal.

Any Member of the OCCOG may withdraw from membership at any time with or without cause. Withdrawal does not become effective until ninety (90) days after a resolution approved by the Member's governing body authorizing withdrawal is submitted to the OCCOG Board of Directors.

Article IV. General Assembly

4.1 Meetings.

The General Assembly of the OCCOG shall consist of one representative designated by each Member of the OCCOG. A meeting of the General Assembly shall be held in August of each year. The date, time, and place of the General Assembly meeting shall be established by Resolution of the Board prior to May 31 of each year. Special meetings of the General Assembly may be called by a majority of the Board in attendance at any Board meeting or by written petition signed by ten percent (10%) of the General Assembly. The Chair of the Board shall serve as Chair of the General Assembly. All meetings of the General Assembly shall be called and conducted, and an agenda posted, in accordance with the Ralph M. Brown Act, Government Code Section 54950 et seq., ("Brown Act") as it now exists or may hereafter be amended.

4.2 Consideration of Issues.

The Staff of the OCCOG shall present a report to the General Assembly for their comment and direction including the following:

- A. A summary of projects and accomplishments undertaken by the OCCOG during the previous twelve (12) months; and,
- B. A proposed work program for the following twelve (12) months; and,
- C. A statement of income and expenditures, including a listing of sources of funding for all projects undertaken or coordinated by the OCCOG; and,
- D. Any other issue agendized for consideration by the General Assembly as requested by any Board Member, EMC Member, Member of the General Assembly, or OCCOG Staff.

4.3 Powers.

The only power of the General Assembly is to provide comment and policy suggestions to the OCCOG Board of Directors on any agendized item, including recommendations for amendments to these Bylaws as provided in Article X herein. Actions by the General Assembly shall be in the form of recommendations forwarded to the Board and shall require a vote of approval by a majority of those Members of the General Assembly in attendance. A quorum of the General Assembly shall consist of a simple majority of the total membership to the General Assembly.

Article V. Board of Directors

5.1 Representation.

A. The Members shall exercise the powers and functions of OCCOG through its representatives on the Board of Directors. Concurrent with membership on the OCCOG Board, each voting Member of the Board shall be an Elected Official of a Member Agency. Voting Members of the OCCOG Board shall serve the OCCOG Members as a whole, and shall represent no special group or interest.

B. Members of the OCCOG within each Selection Pool designated under Section 4 of the Agreement shall appoint representatives to the OCCOG Board of Directors from the respective Selection Pool. Members of the OCCOG within each Selection Pool shall designate a Chairperson to coordinate the selection of the OCCOG Board Members pursuant to the process described in this Article. No Member of the Board may serve as the appointee of more than one Selection Pool simultaneously. Selection Pools include the following:

- (1) Members of the Orange County Division, League of California Cities
- (2) County of Orange
- (3) Orange County Transportation Authority
- (4) Members of the Orange County Transportation Corridor Agencies
- (5) Members of the County Sanitation Districts of Orange County
- (6) Members of Orange County ISDOC/Water Agencies
- (7) Orange County Cities Representative to AQMD
- (8) County of Orange Representative to AQMD
- (9) Twelve Pools of Cities in SCAG District Nos. 12-22 and 64
- (10) County of Orange Representative to SCAG
- (11) At-large Orange County Cities Member
- (12) Private Sector (non-voting representative)
- (13) Universities (non-voting representative)

C. Each Board seat becomes activated when the Selection Pool as described includes one or more active Members of the OCCOG. A non-activated Board seat shall not count toward the total voting membership of the Board.

D. Each Board Member may also appoint one Alternate to serve on the OCCOG Board in the absence of the appointed Board Member, provided that the Alternate Member is an Elected Official from a Member City within the same Selection Pool. The Alternate shall be designated within ten (10) days of the appointment of the Board Member. Designated Alternates shall receive all notices and written material as do Board members.

E. Names of Board Members shall be communicated to the Board in writing by the Chair of the Selection Pool. Board Members shall provide the name of their designated Alternate to the Board in writing within ten (10) days of the appointment of the Board Member.

F. Board Members and Alternate Board Members shall serve until a successor is appointed.

5.2 Selection of Board Members.

A. The Executive Steering Committee of the Orange County Division, League of California Cities shall appoint one OCCOG Board Member, provided that the appointee is an Elected Official of a Member Agency. The appointee shall serve at the pleasure of the Executive Steering Committee.

B. The Orange County board of Supervisors may appoint one Supervisor as a Member of the OCCOG Board, provided that the County of Orange has become a Member of OCCOG. The appointee shall serve at the pleasure of the Orange County Board of Supervisors.

C. The Board of Directors for the Orange County Transportation Authority ("OCTA Board") may appoint one of its Directors as a Member of the OCCOG Board, provided that the OCTA has become a Member of OCCOG. The appointee shall serve at the pleasure of the OCTA Board.

D. The governing boards of the Orange County Transportation Corridor Agencies ("TCA") may appoint one Member of the OCCOG Board in its discretion, provided that one or more of the TCAs has become a member of OCCOG and that the appointee is an Elected Official of a Member Agency. The appointee shall serve at the pleasure of the TCA governing boards.

E. The joint governing board of the County Sanitation Districts of Orange County, Nos. 1, 2, 3, 5, 6, 7, 11, 13 and 14, may appoint one Member of the OCCOG Board in its discretion, provided that the appointee is an Elected Official of a Member Agency. The appointee shall serve at the pleasure of the Sanitation Districts joint governing board.

F. The Board of Directors for ISDOC may appoint one Member of the OCCOG Board in its discretion, provided that one or more Special Districts have become a Member of OCCOG and that the appointee is an Elected Official of a Member Agency. The appointee shall serve at the pleasure of the ISDOC Board.

G. The Orange County Cities representative to the South Coast Air Quality Management District shall be automatically appointed as a Member of the OCCOG Board, provided that the appointee is an Elected Official of a Member Agency. If the AQMD Governing Board Member fails to qualify for appointment to the OCCOG Board, declines to serve on the OCCOG Board, or the AQMD position is otherwise vacant, the AQMD appointee to the OCCOG Board shall be appointed by the City Selection Committee from among the Elected Officials of all City Members. In this case, the appointee to the OCCOG Board shall serve until such time as the AQMD position qualifies for appointment to the OCCOG Board.

H. The County of Orange representative to the South Coast Air Quality Management District shall be automatically appointed as a Member of the OCCOG Board, provided that the County of Orange has become a Member of OCCOG and that the appointee is a Supervisor for the County of Orange. So long as the County of Orange is a Member of OCCOG, if the County AQMD Member cannot serve or the AQMD position is vacant, the Orange County Board of Supervisors may appoint another Supervisor as the OCCOG Board Member. In this case, the

appointee to the OCCOG Board shall serve until the AQMD position qualifies for appointment to the OCCOG Board.

I. The OCCOG Member Cities located within each SCAG District in Orange County shall appoint one Member of the OCCOG Board for a total of twelve (12) Board Members, provided that each SCAG District appointee must be an Elected Official from one of the Member Cities within the SCAG District. Election shall be held at the Orange County Division, League of California Cities, to determine the appointee for each SCAG District on a biennial basis, at which time the OCCOG Member Cities within each SCAG District may reappoint a sitting Board Member or consider nominations for new appointees. Cities within each SCAG District shall appoint the District's delegate to the SCAG Regional Council as the OCCOG Board Member. If no cities in the District are members of SCAG, cities in the District shall appoint an elected official from one of the cities in the District as the OCCOG Board Member.

J. The delegate to the SCAG Regional Council for the County of Orange shall automatically become a Member of the OCCOG Board, provided that the County of Orange has become a Member of OCCOG and that the appointee is a Supervisor for the County of Orange. In the event that the County's delegate to SCAG declines or otherwise cannot serve as a Member of the OCCOG Board, the Orange County Board of Supervisors may appoint another supervisor as the OCCOG Board Member

K. One at-large Member of the Board shall be appointed annually through the City Selection Committee, provided that the appointee is an Elected Official of a City Member. Appointees shall serve until replaced by action of the Board

L. The OCCOG Board shall appoint one person from the private sector to serve as Ex Officio Member of the Board. Every 2 years, the OCCOG Board shall request the OCCOG staff to coordinate the selection of the Ex Officio representative. OCCOG staff shall solicit private sector candidates from all stakeholder communities. A subcommittee of the OCCOG Board shall present a recommended candidate to the OCCOG Board for their final selection and appointment. Appointees shall serve a 2-year term or until replaced by action of the Board.

M. The university of California at Irvine ("UCI"), California State University at Fullerton ("CSUF"), and Chapman University shall appoint one representative from among the three universities to serve a 2-year term as an Ex Officio Member of the OCCOG Board. Following the initial appointment, subsequent 2-year terms will rotate to a representative from the next applicable university in the order of UCI, CSUF, and Chapman.

5.3 Board Vacancies and Term of Office.

Unless otherwise provided in Section 5.2 above, the Chair of a Selection Pool shall arrange for a special election in the event the respective Board seat becomes vacant. The appointment of a Board Member to fill a vacancy shall in all other respects follow the procedures and requirements set forth in Sections 5.1 and 5.2 herein, and said Board Member shall serve for the remainder of the term of office.

5.4 Officers.

A. The Officers of the OCCOG shall consist of the Chair and Vice Chair, which positions shall be elected annually at the first Regular Meeting of each calendar year by a majority of the Board Members in attendance.

B. The Chair shall preside at all meetings of the Board and shall exercise firm control and direction during the course of any Board meeting. No Member of the OCCOG Board, any presenter, or any member of the general public shall address the Board until recognized by the Chair. The Chair and the Board shall be guided, but not bound, by Roberts Rules of Order, latest revision, on all questions of procedure and parliamentary law not covered by the Bylaws or other rules and regulations adopted by the Board. The Chair shall exercise general supervision over the business papers and property of the OCCOG, and shall execute all resolutions and agreements on behalf of the Board, subject to the restrictions of these Bylaws and the laws of California.

C. The Vice Chair shall perform all duties of the Chair in the temporary absence of the Chair. No Alternate may serve as Chair or Vice Chair.

D. Permanent vacancies in the office of Chair or Vice Chair shall be filled by the approval of a majority of the Board Members in attendance at the first Regular Meeting of the Board each calendar year.

5.5 Meetings.

A. Regular meetings of the Board shall be set according to a schedule approved by the Board at its first meeting each calendar year. Said schedule shall include the time, date, and location of Regular Meetings. The Board may designate a different time, date, or location for any Regular Meeting by giving notice of the change at the prior Regular Meeting.

B. Special meetings of the Board may be called by the Chair at any time or a majority of the Board Members present at any Regular Meeting. The Chair or a majority of the Board Members present shall direct OCCOG Staff to deliver notice of the Special Meeting in compliance with the Brown Act.

C. The Board may adjourn a meeting from time to time, with absentees notified thereof. In case there is no quorum present at any meeting, the Board Members present may adjourn until a quorum is obtained that same day, may adjourn to any specified date, may adjourn to a Special Meeting date, or may adjourn to the next Regular Meeting. If no Members of the Board are present, any member of the OCCOG Staff may adjourn the meeting.

D. The Board shall transact no business until a quorum of the Board is present. A quorum of the Board shall be a majority of the total voting Board Members who have been appointed pursuant to Article V herein, and who remain qualified to serve as Board Members. If the number of activated voting Board Members is an even number, then a quorum shall require one more than half the number of activated voting Board Members. Ex Officio Members shall not be counted toward reaching a quorum.

E. All meetings of the OCCOG shall be called and conducted, and an agenda posted, in accordance with the Brown Act, as it now exists or may hereafter be amended. Members shall direct their Clerks to comply with all notice and agenda posting requirements deemed necessary by the Board. No business shall be transacted at any meeting other than that stated in the notice of said meeting unless otherwise authorized pursuant to the Brown Act.

Article VI. Committees

6.1 Procedural Regulations.

All committees created by these Bylaws or by resolution of the OCCOG Board, all meetings held hereunder, and all actions taken by said Committee shall be subject to the requirements of the Brown Act, as it now exists or may hereafter be amended, and any conflict of interest regulations promulgated by the State of California or the OCCOG Board of Directors.

6.2 Executive Management Committee (EMC).

A. The EMC shall consist of the following:

- (1) One representative each from the following groups of agencies, provided that the agency is a Member of OCCOG:
 - (a) the County of Orange;
 - (b) Orange County Transportation Authority;
 - (c) Members of Orange County ISDOC/Water Agencies;
 - (d) Members of the Orange County Transportation Corridor Agencies;
and,
 - (e) Members of the County Sanitation Districts of Orange County
- (2) Five City Managers of Member Cities, one from each of the five County supervisorial districts, as appointed by the Orange County City Managers Association.
- (3) The Executive Director of the Orange County Division, League of California Cities.

B. All qualifying members of the EMC shall submit a written acceptance of the position to the OCCOG Staff. Each member shall appoint an Alternate to serve in the absence of the EMC Member. The EMC shall designate a Chair and Vice Chair at the first EMC meeting of the calendar year to preside over the EMC meetings.

C. The EMC shall serve as an advisory body to the OCCOG Board on subject matters within the jurisdiction of the OCCOG. The EMC may provide advice and comment to the OCCOG Board and Staff regarding the administration and management of the OCCOG with the approval of a majority of the EMC Members present. The EMC shall have no authority to take legislative action, but may make legislative and policy recommendations to the OCCOG Board with the approval of a majority of the EMC members present.

D. The EMC shall transact no business on any issue that is not included in the agenda for the EMC meeting. Nor shall the EMC take action on any item without a quorum of the EMC present. A majority of the members appointed to the EMC shall constitute a quorum of the EMC.

E. Regular meetings of the EMC shall be held bi-monthly at the date, time and place as set by Resolution of the Board. Special Meetings of the EMC may be called by the Chair or by a majority of the EMC members present.

6.3 Technical Advisory Committee (TAC).

One TAC representative shall be appointed by each Member and shall serve at the pleasure of the OCCOG Board. The TAC shall be comprised of designated staff members from OCCOG Member Agencies to provide technical review of issues and items as directed by the OCCOG Board and/or EMC. The TAC shall designate a Chair and Vice Chair at the first TAC meeting of the calendar year to preside over the TAC meetings. Regular meetings of the TAC shall be held monthly at the date, time and location as set by Resolution of the Board.

Article VII. Standing and Ad Hoc Committees

The Board may establish Standing and Ad Hoc Committees. The Standing and Ad Hoc Committees shall be for the purpose of developing recommendations to the Board. All Standing and Ad Hoc Committees shall have a written statement of purpose, and the Ad Hoc Committees shall in addition have a written statement of charges, before they are formed. The Chair shall recommend, and the Board shall appoint by a majority of the Board Members present, the members to the Standing and Ad Hoc Committees. Members of the Standing and Ad Hoc Committees shall be appointed for up to one year terms. In making recommendations for members of the Standing and Ad Hoc Committees, the Chair shall consider regional representation. A quorum of a Standing or Ad Hoc Committee shall be fifty percent (50%) plus one (1) of its membership. All Standing or Ad Hoc Committees shall be chaired by a Member of the OCCOG Board. The meetings of the Standing and Ad Hoc Committees shall be held in accordance with the Brown Act, unless exempted by said Act.

Article VIII. Staffing

8.1 Coordinating Agency.

The League of California Cities, Orange County Division, shall coordinate staff resources toward the completion of tasks assigned by these Bylaws or other order of the OCCOG Board. The League staff shall seek the provision of staff resources from Member Agencies and coordinate among Members to accomplish said tasks.

8.2 General Counsel.

The OCCOG Board shall appoint General Counsel to serve as legal advisor in all matters related to the performance of the OCCOG.

8.3 Contract Assistance.

The OCCOG Board shall have the authority to contract for consultant services at its discretion to implement or to assist OCCOG Staff and Member Agencies in the implementation of the tasks assigned by these Bylaws or other order of the OCCOG Board.

8.4 Staff Responsibilities.

Responsibilities of the individuals assigned to OCCOG tasks shall be determined by the OCCOG Board.

8.5 Additional Officers and Agents.

The Board shall have the power to authorize such additional officers and agents as may be appropriate. Such officers and agents may also be, but are not required to be, officers and employees of the individual Members. None of the officers, consultants, or agents engaged by the OCCOG in the implementation of tasks assigned by these Bylaws or other order of the OCCOG Board shall be deemed to be employees of the OCCOG.

8.6 Status of Members' Officers and Employees.

As provided in Government Code Section 6513, all of the privileges and immunities from liability and other benefits which apply to the activity of officers, agents, or employees of any of the Members when performing their respective functions within the territorial limits of their respective public agencies shall apply to them while engaged in the performance of any of their functions and duties extraterritorially under the Agreement or these Bylaws.

Article IX. Finances

9.1 Treasurer.

Pursuant to Government Code Section 6505.5, the OCCOG Board shall designate a certified public accountant to serve as the "Treasurer" of the OCCOG at the pleasure of the Board. The Treasurer shall receive and have the custody of OCCOG funds and property, and shall provide strict accountability and disbursement of said funds in accordance with generally accepted accounting standards and Government Code Sections 6505 and 6505.5. The Treasurer shall possess the powers of, and shall perform those functions required by, Government Code Sections 6505, 6505.5, and all other applicable laws and regulations, including any subsequent amendments thereto. Particularly, the Treasurer shall perform, but not be limited to, the following duties:

- (a) Receive and receipt for all money of the agency or entity and plant it in the treasury of the treasurer so designated to the credit of the agency or entity;
- (b) Be responsible upon his official bond for the safekeeping and disbursement of all agency or entity money so held by him;

- (c) Pay, when due, out of money of the agency or entity so held by him, all sums payable on outstanding bonds and coupons of the agency or entity;
- (d) Pay any other sums due from the agency or entity from agency or entity money, or any portion thereof, only upon warrants of the public officer performing the functions of auditor or controller who has been designated by the agreement; and
- (e) Verify and report in writing on the first day of July, October, January, and April of each year to the agency or entity and to the contracting parties to the agreement the amount of money he holds for the agency or entity, the amount of receipts since his last report, and the amount paid out since his last report.

9.2 Auditor/Controller.

The OCCOG Board shall select an Auditor for the OCCOG pursuant to Government Code Section 6505.5. The Auditor/Controller shall draw warrants to pay demands against the OCCOG when such demands have been approved by the Board or by any other person duly authorized to approve said demands.

9.3 Annual Audit.

The Auditor/Controller shall either make or contract with a public accountant to make an annual audit of the accounts and financial records of the OCCOG. The minimum requirements of the audit shall be those prescribed by the State Controller for special districts under Section 26909 of the Government Code and shall conform to generally accepted accounting standards. A report thereof shall be filed as a public record with each of the Member Agencies within twelve (12) months of the end of the fiscal year under examination.

9.4 Bonding Requirement.

The officers or persons who have charge of, handle, or have access to any property of the Council shall be persons designated as such by the Board. Each such designated officer or person shall be required to file an official bond with the Board in an amount which shall be established by the Board. No bond shall be required unless and until the OCCOG receives funds or is reasonably expected to receive funds.

Article X. Amendments

10.1 Amendments.

Amendments to these Bylaws may be proposed by formal recommendation of the General Assembly, to be approved by a majority of the OCCOG Board. Alternatively, the OCCOG Board may adopt an amendment to these Bylaws proposed by any Board Member upon approval by three-fourths (3/4) of the total voting membership of the Board making the following findings:

- (a) there is need to take action; and
- (b) there is need for action prior to the next annual meeting of the General Assembly.

10.2 Interpretation of Bylaws.

Any ambiguity or conflict regarding the interpretation of these Bylaws may be resolved by a majority vote of the total membership of the Board.

**FIRST AMENDED AND RESTATED
BYLAWS
OF THE
ORANGE COUNTY COUNCIL OF GOVERNMENTS**

ORANGE COUNTY COUNCIL OF GOVERNMENTS



OCCOG
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Suite 214
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Fax Cover Sheet

Send to: Elizabeth Minter	Fax number: 714/528-8236
Attention:	Phone number:
Agency: Placentia Library District	From: Heather Dion
	Date: June 27, 2003

URGENT	REPLY REQUESTED	PLEASE COMMENT	PLEASE REVIEW	FOR YOUR INFORMATION
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Total pages, including cover: 2

Comments:

Elizabeth,

Attached you will find the addendum to the OCCOG JPA, which was not included in the OCCOG packet you received this week. Please have your Chairman sign the addendum and return the original copy to OCCOG. If you have any questions, please feel free to contact me.

Thank you,
Heather Dion



**ADDENDUM TO JOINT POWERS AGREEMENT
ESTABLISHING THE
ORANGE COUNTY COUNCIL OF GOVERNMENTS**

This addendum to the Joint Powers Agreement establishing the Orange County Council of Governments ("Joint Powers Agreement") recognizes the assent and agreement of the public agency listed below to the terms and conditions of the original Joint Powers Agreement and any duly enacted amendment, supplement, or addenda thereto.

RECITALS

WHEREAS, the Founding Members of the Orange County Council of Governments ("OCCOG") duly executed and authorized the terms and conditions of the Joint Powers Agreement, attached hereto and incorporated as though fully set forth herein, on or prior to August 15, 1996; and,

WHEREAS, the governing body of the public agency listed below has formally requested that the public agency become a Member Agency of the OCCOG and a party to the Joint Powers Agreement; and,


WHEREAS, a majority of the total voting membership of the OCCOG has approved the request of said public agency as authorized in the Joint Powers Agreement and the Bylaws promulgated thereto.

NOW, THEREFORE, for good and valuable consideration of the agreements between the parties to the Joint Powers Agreement, the public agency listed below agrees as follows:

1. The public agency listed below assents and agrees to all the terms and conditions of the Joint Powers Agreement, and the Bylaws, Resolutions, and agreements promulgated thereto, as those documents may be duly amended, supplemented, or added to from time to time.
2. The public agency listed below hereby shall become a Member Agency of the OCCOG, from this day forth until said membership is duly terminated, and shall become a full and equal party to the Joint Powers Agreement.

IN WITNESS WHEREOF, said public agency has duly executed this Addendum as evidenced by the signatures below.

Placentia Library District

By: 
Chair

Date Approved: 6-30-03

Approved As To Form: _____

Attest: _____

Legal Counsel _____

Clerk of the Board _____

Munson,
Cronick &
Associates, LLP
CERTIFIED PUBLIC ACCOUNTANTS

July 11, 2003

Board of Trustees
Placentia Library District
411 East Chapman Avenue
Placentia, California 92870

Attn: Elizabeth Minter
Library Director

Dear Elizabeth:

We are pleased to present our proposal to provide professional services for the Placentia Library District for the year ended June 30, 2003.

We will audit the balance sheet of Placentia Library District as of June 30, 2003, and for the year then ended. We understand that the financial statements will be presented in accordance with the financial reporting model in effect prior to that described in GASB Statement No.34.

The objective of our audit is the expression of an opinion as to whether your financial statements are fairly presented, in all material respects; in conformity with U.S. generally accepted accounting principles and to report on the fairness of the additional information referred to in the first paragraph when considered in relation to the financial statements taken as a whole. Our audit will be conducted in accordance with U.S. generally accepted auditing standards and will include tests of the accounting records and other procedures we consider necessary to enable us to express such an opinion. If our opinion on the financial statements is other than unqualified, we will fully discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed an opinion, we may decline to express an opinion or to issue a report as a result of this engagement.

Management is responsible for making all financial records and related information available to us. We understand that you will provide us with such information required for our audit and that you are responsible for the accuracy and completeness of that information. We will advise you about appropriate accounting principles and their application and will assist in the preparation of your financial statements, but the responsibility for the financial statements remains with you. That responsibility includes the establishment and maintenance of adequate records and effective internal

control over financial reporting, the selection and application of accounting principles, and the safeguarding of assets. Management is responsible for adjusting the financial statements to correct material misstatements and for confirming to us in the representation letter that the effects or any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (a) management, (b) employees who have significant roles in internal control, and (c) others where the fraud could have a material effect on the financial statements. You are also responsible for informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws and regulations.

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audits will involve judgment about the number of transactions to be examined and the areas to be tested. Also, we will plan and perform the audits to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement whether from errors, fraudulent financial reporting, misappropriation of assets, or violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because an audit is designed to provide reasonable, but not absolute, assurance and because we will not perform a detailed examination of all transactions, there is a risk that material misstatement may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform you of any material errors that come to our attention, and we will inform you of any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform you of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audits and does not extend to matters that might arise during any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected banks and the County of Orange. At the conclusion of our audit, we will also request certain written representations from you about the financial statements and related matters.

Identifying and ensuring that Placentia Library District complies with laws, regulations, contracts, and agreements is the responsibility of management. As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Placentia Library District's compliance with applicable laws and regulations and the provisions of contracts and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

In planning and performing our audits, we will consider the internal control sufficient to plan the audit in order to determine the nature, timing, and extent of our auditing procedures for the purpose of expressing our opinion on Placentia Library District's financial statements.

An audit is not designed to provide assurance on internal control or to identify reportable conditions. However, we will inform the governing body or audit committee of any matters involving internal control and its operation that we consider to be reportable conditions under standards established by the American Institute of Certified Public Accountants. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal control that, in our judgment, could adversely affect the entity's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statements.

We understand that you will provide us with the basic information required for our audit and that you are responsible for the accuracy and completeness of that information. We will advise you about appropriate accounting principles and their application and will assist in the preparation of your financial statements, but the responsibility for the financial statements remains with you. This responsibility includes the maintenance of adequate records and related internal control policies and procedures, the selection and application of accounting principles, and the safeguarding of assets. We understand that your employees will type all cash and other confirmations we request and will locate any invoices selected by us for testing.

We would expect to begin our audit as soon as the books and records are closed for the year and available for audit. In order to complete the audit and issue our report on or before September 16, 2003, all information must be received by us no later than August 9, 2003.

As part of our engagement, we will also prepare the Annual Report of Financial Transactions of Special Districts for the year ended June 30, 2003.

Our fees for these services will be based on the actual time spent at our standard hourly rates. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. Based on our preliminary estimates, we anticipate a target fee of \$4,600 for the audit and \$575 for the preparation, review and submission of the Annual Report of Financial Transactions of Special Districts.

This estimate is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

We appreciate the opportunity to present our proposal to be of service to you and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign and return it to us.

Sincerely,

Munson, Cronick & Associates, LLP

MUNSON, CRONICK & ASSOCIATES, LLP
Certified Public Accountants

RESPONSE:

This letter correctly sets forth the understanding of Placentia Library District

Authorized signature: _____

Title: _____

Date: _____

CLIENT'S COPY

NOTICE

MARK YOUR CALENDAR!
Independent Special Districts of Orange County
QUARTERLY MEETING

Luncheon Meeting
Thursday, July 31, 2003
11:30 a.m.

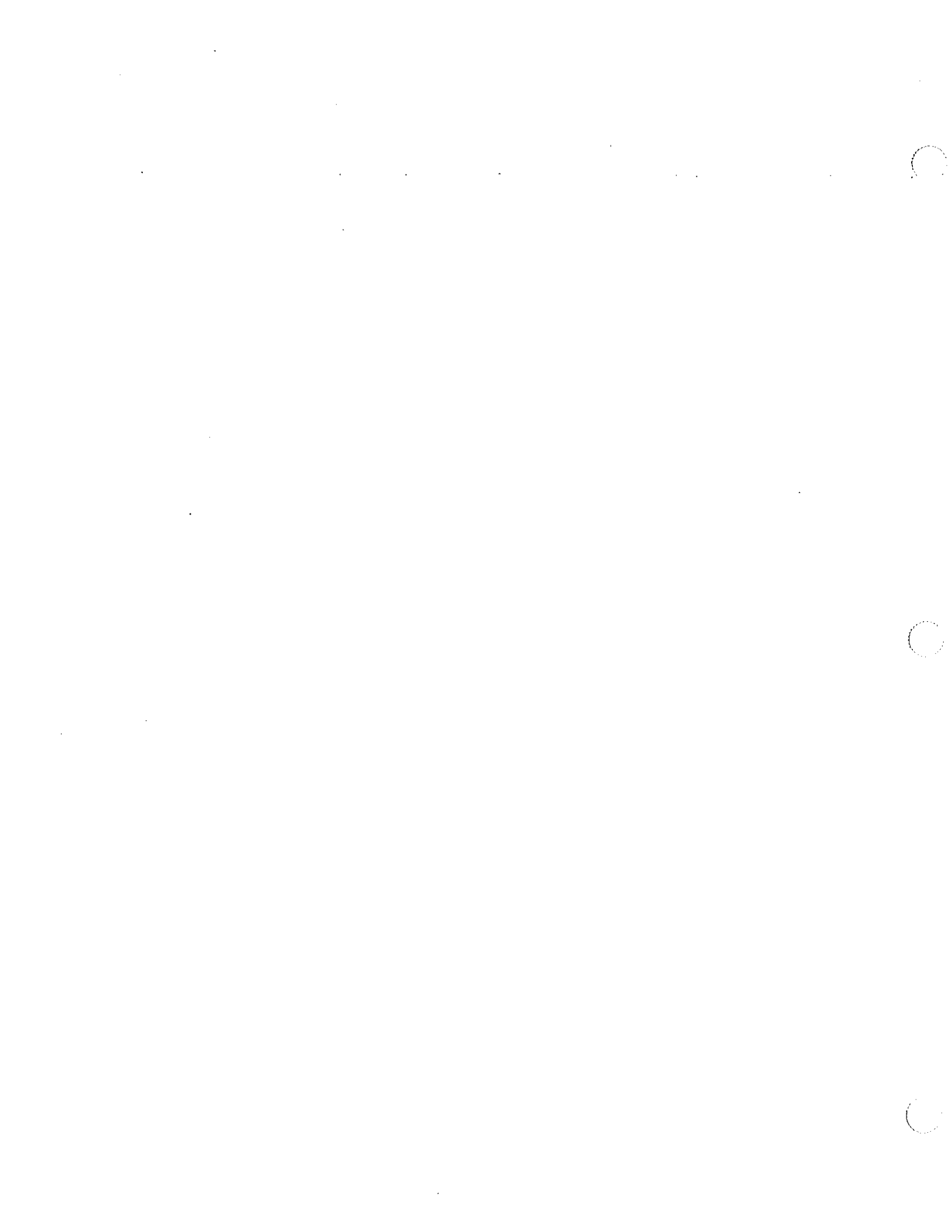
MWDOC Headquarters
10500 Ellis Avenue, Fountain Valley
(Ellis & Ward)

SPEAKER:
The Honorable Bill Campbell
Supervisor Third District

Luncheon Charge: \$12.00
\$15.00 without a reservation

RSVP DEADLINE: FRIDAY, July 25, 2003

Joan Finnegan at 949-548-3690
Make checks payable to ISDOC
Mail check to:
Joan Finnegan
258 Sherwood Street
Costa Mesa, CA 92627



AFFIDAVIT OF PUBLICATION

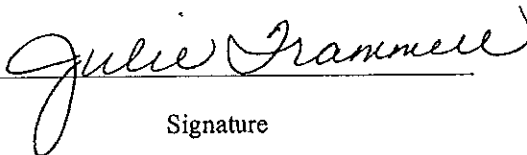
STATE OF CALIFORNIA,)
) ss.
County of Orange)

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the **Placentia News-Times**, a newspaper that has been adjudged to be a newspaper of general circulation by the Superior Court of the County of Orange, State of California, on October 26, 1982, Case No. A-601 in and for the City of Placentia, County of Orange, State of California; that the notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

May 1, 2003

"I certify (or declare) under the penalty of perjury under the laws of the State of California that the foregoing is true and correct":
Executed at Santa Ana, Orange County, California, on

Date: May 1, 2003



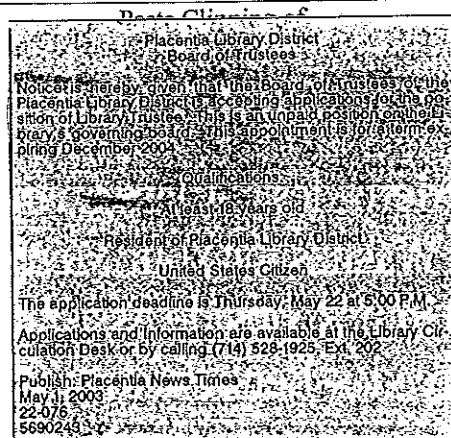
Signature

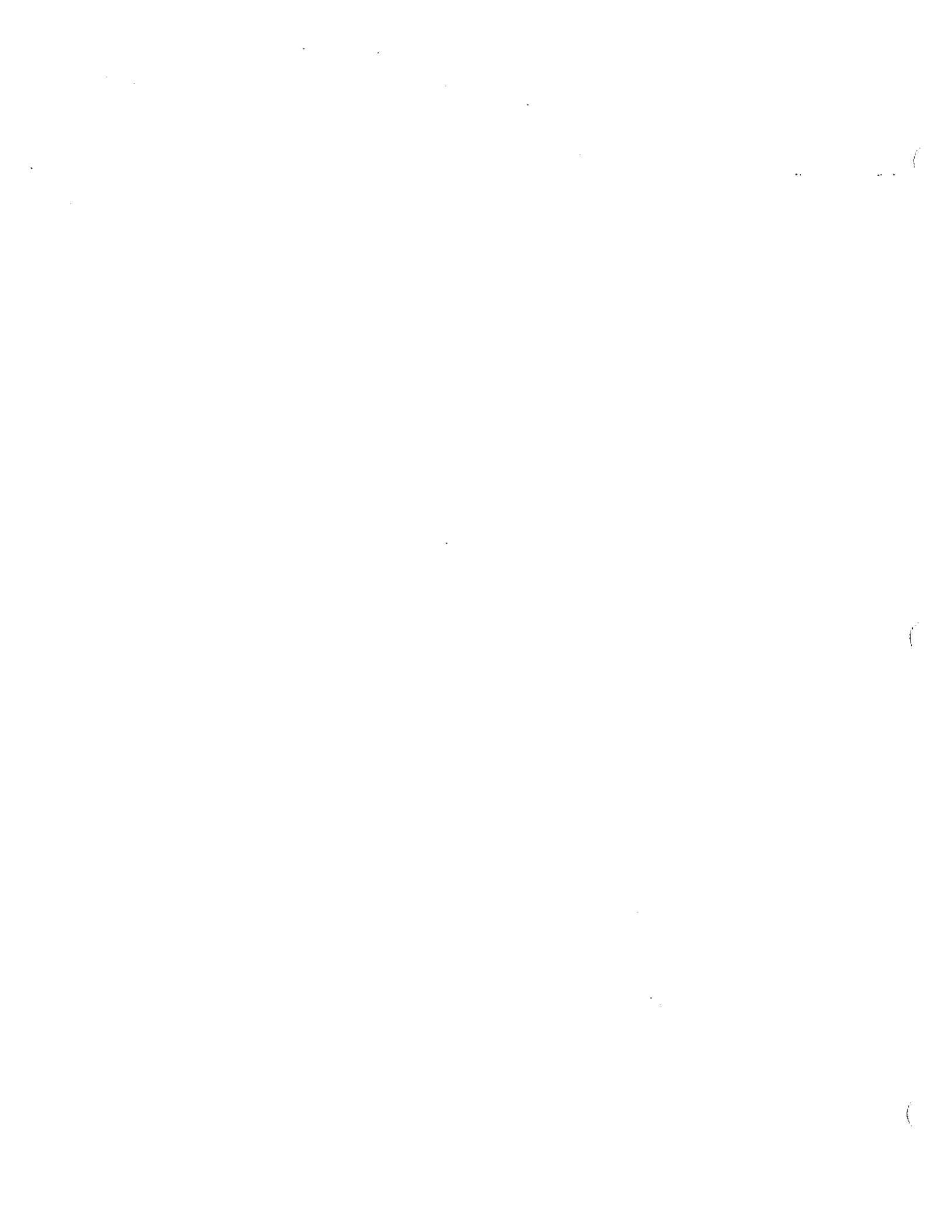
Placentia News-Times
625 N. Grand Ave.
Santa Ana, CA 92701
(714) 796-7000 ext. 3002

PROOF OF PUBLICATION

This space is for the County Clerk's Filing Stamp

Amended Proof of Publication of





To: Library Board of Trustees

From: Jim Roberts, Public Services Manager/Literacy Coordinator *JR*

Date: July 14, 2003

Subject: Status Report on Active Grant Applications

Open Grants

Source	Amount Requested	Date Requested	ELLI	Spanish Literacy	FFL	Children's
Disney	\$5,000	6/30/03	\$5,000			
Angels Care	\$25,000	4/16/03	\$25,000			
Bank of America	\$25,000	3/31/03	\$25,000			
Wells Fargo	\$2,000	5/7/03		\$2,000		
Wells Fargo	\$2,000	6/26/03			\$2,000	
Target	\$5,000	6/25/03			\$5,000	
Mervyn's	\$2,500	7/7/03			\$2,500	
Mighty Ducks	\$10,000	4/16/03	\$10,000			
Verizon	\$25,000	3/26/03	\$25,000			
Coca-Cola	\$25,000	3/26/03	\$25,000			
Mazda	\$25,000	5/27/03	\$25,000			
Sprint	\$25,000	5/27/03	\$25,000			
Total:	\$176,500		\$165,000	\$2,000	\$9,500	

Grants Denied/Withdrawn

Source	Amount	Date Requested	ELLI	Spanish Literacy	FFL	Children's
Weingart	\$50,000	5/3/03	\$50,000			
Ralphs	\$25,000	5/27/03	\$25,000			
Public Welfare	\$50,000	4/30/03	\$50,000			
RGK	\$25,000	4/14/03	\$25,000			
Total:	\$150,000		\$150,000			

PLACENTIA LIBRARY DISTRICT BOARD OF TRUSTEES

TO: Library Board of Trustees

FROM: Elizabeth D. Minter, Library Director *EDM*

SUBJECT: Legislative Issues and a Review of the Status of the State Budget and State Library Budget

DATE: July 21, 2003

BACKGROUND

The Legislative action thus far has had minimal impact on funding for Placentia Library District with the exception of the Literacy program. The State Librarian has officially informed the Library community that there will be no ELLI funds for Fiscal Year 2003-2004 although Libraries may carry forward unspent ELLI funds from Fiscal Year 2002-2003.

It is uncertain how the newly proposed exchange of property tax for sales tax will impact special districts. This issue bears careful watching.

The Board will review any addition information received after the posting of the Agenda at the Library Board Meeting.

RECOMMENDATION

Action to be determined by the Library Board of Trustees.



PLACENTIA LIBRARY DISTRICT BOARD OF TRUSTEES

TO: Library Board of Trustees
FROM: Elizabeth D. Minter, Library Director *EDM*
SUBJECT: Establish the Budget for Fiscal Year 2003-2004
DATE: July 21, 2003

BACKGROUND:

The budget presented for Placentia Library District for Fiscal Year 2003-2004 is based upon assumptions about the Budget to be adopted by the State of California, the year-end information from the Fiscal Year 2002-2003 Budget as provided by the Orange County Auditor, and the actual property valuation growth for the City of Placentia as provided by the Orange County Assessor. The Budget as presented for Fiscal Year 2003-2004 is balanced.

Revenues

Attachment A is the estimate of revenues from the State Library.

- ☐ The State Budget has not yet been adopted and there has been extensive discussion about the elimination of the Public Library Fund allocation for the upcoming year. The best that can be hoped for is approximately \$25,000. If that is received it can be allocated for expenditure from the contingency line item.
- ☐ Funding for all literacy programs is highly uncertain. Base grants will be received accompanied by an undisclosed amount of matching funds. The budget contains only \$7,000 for matching funds.

Attachment B shows the revenue estimates based on the following assumptions:

- ☐ 7 % growth in current secured property tax (The Orange County Assessor reported a City of Placentia property valuation growth of 7.3%.)
- ☐ No growth in other tax categories
- ☐ Reduction of the Public Library Fund from \$46,377 to zero. There is still a chance that this may be up to \$25,000.
- ☐ Reduction of the CLC Grant from \$24,725 to \$22,000 (\$15,000 base grant plus \$7,000 matching grant)
- ☐ Decrease FFL Grant (Literacy) from \$12,000 to the base grant of \$10,000.
- ☐ Decrease ELLI Grant (Literacy) from \$85,200 to the base grant of \$10,000. The Literacy staff has over \$165,000 in active grant applications to replace some of these funds.
- ☐ No additional State Library Grants

- ☐ Decrease Passport Revenue from \$150,000 to \$125,000 based on the decrease in usage experienced during the past six months.

Expenditures

Attachment C shows the proposed expenditures:

- ☐ Object Code 0100, Salaries & Wages reflects the personnel allocation approved in June 2003
- ☐ Object Code 1900, Miscellaneous includes \$7,500 for Storyteller contracts and \$5,000 for digitizing office records covered by the District's Retention Policy.
- ☐ Object Code 2200, Semi-Annual Bond payment includes \$71,800 for building bond payment, \$3,000 for bank charges, and \$34,000 for the energy bond payments.
- ☐ Object Code 2400, Special Department Expense (Book Budget) is set for \$133,840, the majority of which is generated by passport fees.
- ☐ Object Code 2800, rates for utilities should remain stable this year.
- ☐ Object Code 4897, Operating Transfer to Another District Fund contains \$77,000 set aside for the 2% Assessment Appeals Case under litigation.

Capital Projects

There are no capital projects scheduled at this time.

Literacy Shortfalls

Attachment D shows the Literacy activities that are funded in the Proposed Budget and those that are not funded. As grants are received the Board will be asked to adjust the Budget for these activities.

RECOMMENDATION:

1. Adopt the Placentia Library District Operating Budget for Fiscal Year 2003-2004
2. Authorize the publication of the Notice of Public Hearing for the August 18, 2003 Library Board Meeting at 6:30 P.M.

Placentia Library District
State Library Reimbursements and Grants
July 21, 2003

FUND	Actual FY1998-99	Actual FY1999-00	Actual FY2000-01	Actual FY2001-02	Actual FY2002-03	Proposed FY2003-04
ILL & Direct Loan Reimbursements	6,446	9,889	11,399	13,314	16,432	10,000
CA Foundation Funds	59,146	88,459	88,826	77,328	46,377	0
CA Literacy Campaign	8,872	10,390	18,818	19,593	24,725	22,000
Family Literacy Grant	0	0	20,000	10,000	12,060	10,000
Dept Educ. 321 Grant/ELLI	3,136	6,003	0	0	140,680	10,000
One-Year Grants/Partnerships for Change	1,000	10,000	5,000	5,000	11,745	0
Miscellaneous State Revenues	0	18,181	25,275	0	0	0
TOTAL STATE REVENUE	78,600	142,922	169,318	125,235	252,019	52,000

Placencia Library District
 Revenue Budget for Fund 707 for Fiscal Year 2003-2004
 July 21, 2003

Object Code	Category	FY1998-99 Actual	FY1999-00 Actual	FY2000-01 Actual	FY2001-02 Actual	FY2002-03 Actual	FY2003-04 Proposed	% CHANGE PREV.YR
6210-00	Current Secured	764,422	849,522	921,767	995,217	1,072,450	1,147,522	7.0%
6210-01	Public Utility	24,001	25,854	23,111	25,158	22,886	22,500	-1.7%
6210-04	Teeter Plan - Current Delinquent	0	0	12,334	13,876	14,764	14,500	-1.8%
	SUB-TOTAL CURRENT SECURED	788,422	875,376	957,212	1,034,251	1,110,100	1,184,522	6.7%
6230	Prior Secured	19,667	19,936	12,028	12,031	14,166	13,000	-8.2%
	TOTAL SECURED	808,089	895,312	969,240	1,046,282	1,124,266	1,197,522	6.5%
6220	Current Unsecured	50,053	53,807	55,274	56,067	58,450	57,500	-1.6%
6240	Prior Unsecured	1,054	936	962	668	785	750	-4.5%
	TOTAL UNSECURED	51,107	54,743	56,236	56,734	59,235	58,250	-1.7%
6690	HOMEOWNER	15,578	16,224	16,245	16,101	16,339	16,250	-0.5%
	TOTAL ESTIMATE PROVIDED BY ORANGE COUNTY AUDITOR	874,774	966,278	1,041,721	1,119,118	1,199,840	1,272,022	6.0%
6250	SPECIAL DISTRICT AUGMENTATION	9,062	9,782	8,555	9,088	8,224	8,000	-2.7%
6260/6540	PENALTIES/DELINQUENCIES	270	249	268	0	0	0	
6280	SUPPLEMENTAL - CURRENT	24,408	33,580	36,813	39,810	48,663	40,000	-17.8%
6300	SUPPLEMENTAL - PRIOR	781	720	821	1,303	1,364	1,300	-4.7%
6610	INTEREST	12,734	20,286	21,191	11,628	8,670	8,500	-2.0%
	TOTAL CATEGORIES NOT ESTIMATED BY ORANGE COUNTY AUDITOR	47,255	64,618	67,648	61,829	66,921	57,800	-13.6%
	TOTAL PROPERTY TAX REVENUE	922,030	1,030,896	1,109,369	1,180,947	1,266,761	1,329,822	5.0%
6970	STATE LIBRARY & STATE	78,601	142,922	169,318	125,235	252,019	52,000	-79.4%
7130	BANKRUPTCY RECOVERY DISTRIBUTION	0	36,814	0	0	0	0	
7615	TRANSFER FROM OTHER LIBRARY FUND:	0	0	0	0	0	0	
7670	LOCAL REVENUE	41,587	108,350	80,563	114,603	174,470	176,000	0.9%
7680	6 MO. EXPIRED (OUTLAW) CHECKS	224	101	0	96	0	0	
	TOTAL REVENUE	1,042,442	1,319,082	1,359,249	1,420,881	1,693,250	1,557,822	-8.0%



PLACENTIA LIBRARY DISTRICT
EXPENDITURES BUDGET FOR FUND 707 FOR FISCAL YEAR 2003-2004
Proposed July 21, 2003

OBJECT CODE	DESCRIPTION	FY1998-1999		FY1999-2000		FY2000-2001		FY2001-2002		FY2002-2003		FY2002-2003		% CHANGE PREVYR
		ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	PROPOSED	PREVYR	
0100	Salaries & Wages	494,352	537,311	623,836	645,313	688,819	694,508	0.8%						
0200	Retirement (Social Security & Pension Contribution)	69,130	69,960	84,284	93,990	94,050	98,130	4.3%						
	Health Insurance/Care America	20,247	28,006	38,227	41,981	46,765	51,887	11.0%						
	Long Term Disability/CNA	2,431	2,028	2,528	2,823	3,148	3,300	4.8%						
	Life Insurance/Fortis & Protective Life	0	0	2,320	1,862	1,239	1,405	13.4%						
	Vision/Vision Service Plan	2,015	2,430	2,752	3,008	2,275	2,682	17.9%						
	Dental/Amvettas	5,153	5,737	7,369	6,055	6,326	7,597	20.1%						
0300	Total Employee Insurance	29,845	38,201	53,196	55,730	59,754	66,870	11.9%						
0310	Unemployment Insurance	0	0	0	0	394	0							
0350	Workers Compensation - General	5,136	2,754	6,074	11,364	4,335	10,000	130.7%						
	TOTAL SALARIES & EMPLOYEE BENEFITS	598,463	648,226	767,390	806,397	847,352	869,508	2.6%						
0700-00	Communications - Telephone	2,169	2,029	2,109	3,476	1,456	1,750	20.2%						
0700-01	Communications - Modem/Fax/TI/DSL	1,938	4,432	5,345	6,818	7,550	7,600	0.7%						
0700-02	Communications - Internet Access	4,897	6,600	3,232	1,037	695	800	15.1%						
0700-05	Communications - Brodart Cataloging Access	5,150	2,649	3,007	2,225	2,371	2,700	13.9%						
0700-07	Communications - ELLI Grant	380	0	0	265	250	0	-100.0%						
0700-08	Communications - Adult Literacy	438	412	426	406	1,295	1,500	15.8%						
	Total Communications	14,973	16,121	14,119	14,228	13,617	14,350	5.4%						
0900-00	Food - General Fund	0	43	162	1,253	314	350	11.5%						
0900-07	Food - ELLI Grant	0	0	0	30	57	0	-100.0%						
0900-08	Food - Adult Literacy	0	154	281	0	155	150							
0900-009	Food - Family Literacy	0	0	0	0	162	0							
	Total Food	0	197	443	1,283	688	500	-27.3%						
1000-00	Household Expense	3,468	4,271	2,375	20,637	3,852	4,250	10.3%						
1100-00	Insurance	10,124	6,946	5,069	5,280	7,614	11,000	44.5%						

PLACENTIA LIBRARY DISTRICT
EXPENDITURES BUDGET FOR FUND 707 FOR FISCAL YEAR 2003-2004
Proposed July 21, 2003

OBJECT CODE	DESCRIPTION	FY1998-1999 ACTUAL	FY1999-2000 ACTUAL	FY2000-2001 ACTUAL	FY2001-2002 ACTUAL	FY2002-2003 ACTUAL	FY2002-2003 PROPOSED	% CHANGE PREV YR
1300-00	Maintenance of Equipment - General Fund (Other than Computer)	9,712	2,037	4,117	1,991	3,494	3,000	-14.1%
1300-01	Maintenance of Equipment - General Fund (Computer)		9,961	11,714	5,490	24,352	20,000	-17.9%
1300-07	Maintenance of Equipment - ELLI Grant	0	0	0	(5,366)	0	0	
1300-08	Maintenance of Equipment - Adult Literacy	0	0	0	5,366	235	500	113.1%
1300-09	Maintenance of Equipment - Family Literacy/LSCA Grant	0	0	0	0	0	0	
	Total Maintenance of Equipment	9,712	11,998	15,831	7,481	28,080	23,500	-16.3%
	HVAC							
	Carpet Cleaning	2,852	2,105	1,704	2,174	7,135	7,500	5.1%
	Groundskeeping, City of Placentia	0	3,074	0	2,806	2,655	2,750	3.6%
	Plumbing	28,653	31,862	23,002	14,923	25,693	27,500	7.0%
	Electrical	1,681	1,656	1,799	4,725	3,090	3,000	-2.9%
	Cleaning Service	4,212	15,520	1,170	2,151	1,442	1,500	4.0%
	Locksmith	11,400	11,400	11,550	13,050	13,200	13,700	3.8%
	Other (includes fire alarms & seismic retrofit project)	74	2,041	210	287	1,308	1,000	-23.5%
	Total Maintenance of Building & Grounds	1,391	1,331	25,806	4,581	5,786	6,000	3.7%
1400-00		50,263	68,988	65,240	44,698	60,308	62,950	4.4%
	Memberships - General Fund							
1600-00	Memberships - General Fund	2,580	3,356	3,569	2,771	1,933	2,200	13.8%
1600-07	Memberships - ELLI Grant	225	0	0	0	225	0	-100.0%
1600-08	Memberships - Adult Literacy	240	150	355	426	515	550	6.8%
1600-09	Memberships - Family Literacy	0	0	0	0	0	0	
	Total Memberships	3,045	3,506	3,924	3,197	2,673	2,750	2.9%
	Miscellaneous Expense - General Fund							
1700-00	Miscellaneous Expense - General Fund	0	0	0	0	3,545	0	
1700-07	Miscellaneous Expense - ELLI Grant	0	0	0	0	0	0	
1700-08	Miscellaneous Expense - Adult Literacy	0	0	0	0	0	0	
1700-09	Miscellaneous Expense - Family Literacy	0	0	0	0	0	0	
	Total Miscellaneous Expense	0	0	0	0	3,545	0	

PLACENTIA LIBRARY DISTRICT
EXPENDITURES BUDGET FOR FUND 707 FOR FISCAL YEAR 2003-2004
Proposed July 21, 2003

OBJECT CODE	DESCRIPTION	FY1998-1999 ACTUAL	FY1999-2000 ACTUAL	FY2000-2001 ACTUAL	FY2001-2002 ACTUAL	FY2002-2003 ACTUAL	FY2002-2003 PROPOSED	% CHANGE PREV YR
1800-00	Library Supplies	6,818	6,275	8,824	10,755	14,419	12,000	-16.8%
	Printing	9,135	8,630	9,262	12,209	11,535	11,500	-0.3%
	EZ Copy - copy cards for sale to patrons	0	0	0	0	0	0	
	Publications	730	560	821	3,252	1,057	1,100	4.1%
	Paper	894	1,664	1,694	1,613	678	700	3.3%
	Drinking Water Service	274	275	311	289	330	350	6.1%
	Other Office Supplies	4,883	8,408	8,639	13,327	10,210	10,000	-2.1%
	Total Office Supply Expense - General Fund	22,734	25,812	29,551	41,444	38,228	35,650	-6.7%
1800-07	Literacy - ELLI Grant	1,890	0	0	15,109	2,061	0	-100.0%
	Printing	1,680	784	3,304	2,325	0	1,500	
	Publications	0	874	631	1,730	5,526	2,500	
	Paper	0	51	0	0	0	0	
	Other Office Supplies	1,034	543	2,148	4,378	598	1,500	150.8%
	Total Adult Literacy Office Supply Expense	2,714	2,252	6,083	8,433	6,124	5,500	-10.2%
1800-09	Family Literacy Supply Expense/LSCA Grant Expense	0	0	513	608	1,592	2,500	57.0%
	Total Office Expense	27,337	28,064	36,147	65,594	48,005	43,650	-9.1%
1803-00	Postage Expense - General Fund	2,446	4,642	2,437	5,049	4,711	4,500	-4.5%
1803-01	Postage Expense - LSCA II Grant	0	0	250	536	0	0	
1803-08	Postage Expense - Adult Literacy	64	9	0	42	124	100	-19.4%
1803-09	Postage Expense - Family Literacy/LSCA Grant	0	0	0	0	272	150	
	Total Postage Expense	2,510	4,651	2,687	5,628	5,107	4,750	-7.0%

PLACENTIA LIBRARY DISTRICT
EXPENDITURES BUDGET FOR FUND 707 FOR FISCAL YEAR 2003-2004
Proposed July 21, 2003

OBJECT CODE	DESCRIPTION	FY1998-1999 ACTUAL	FY1999-2000 ACTUAL	FY2000-2001 ACTUAL	FY2001-2002 ACTUAL	FY2002-2003 ACTUAL	FY2002-2003 PROPOSED	% CHANGE PREV YR
	Care Resources (Employee Assistance)	385	420	420	420	420	420	0.0%
	Pension Fund Operating & Investment Mgmt. Expenses	6,863	6,665	6,558	3,479	6,271	7,000	11.6%
	Anaheim Library Automated Library System	39,295	40,584	43,978	25,219	30,170	34,000	12.7%
	Anaheim Consortium Computer Technical & Consulting Services		0	0	900	0	0	
	Clipping Service	417	397	453	453	500	504	0.9%
	Tax Collection Services & Fees by Orange County & LAFCO	291	1,386	309	6,499	7,654	8,500	11.1%
	Advertising (including WEB site)	734	1,200	787	2,350	3,813	4,000	4.9%
	Medical Exams	473	368	315	1,183	1,070	1,200	12.2%
	Collection Services - Accounts Receivable	633	1,862	2,228	2,154	1,862	2,750	20.9%
	Audit & Accounting Services (Munson, Cronick & Assoc.)	4,811	3,775	5,140	5,150	4,885	5,250	7.5%
	Payroll Preparation	2,349	2,622	2,949	3,069	3,895	3,600	-7.6%
	Election Expenses	0	0	0	0	0	0	
	Staff Training in Library	0	0	0	0	3,500	3,500	
	Other (Includes contract storyteller)	3,511	18,151	9,329	25,794	14,255	14,000	-1.8%
1900-00	Total Specialized Services - General Fund	59,761	77,430	72,465	76,669	78,293	84,224	7.6%
1900-01	Specialized Services - LSCA II Grant/Partnerships for Change	0	0	4,240	12,293	0	0	
1900-07	Specialized Services - ELLI Grant	0	0	0	5,271	5,217	0	
1900-08	Specialized Services - Adult Literacy	80	80	8,597	3,782	8,230	5,000	-39.2%
1900-09	Specialized Services - Family Literacy/LSCA Grant	0	0	0	184	640	500	-21.9%
1900-18	Tax Collection Services & Fees by Orange County	2,117	8,826	11,939	10,794	12,074	12,500	3.5%
	Total Specialized Services	61,958	86,335	97,240	108,992	104,454	102,224	-2.1%
2000-00	Legal Notices - General Fund	0	0	458	0	175	650	271.1%
2000-01	Legal Notices - LSCA II Grant	0	0	0	0	0	0	
	Total Legal Notices	0	0	458	0	175	650	271.1%

PLACENTIA LIBRARY DISTRICT
EXPENDITURES BUDGET FOR FUND 707 FOR FISCAL YEAR 2003-2004
Proposed July 21, 2003

OBJECT CODE	DESCRIPTION	FY1998-1999 ACTUAL	FY1999-2000 ACTUAL	FY2000-2001 ACTUAL	FY2001-2002 ACTUAL	FY2002-2003 ACTUAL	FY2002-2003 PROPOSED	% CHANGE PREV YR
2100-00	Rents/Leases-Equipment	0	0	0	0	622	400	
2200-00	Semi-Annual Bond Payment, Energy Loan & Civic Center Loan	72,215	91,373	70,195	101,370	103,680	105,000	1.3%
2300-00	Small Tools/Instruments	0	0	0	0	0	0	
2400-00	Special Department Expense - Miscellaneous	0	0	0	48	0	0	
2400-01	Special Department Expense- Books	82,661	73,446	100,821	82,829	71,422	131,840	84.6%
2400-02	Special Department Expense - Video	3,400	1,480	2,544	242	338	0	
2400-03	Special Department Expense - Electronic	5,230	20,301	23,501	28,698	57,995	0	
2400-04	Special Department Expense - Periodicals	4,228	19,827	14,765	15,962	8,058	0	
2400-05	Special Department Expense - Audio	347	6,753	7,673	7,476	13,452	0	
2400-07	Special Department Expense - ELLI Grant	0	0	0	78	5,204	0	-100.0%
2400-08	Special Department Expense - Adult Literacy	3,594	6,424	4,292	3,724	4,980	2,000	-59.8%
2400-09	Special Department Expense - Family Literacy	0	0	0	76	1,759	0	
	Total Special Department Expense	99,459	128,232	153,595	139,132	163,208	133,840	-18.0%
2600-00	Transportation/Travel - General	0	0	0	0	0	0	
2700-00	Transportation/Travel - Meetings, Staff Out of Town	1,531	1,445	1,046	1,673	2,368	2,500	5.6%
2700-01	Transportation/Travel - Meetings, Staff Local	1,907	2,699	3,755	5,983	3,873	4,500	16.2%
2700-02	Transportation/Travel - Meetings, Board Out of Town	1,035	124	582	1,344	1,357	1,500	10.5%
2700-03	Transportation/Travel - Meetings, Board Local	534	477	498	941	611	750	22.7%
2700-04	Transportation/Travel - Meetings, LSCA II Grant	0	0	0	198	0	0	
2700-07	Transportation/Travel - Meetings, ELLI Grant	915	0	0	1,108	951	0	-100.0%
2700-08	Transportation/Travel - Meetings - Adult Literacy	212	936	1,390	1,124	1,025	1,000	-2.5%
2700-09	Transportation/Travel - Meetings - Family Literacy	0	635	0	0	260	0	-100.0%
	Total Transportation/Travel - Meetings	6,135	6,316	7,270	12,370	10,445	10,250	-1.9%

PLACENTIA LIBRARY DISTRICT
EXPENDITURES BUDGET FOR FUND 707 FOR FISCAL YEAR 2003-2004
Proposed July 21, 2003

OBJECT CODE	DESCRIPTION	FY1998-1999 ACTUAL	FY1999-2000 ACTUAL	FY2000-2001 ACTUAL	FY2001-2002 ACTUAL	FY2002-2003 ACTUAL	FY2002-2003 PROPOSED	% CHANGE PREV YR
2800-00	Electricity	40,519	40,615	37,795	58,119	54,097	60,000	10.9%
	Gas	5,852	3,115	5,884	3,002	3,119	3,500	12.2%
	Water	2,266	3,588	3,087	3,681	3,132	3,750	19.7%
	Total Utilities	48,637	47,318	46,766	64,801	60,349	67,250	11.4%
	TOTAL SUPPLIES & SERVICES	409,835	504,316	521,360	594,688	616,421	587,314	-4.7%
3700-00	Taxes, Assessments (Sales Tax & Sewer Assessment)	1,001	3,652	1,160	2,029	5,384	4,000	-25.7%
4000-00	Equipment	16,445	26,993	29,927	18,050	28,213	20,000	-29.1%
4000-07	Equipment - ELLJ Grant	2,800	0	0	2,798	1,501	0	-100.0%
4000-08	Equipment - CLC Grant	120	0	558	0	2,726	0	
4000-09	Equipment - Gates Foundation Grant	0	14,436	0	0	0	0	
4000-11	Equipment	0	0	0	0	0	0	
	Total Equipment	19,365	41,429	30,484	20,848	32,440	20,000	-38.3%
4200-00	Structures/Improvements	0	0	0	0	462	0	
	TOTAL EQUIPMENT EXPENSE	19,365	41,429	30,484	20,848	32,902	20,000	-39.2%
4807	OPERATING TRANSFER TO ANOTHER DISTRICT FUND	0	0	0	0	0	77,000	
5600	INVESTMENT POOL LOSS	0	0	0	0	0	0	
	TOTAL EXPENSES	1,028,664	1,197,624	1,320,395	1,423,962	1,502,058	1,557,822	3.7%
	ELLI Grant Summary Object Code 07	6,209.95	0	0	19,293	15,466	0	-100.0%
	CLC Summary Object Code 08	7,461.96	10,417	21,981	23,302	25,409	16,300	-35.9%
	FFL Grant Summary Object Code 09	0.00	15,071	513	867	4,684	3,150	-32.8%
	Partnerships for Change Grant			4,240	12,293	0	0	
	TOTAL LITERACY (Excluding Personnel)	13,671.91	25,488	22,494	43,462	45,560	19,450	-57.3%

PLACENTIA LIBRARY DISTRICT
 Literacy Expenses for FY 2003-2004
 July 21, 2003

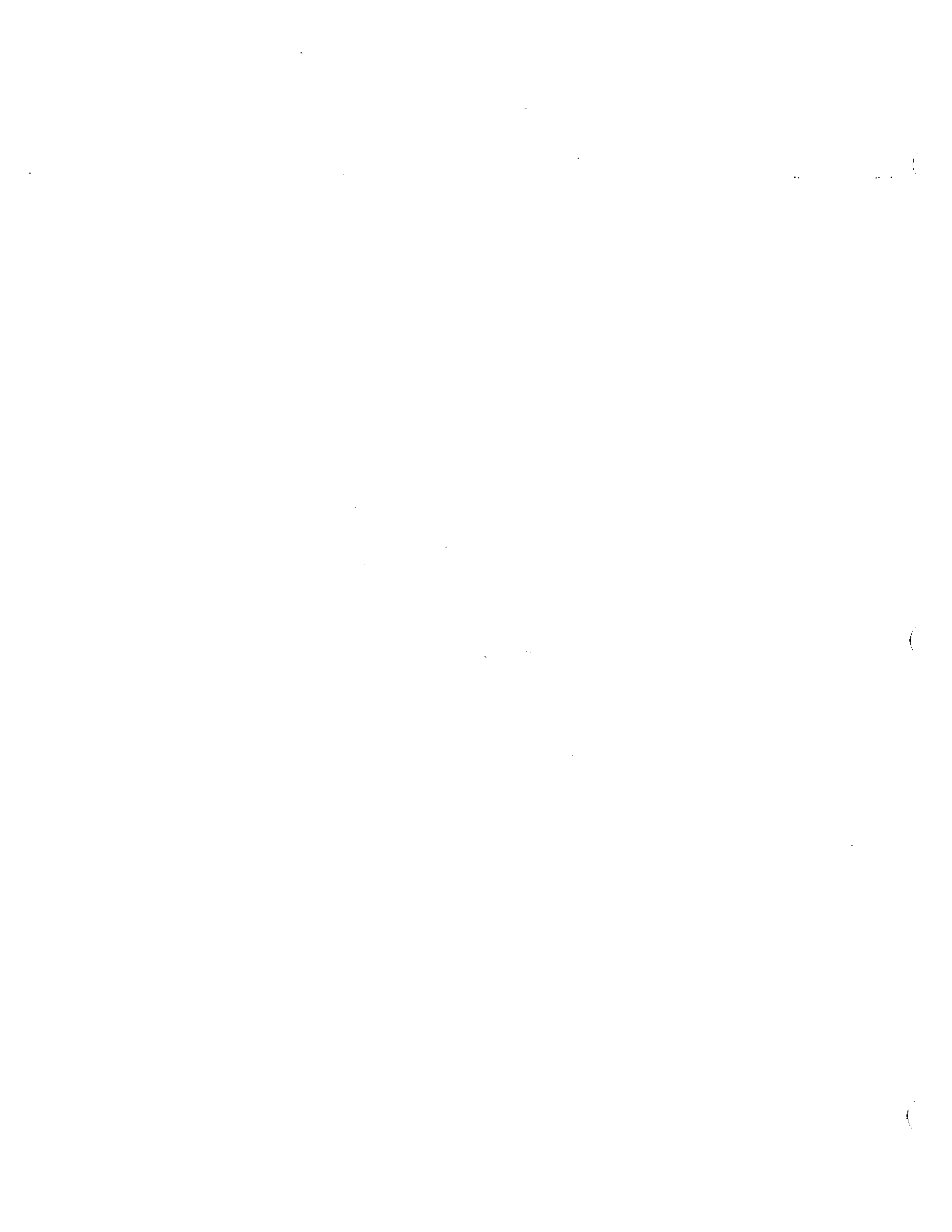
OBJECT CODE	DESCRIPTION	Budgeted FY2003-2004			Not Funded FY2003-2004				
		ELLI - 07	CLC - 08	FEL - 09	TOTAL	ELLI - 07	CLC - 08	FEL - 09	TOTAL
0100	Salaries & Wages	20,000.00	47,925.56	17,584.33	85,509.89	65,642.85			65,642.85
0200	Retirement (Social Security & Pension Contribution)	1,530.00	7,021.09	2,576.10	11,127.20	9,616.68	0.00	0.00	9,616.68
	Health Insurance/Care America		9,036.17	1,029.20	10,065.37	3,845.00			3,845.00
	Long Term Disability/CNA		263.59	96.71	360.30	361.04			361.04
	Life Insurance/Fortis & Protective Life		78.78	52.70	131.48	170.69			170.69
	Vision/Vision Service Plan		270.00	78.00	348.00	253.50			253.50
	Dental/Americas		1,215.15	186.60	1,401.75	606.45			606.45
0300	Total Employee Insurance	0.00	10,863.69	1,443.21	12,306.90	5,236.68	0.00	0.00	5,236.68
0310	Unemployment Insurance	0.00	0.00	0.00	0.00	0.00			0.00
0350	Workers Compensation - General	0.00	0.00	0.00	0.00	0.00			0.00
	TOTAL SALARIES & EMPLOYEE BENEFITS	21,530.00	65,810.34	21,603.64	108,943.99	80,496.20	0.00	0.00	80,496.20
0700-07	Communications - ELLI Grant	0.00			0.00	250.00			250.00
0700-08	Communications - Adult Literacy	0.00	1,500.00		1,500.00	0.00			0.00
	Total Communications	0.00	1,500.00	0.00	1,500.00	250.00	0.00	0.00	250.00
0900-07	Food - ELLI Grant	0.00			0.00	200.00			200.00
0900-08	Food - Adult Literacy		150.00		150.00	0.00			0.00
090-009	Food - Family Literacy			0.00	0.00		200.00		200.00
	Total Food	0.00	150.00	0.00	150.00	200.00	200.00	200.00	400.00
1300-07	Maintenance of Equipment - ELLI Grant	0.00			0.00	0.00			0.00
1300-08	Maintenance of Equipment - Adult Literacy		500.00		500.00	0.00			0.00
1300-09	Maintenance of Equipment - Family Literacy/LSCA Grant			0.00	0.00		0.00		0.00
	Total Maintenance of Equipment	0.00	500.00	0.00	500.00	0.00	0.00	0.00	0.00
1600-07	Memberships - ELLI Grant	0.00			0.00	225.00			225.00
1600-08	Memberships - Adult Literacy		550.00		550.00	0.00			0.00
1600-09	Memberships - Family Literacy			0.00	0.00				0.00
	Total Memberships	0.00	550.00	0.00	550.00	225.00	0.00	0.00	225.00

PLACENTIA LIBRARY DISTRICT
 Literacy Expenses for FY 2003-2004
 July 21, 2003

OBJECT CODE	DESCRIPTION	Budgeted FY2003-2004				Not Funded FY2003-2004			
		ELLI - 07	CLC - 08	FEL - 09	TOTAL	ELLI - 07	CLC - 08	FEL - 09	TOTAL
1700-07	Miscellaneous Expense - ELLI Grant	0.00			0.00				0.00
1700-08	Miscellaneous Expense - Adult Literacy		0.00		0.00				0.00
1700-09	Miscellaneous Expense - Family Literacy			0.00	0.00				0.00
	Total Miscellaneous Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1800-07	Literacy - ELLI Grant	0.00			0.00	2,100.00			2,100.00
	Printing		1,500.00		1,500.00				0.00
	Publications		2,500.00		2,500.00		1,000.00		1,000.00
	Paper		0.00		0.00				0.00
	Other Office Supplies		1,500.00		1,500.00				0.00
1800-08	Total Adult Literacy Office Supply Expense		5,500.00	0.00	5,500.00		1,000.00		1,000.00
1800-09	Family Literacy Supply Expense/LSCA Grant Expense			2,500.00	2,500.00				0.00
	Total Office Expense	0.00	5,500.00	2,500.00	8,000.00	2,100.00	1,000.00	0.00	3,100.00
1803-08	Postage Expense - Adult Literacy		100.00		100.00				50.00
1803-09	Postage Expense - Family Literacy/LSCA Grant			150.00	150.00			150.00	150.00
	Total Postage Expense	0.00	100.00	150.00	250.00	0.00	50.00	150.00	200.00
1900-07	Specialized Services - ELLI Grant	0.00			0.00	5,300.00			5,300.00
1900-08	Specialized Services - Adult Literacy		5,000.00		5,000.00		5,000.00		5,000.00
1900-09	Specialized Services - Family Literacy/LSCA Grant			500.00	500.00			300.00	300.00
	Total Specialized Services	0.00	5,000.00	500.00	5,500.00	5,300.00	5,000.00	300.00	10,600.00
2400-07	Special Department Expense - ELLI Grant				0.00	5,300.00			5,300.00
2400-08	Special Department Expense - Adult Literacy		2,000.00		2,000.00		3,000.00		3,000.00
2400-09	Special Department Expense - Family Literacy			0.00	0.00			2,000.00	2,000.00
	Total Special Department Expense	0.00	2,000.00	0.00	2,000.00	5,300.00	3,000.00	2,000.00	10,300.00

PLACENTIA LIBRARY DISTRICT
 Literacy Expenses for FY 2003-2004
 July 21, 2003

OBJECT CODE	DESCRIPTION	Budgeted FY2003-2004			Not Funded FY2003-2004			
		ELLI - 07	CLC - 08	FFL - 09	TOTAL	ELLI - 07	CLC - 08	FFL - 09
2700-07	Transportation/Travel - Meetings, ELLI Grant	0.00			0.00	1,000.00		1,000.00
2700-08	Transportation/Travel - Meetings - Adult Literacy		1,000.00		1,000.00		500.00	500.00
2700-09	Transportation/Travel - Meetings - Family Literacy			0.00	0.00		1,100.00	1,100.00
	Total Transportation/Travel - Meetings	0.00	1,000.00	0.00	1,000.00	500.00	1,100.00	2,600.00
	TOTAL SUPPLIES & SERVICES	0.00	16,300.00	3,150.00	19,450.00	9,550.00	3,750.00	27,675.00
4000-07	Equipment - ELLI Grant	0.00			0.00	1,500.00		1,500.00
4000-08	Equipment - CLC Grant		0.00		0.00		2,500.00	2,500.00
	Total Equipment	0.00	0.00	0.00	0.00	1,500.00	2,500.00	4,000.00
	TOTAL EXPENSES	21,530.00	82,110.34	24,753.64	128,393.99	96,371.20	3,750.00	108,171.20



PLACENTIA LIBRARY DISTRICT BOARD OF TRUSTEES

TO: Library Board of Trustees

FROM: Elizabeth D. Minter, Library Director *EDM*

SUBJECT: Staff Survey

DATE: July 21, 2003

BACKGROUND:

President Shkoler will present a summary of the responses to the Staff Survey distributed in July.

RECOMMENDATION:

Action to be determined by the Library Board of Trustees.



PLACENTIA LIBRARY DISTRICT BOARD OF TRUSTEES

TO: Library Board of Trustees
FROM: Elizabeth D. Minter, Library Director *EDM*
SUBJECT: Request for waiver of Meeting Room fees.
DATE: July 21, 2003

BACKGROUND:

Ms. Feng Min Shan, a resident of Placentia, is requesting that the Library Board waive the Meeting Room Fees for a weekly meeting of a newly organized group of Chinese-American residents of Placentia

The current Meeting Room fee is \$30 for each four-hour period. The rate effective September 1, 2003 is proposed to be \$35 for each four-hour period.

RECOMMENDATION:

Action to be determined by the Library Board of Trustees

PLACENTIA LIBRARY DISTRICT BOARD OF TRUSTEES

TO: Library Board of Trustees
FROM: Elizabeth D. Minter, Library Director *EDM*
SUBJECT: Request for Board Resolution refusing compliance with the Patriot Act.
DATE: July 21, 2003

BACKGROUND:

Ms. Irot's request for a Board Resolution refusing compliance with the Patriot Act is Attachment A.

Attachment B is an analysis of the Patriot Act as it applies to public libraries by Mary Minow, a nationally recognized library legal consultant.

At Placentia Library staff is taking all possible precautions to ensure its clients privacy:

- 📖 Internet usage histories are not kept for any length of time.
- 📖 The Internet sign-in software does not keep usage records by name and clients have the option of signing-in anonymously. (Individuals who sign-in with their Library cards do so with less time since their "filtering" level is pre-determined.)

The only information in the Internet sign-in software is the name of the client and whether they use "filtered" or "unfiltered" Internet services. The date and time of each usage is not kept in the system.

- 📖 For borrowers who do not have fines or fees attached to their records, the borrowing history is purged after each item is returned. *Delinquency histories are kept indefinitely.*

It is possible to look up by item number the name of the last individual to check-out that item – this record is purged as soon as the next person checks the item out. This information is needed to identify a borrower who has damaged an item when that damage was not identified before the item was checked-in.

- 📖 The Patriot Act requires a Court Order, *signed by a judge*, to access Library records. The order would need to be presented to the Library Director or Manager-in-Charge. This Order should be verified by legal counsel.

The library requirements of the Patriot Act have been discussed recently at a Staff Meeting but it would be possible to dedicate an entire session to this topic.

Several staff members (librarians) and the Library Director attended a workshop last year at the South Pasadena Public Library, sponsored by the Metropolitan Cooperative Library System, at

which Mary Minow presented the parameters of the Patriot Act and a Senior Agent from the Los Angeles FBI Office discussed compliance from the FBI point of view. The FBI representative stressed that a Court Order, *signed by a judge*, would be required and that the library would have time to have the Court Order verified by its counsel.

RECOMMENDATION:

Action to be determined by the Library Board of Trustees

June 6, 2003

The Honorable Al Shklor, President
Board of Trustees
Placentia Library District
Placentia, CA 92870

re; US PATRIOT ACT

Dear Board President,

Certainly, we have been made aware from our newspapers and periodicals of the possibility for libraries to be placed in the position of violating the privacy of patrons under the provisions of the US Patriot Act. The position of the ALA is a matter of public record, as well.

As I was contemplating the way in which I could make my feelings known to the Placentia Library Board of Trustees, the attached article appeared in the newspaper a few weeks ago.

I believe it is incumbent on this Board of Trustees to be proactive. By resolution - or other appropriate means - the Board should indicate to the patrons its position on this matter. That position should be NONCOMPLIANCE. Not after the fact, not after a patron's record has been made available. The library staff will act in accordance with the Board's position,

Perhaps, the Board will view as highly unlikely any such action will occur here in Placentia. That, in my opinion, is not a proper mindset. The Board must protect my rights and the rights of its other patrons under the constitution. If there is a need, the authorities may subpoena, showing just cause, my records or others records.

Please make US Patriot Act an agenda item and establish the position of this Board of Trustees. You are an elected body with the obligation to take a stand. As one of your constituents, my stand is to provide access to records, by subpoena only.

Please make this letter and the enclosed article a part of your minutes.

Sincerely,



A.C. Irot
1361 Roxborough Drive
Placentia, CA 98270

One Word From Librarians That Speaks Volumes

By MICHAEL MCGRORTY

An elderly woman approached the reference desk recently to ask for help in finding a novel. My impression was that neither her vision nor her legs were up to the task of the search, so I retrieved the book for her from the large-print section. While I was thus engaged, my patron was busy reading the placard that the library where I intern has placed at the reference desk. Its purpose is to inform patrons about the USA Patriot Act [the law passed after the Sept. 11 attacks to expand the government's surveillance powers in terrorist investigations]. It took her a while to absorb the meaning before she spoke.

She said: "What does this mean? This is like the Red Scare. You surely aren't going to participate in this, are you? I have lived a long time, and never thought I would see this happen again."

With that she departed.

I watched her go out the door and thought about an answer for her. Certainly I cannot speak for our library, and properly not even as a librarian, being only an intern.

But the woman's question was more than mere comment, and it was addressed not to me but to the library — to the institution, the staff and the history and meaning of the place she had known all her life. And it deserved a response. If the library could talk, it would speak with the voice of all those who had worked there and every patron who passed through the portals, in every town where there has been a place set aside for reading and a collection of books offered free for the taking since the practice began.

Regarding the current matter, this bit of legislative excess that has fallen upon us, I believe that the library would utter but a single word: No. Just that one word, but emphatically, and leaving no doubt as to intent or application. And that answer speaks not just to the elements of the current situation but to any such that have been and will doubtless present themselves in

the future.

No. That is the answer, our answer to the Patriot Act. No to disclosure of patron information, no to violations of privacy; no to complicity with these activities in any form.

The reason for this answer is because of what we are and what we have been. To go along, even if only through our silence, would be to say to ourselves that what we have stood for was nothing; only a collection of fine words, erased by a collection of other words, orders from a distant source that had more meaning for us than the history and creed of our craft.

The library, which has asked thus far only that we perform our duties as well as possible, now asks that we live up to a standard that has previously existed for most of us only in the abstract. Our hour has arrived now we will see what sort of stuff we are made of, and afterward all of us and the walls and the very books upon the shelves will know.

What this means is to disobey; the cost is what it has always cost. Silent opposition is as valueless as the unfulfilled intent to give alms; this fight needs no coat-holders. Now is the time to say the word, to live the word, to represent the word to our community. No.

Let our models be the press and the advocates of free speech, who would instantly rise to this threat. We are no less important to the nation, and no less is expected of us by the people we serve.

What we need now is not a gush of words, but a single word, uttered and subscribed to by every librarian in the land: No to this and anything like it, regardless of personal consequence, an absolute refusal on the grounds of our heritage and our responsibility.

And when the supporters of this law react, when some person arrives to suppress and punish, let us rise as one to repeat our refusal and stand together. We are the library of a free nation and must act accordingly.

Michael McGrorty is a library intern-student at Cal State Fullerton.



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SEARCH

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Features

The USA PATRIOT Act and Patron Privacy on Library Internet Terminals

By Mary Minow

Mary Minow is a library law consultant with librarylaw.com. She is currently writing a book on library law for the American Library Association with Tomas Lipinski. This librarylaw.com column is not intended to replace legal advice. For a particular fact situation, consult an attorney.

Published February 15, 2002



Within hours after the September 11 attacks, the FBI began serving search warrants to major Internet Service Providers to get information about suspected electronic communications.² Within a week, police and FBI agents received tips that some suspects used libraries in Hollywood Beach and Delray Beach, Florida. FBI agents have since requested computer sign-in lists from other libraries. President Bush signed the USA PATRIOT Act into law on October 26, 2001. This law is expected to greatly increase the number of requests for sign-in lists at libraries.

What is the USA PATRIOT Act?

The USA PATRIOT Act stands for the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001. The legislation is broad and changes immigration laws, tightens controls on money laundering, and greatly expands the legal use of electronic surveillance.

The Act greatly expands the use of "roving wiretaps." This means that a wiretap order targeted to a person is no longer confined to a particular computer or telephone. Instead, it may "rove" wherever the target goes, which may include library computers. The new law allows a court to issue an order that is valid anywhere in the U.S. This greatly increases a library's exposure to court orders. Further, the use of pen/trap orders is now "technology neutral" and applies to the Internet as well as telephones. Whereas incoming and outgoing phone numbers have long been available upon the mere showing that they are relevant to an ongoing investigation, now email headers and URLs visited are available under the same low standard. Civil liberties advocates argued that such information is not analogous to phone numbers, but far more revealing (including, for example, the keywords used in Google searches such as <http://www.google.com/search?hl=en&q=mary+minow>).

Much of the Act expands the Foreign Intelligence Surveillance Act (FISA), in which the standards for courts to approve surveillance of foreign intelligence gathering are far less demanding than those required for approval of a criminal wiretap, which requires a showing of probable cause.

Librarians can get a good sense of the legal requirements by reading the guidance just issued to federal agents by the Department of Justice.³

What does the USA PATRIOT Act mean for libraries?

The upshot is that there will be a great many more surveillance orders, everywhere in the country, and in turn there will be more requests for library records, including Internet use records. Think of law enforcement as needing to enter two doors to apprehend a suspect.

Door One leads to the computer server. Law enforcement can find electronic tracks through email or Internet history logs. They may have intercepted messages through surveillance or other means. This leads to a particular computer terminal, date and time.

Door Two leads to the individual. This person could be someone using the Internet in a library, particularly someone who wishes to remain anonymous. The FBI (or others) will want to see a library record of who was using the library's terminal(s) at a particular date and time. If the library keeps sign-up records, law enforcement will want to see those records.

Will the FBI (or other law enforcement) ask to put surveillance technology on library computers?

In many cases, the surveillance technology will be placed elsewhere, and lead law enforcement directly to Door Two. However, it is possible that the FBI will approach the library and ask to place software (such as the controversial DCS1000 (also known as Carnivore) on library servers.⁴ Libraries should be sure to insist on a court order before complying. Note that libraries that share servers with cities or others may not be directly approached.

Should a library cooperate with the FBI (or other law enforcement) in giving library Internet sign up lists?

Yes, but advisedly with a court order. This is where the library's individual policies and procedures will become increasingly important. Does the library require sign-ups? If there are no sign-up lists, the inquiry essentially halts. Does the library allow first names only, or made-up names? Does it require identification? Library cards with addresses? Does it keep sign-up records, and if so, for how long? Does it use an automated system that ties library card numbers (tied to registration information) to Internet use? Is such information electronically disengaged after use and electronically shredded? Is it backed up on computer tapes? How long are backup tapes kept?

Search warrants are court orders, signed by a magistrate or a judge. Libraries are explicitly barred under Calif. Gov't. Code §6267 from disclosing patron registration or circulation records, excepting staff administrative use, written consent by the patron, or an order from the appropriate superior court.⁵

Whether or not the law protects Internet use records from disclosure without a court order (this includes search warrants) is not entirely clear. Many libraries consider these records as an extension of registration/circulation records, in that personally identifying information linking patron names with content is involved. Additionally, another section of the law known as the "personal privacy" exemption, provides that certain types of information may be kept confidential by a public agency where the disclosure would constitute an unwarranted invasion of personal privacy.⁶ Finally, library policies that protect such records, if well drafted, might protect Internet use records. For an argument that the state law should be updated to reflect the use of Internet in California libraries, see my article in California Libraries April 4, 1999.⁷

Should my library use sign-ups for Internet terminals? If we use sign-up records, are they subject to the California Public Records Act, making us at risk if we destroy them?

Libraries generally decide on whether and how to use sign-up procedures based on the supply and demand of Internet terminals. Sometimes libraries want identification to afford a measure of accountability i.e. prevent hacking. Libraries should be aware, however, that the sign-up procedure has considerable privacy implications. If records are kept, it is best if precise information can be extracted (e.g., user at Terminal #2 on November 13, 2001 at 1 p.m.) without giving out other patron's data.

Under the California Public Records Act, the library is not required to create or maintain Internet use

records, any more than numerous other temporary records libraries may keep, such as reference query logs. Once records are created and kept, however, they are subject to court orders, and possibly to open records requests. (Remember that it's possible these records have the same privacy safeguards as circulation and registration records described above.)

Although libraries are not required to create or maintain such records, it is definitely not advisable to destroy the records after a law enforcement or public request for disclosure. In a case in New Hampshire, a father requested a school's computer internet logs (in this case, the electronic records of sites visited). He was concerned that the school library's acceptable use policy was inadequate. When the school did not turn over the logs, the father sued under the state's Right-To-Know law. The county superior court ordered the school to turn over the logs, with the user names and passwords omitted. In January 2001, however, the Court found that the school had intentionally deleted the logs after the father filed suit. It found the school to be in contempt of court, and ordered it to produce the remaining records and pay the father his costs and attorney's fees.⁸

In addition, local ordinances may apply. Check with the library's attorney.

I read that the USA PATRIOT Act allows federal agents to get court orders for the production of "business records." Does that include library records?

The Act states that the FBI may apply for an order requiring the "production of any tangible things (including books, records, papers, documents and other items) for an investigation to protect against international terrorism or clandestine intelligence activities, provided that such investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment..."⁹

This provision is designed to get ISP records of user billing information. Library patrons who are merely accessing information on Internet terminals should have strong First Amendment arguments. Nevertheless, it's not clear whether they would win. Senator Russ Feingold tried to get an amendment to clarify that the Act would not preempt existing federal and state privacy laws, by maintaining existing criteria for records, such as library records. This amendment failed. Also, it should be noted that this "business records" provision is an amendment of the FISA law, which means that court proceedings are not open and are sealed.

I read that a research librarian tipped off the police in Florida. Can I do that, or must I wait for them to come to me?

If you recognize a picture in the newspaper as one of your patrons, that is not divulging a library record. If, on the other hand, you recognize a suspect's names from library records, you should definitely check in with your attorney before deciding whether to call the police.

In Broward County, Florida, the library was issued an order by a federal grand jury to collect library records when a patron fitting the description of Mohamed Atta, an alleged terrorist leader, was seen using computers with Internet access.¹⁰ The order was given with specific instructions not to release information to anyone other than federal authorities.¹¹

Recall that the vast majority of library patrons are not terrorists, and libraries should make all efforts to protect patron privacy.

Wasn't there an FBI program years ago that sent FBI agents into libraries asking for reading habits of suspicious looking people?

Yes. The FBI Library Awareness Program was a program that ran for about 25 years, in which FBI agents tried to enlist the assistance of librarians in monitoring the reading habits of "suspicious" individuals. Such individuals were variously defined as people with Eastern European or Russian-sounding names or accents, or coming from countries hostile to the U.S.¹² During the Library Awareness Program, some FBI agents wrongly claimed that they were not subject to statutes protecting library records.¹³ The efforts were largely unsuccessful, due to the tremendous outrage and resistance from those in the library profession.

The most important lesson that libraries learned was the importance of training the "friendly front desk clerk" and even volunteers not to hand over the information, but to refer all inquiries, even by badged FBI agents, to the library director.

How is the library community responding to the anti-terrorism legislation?

The American Library Association joined with the Association of Research Libraries and the Association of American Law Libraries in issuing a statement on the proposed anti-terrorism measures. It says that libraries do not monitor information sought or read by library users. To the extent that libraries "capture" usage information of computer logs, libraries comply with court orders for law enforcement.

The statement is also concerned that the legislation, which makes it easier to access business records, may in some cases apply to library circulation records. It recommends that legislators keep high standard for court order regarding release of library records.¹⁴

Where should libraries go to get guidance on FBI search warrants?

The Freedom to Read Foundation is making some legal assistance available to librarians. Librarians are advised to call the ALA Office for Intellectual Freedom and request legal advice from Jenner & Block without disclosing the existence of a warrant. For more details, see the ALA's recently issued Alert: USA PATRIOT Act.¹⁵

Footnotes

1. This "bottom line" is dedicated to Thad Phillips, who said, "Mary, I know you're smart, but when I read your articles, I just want to get to the bottom line."
2. "FBI turns to Internet for terrorism clues," <http://www.cnn.com/2001/TECH/internet/09/13/fbi.isps/> (visited November 15, 2001).
3. See United States. Department of Justice. Computer Crime and Intellectual Property Section. Field Guidance on New Authorities that Relate to Computer Crime and Electronic Evidence Enacted in the USA Patriot Act of 2001, <http://www.usdoj.gov/criminal/cybercrime/PatriotAct.htm> (visited November 13, 2001).
4. For more on current software/hardware surveillance technology, see Jack Karp, Chewing on Carnivore, TechTV, October 16, 2001 (visited November 13, 2001).
5. See Calif. Gov't. Code §6254 and §6267 (2001). The library may not disclose these records except to a) staff within the scope of administrative duties, b) with written consent from the patron, or c) by order of the appropriate superior court. Although California law refers to the "appropriate superior court," the USA PATRIOT Act still requires court orders, but allows courts in any jurisdiction to issue orders. Federal law will supercede state law in this case (unless the Act is later found unconstitutional).
6. Calif. Gov't. Code, § 6254(c) (2001).
7. See Mary Minow, "Library patron internet records and freedom of information laws," California Libraries, April 4, 1999, pp. 8-9, reprinted at <http://www.librarylaw.com/publicrecords.html> (visited October 3, 2001).
8. James M. Knight v. School Administrative Unit #16 Docket No. 00-E-307, Rockingham, SS. Superior Court, New Hampshire. See "Exeter Internet Ruling, Complete Ruling," Portsmouth Herald, January 8, 2001 at http://www.seacoastonline.com/news/1_8special.htm (visited November 15, 2001).
9. USA PATRIOT Act H.R. 3162, Title II Section 215, amending the Foreign Intelligence Surveillance Act (FISA), Title V, Section 501(a)(1) <http://leahy.senate.gov/press/200110/USA.pdf>

(visited November 13, 2001)

10. Florida Statute 257.261 The Florida Statute is very similar to the Calif. Gov't Code §6254 and §6267.

11. John Holland, Paula McMahon, Fred Schulte and Jonathon King, "Library computers targeted in terrorism investigation," Sun-Sentinel, September 18, 2001 at <http://www.sun-sentinel.com/news/southflorida/sfl-culprits918.story> (visited October 3, 2001).

12. See Herbert N. Foerstei, Surveillance in the Stacks: The FBI's Library Awareness Program, (Greenwood Press 1991); Ulrika Ekman Ault, "Note: The FBI's Library Awareness Program: Is Big Brother Reading Over Your Shoulder?" 65 N.Y.U.L. Rev. 1532 (December, 1990);

13. Senator Simon, Academic Libraries Must Oppose Federal Surveillance of Their Users, 100th Cong. 2nd Sess., 134 Cong Rec. S 4806 (1988)(republishing an article by Gerald R. Shields, Chronicle of Higher Education) cited in Mark Paley, The Library Awareness Program: The FBI in the Bookshelves at <http://hometown.aol.com/paleymark/library.htm> (visited October 1, 2001).

14. Library Community Statement on Proposed Anti-Terrorism Measures and Library Community Letter to Congress on Anti-Terrorism Legislation (pdf file) at <http://www.ala.org/washoff/> (visited October 4, 2001).

15. American Library Association. Office for Intellectual Freedom Alert: USA Patriot Act <http://www.ala.org/alaorg/oif/usapatriotact.html> (Editor's noted (SP), this link changed after publication, and has been corrected).

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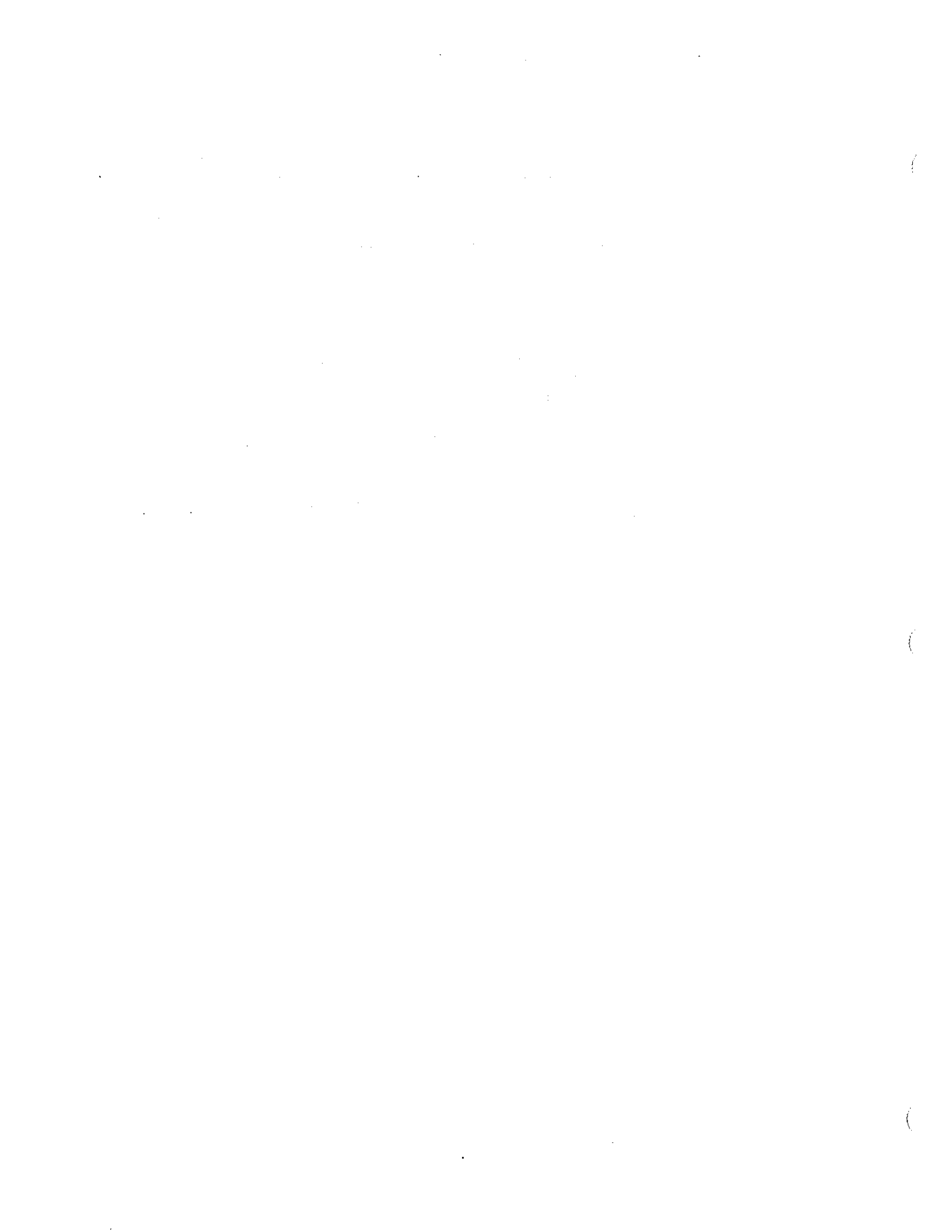
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PLACENTIA LIBRARY DISTRICT BOARD OF TRUSTEES

TO: Library Board of Trustees

FROM: Elizabeth D. Minter, Library Director *ewm*

SUBJECT: Consideration of proposed changes to California Special Districts Association (CSDA) Bylaws, Section 2, regarding the procedures for voting for the Board of Directors and processing mail ballots.

DATE: July 21, 2003

BACKGROUND:

The Board of Directors of the California Special Districts Association (CSDA) is requesting a vote of the membership on two proposed Bylaws changes dealing with the management of elections and mail ballots.

The information provided by CSDA is Attachment A.

RECOMMENDATION:

1. Approve recommended changes 1 and 2.
2. Authorize signature of the ballot by the Library Director.

June 25, 2003

Dear CSDA Member District:

The California Special Districts Association (CSDA) Board of Directors recently approved a change in the association Bylaws. A positive vote of the membership is also required in order to enact said change.

Proposed Change #1:

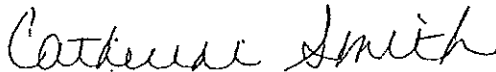
In 2000, CSDA changed from electing its directors at the Annual Conference to electing its directors via an all-mail ballot. At that time, no language was included in the event of a tie. The CSDA Board of Directors would like to add that language now, stating that another ballot with only the tying candidates be distributed to the members in the tying region. In the event that there were only two original candidates, or the second ballot resulted in a tie, the successful candidate would be chosen by a drawing.

Proposed Change #2:

The CSDA Board would also like to remove the requirement for the mail ballot to be distributed via certified mail, as this is an extremely time-consuming and costly process. The Board requests instead that language be put in place requiring a staff affidavit confirming that each current CSDA regular member in good standing was mailed an election ballot.

Please review the changes enclosed, and mail or fax back the ballot no later than July 28, 2003. Contact the CSDA office at 877.924.CSDA if you have any questions. Thank you.

Most sincerely,



Catherine Smith
Executive Director

CAS/mms

SPECIAL DISTRICTS ASSOCIATION
1215 K Street, Ste 930
Sacramento, CA 95814
Tel: 916.442.7887
Fax: 916.442.7889
www.csdanet.org

**Special Districts
Risk Management
Authority**
1481 Z Way, Park Oaks
Sacramento, CA 95816
Tel: 916.442.2770
Fax: 916.442.2765

**CSDA Finance
Corporation**
1215 K Street, Ste 930
Sacramento, CA 95814
Tel: 916.442.7887
Fax: 916.442.7889

**Special Districts
Workers Compensation
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Tel: 916.442.2770
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Toll-Free Numbers
General: 1.877.924.CSDA
SDRMA/SDWCA Claims &
Coverages: 1.800.537.7790



Section 2. Election and Appointment of Directors

Any special district with current regular membership in the California Special Districts Association is eligible to designate one person, such as a board member or managerial employee (as defined by that district's board of directors) for election as a director of the California Special Districts Association by a member board's resolution or minute-action submitted no later than the annual CSDA membership meeting.

Nomination and voting shall be by region for directors and shall be conducted by mail as described below.

The Election and Bylaws Committee shall have primary responsibility for establishing and conducting elections.

Written notice of the use of an all-mail ballot for election to the Board of Directors shall be sent by regular mail to each district no later than 120 days ("days" refers to calendar days in this Article) prior to the date scheduled for such election. Said notice shall (1) inform each member district of the positions to be filled on the Board of Directors at such election; and (2) inform each member district of its right to nominate an individual for any office to be filled at the election by filing with CSDA at least 60 days prior to the date scheduled for such election a written resolution or copy of minute action of the Board of Directors of that district specifying that district's nominee. A member district can only nominate one individual to run for the positions to be filled on the Board of Directors at each election.

The Election/Bylaws Committee will review all nominations received and will reject all that do not meet the qualifications specified above. The Committee shall prepare a slate of qualified nominees for submittal to the membership for election by mail as described below. Nominations received after the specified deadline will be deemed invalid.

A form of mail ballot containing all mailed nominations accepted and approved by the Elections/Bylaws Committee for any office to be filled at the election shall ~~be be mailed by certified mail, return receipt requested~~ distributed by first-class mail, to each regular CSDA member district no sooner than 55 days, and no later than 45 days prior to the date scheduled for such election. An affidavit signed by the responsible staff member stating that all current CSDA regular members were sent a ballot shall be filed with the election information. Said mail ballot shall indicate that each regular member district may return the ballot ~~by certified mail~~ to the principal business address of CSDA and that only those ballots received prior to the close of business on the date designated five days prior to the beginning date of the annual conference shall be considered valid and counted. Ballots received after the specified deadline will not be counted. All

ballots shall remain sealed until opened in the presence of the Elections/Bylaws Committee chairperson or his/her designee.

In the event of a tie, a mail ballot containing only the tied candidates shall be distributed by first-class mail to each regular CSDA member in the region in which the tie occurred. Said mail ballot shall indicate that each regular member district of that region may return the ballot to the principal business address of CSDA, and that only those ballots received prior to the close of business on the date designated shall be considered valid and counted. Said designated date shall be no earlier than 45 days and no later than 55 days from the date of the mailing. All ballots shall remain sealed until opened in the presence of the Elections/Bylaws Committee chairperson or his/her designee. An affidavit signed by the responsible staff member stating that all current CSDA regular members were sent a ballot shall be filed with the election information.

In the case of a vacancy resulting from a director vacating his/her directorship, an individual who meets the qualifications specified above may be appointed to complete the unexpired term of the vacating director by the Board of Directors at a regular meeting of the Board. Any vacancy(ies) occurring 120 days or less before the time set for the annual election shall be filled by a vote of the membership in the annual election conducted by mail. Such an elected director shall fulfill the unexpired term of the director vacating the directorship.

In the event that more than one seat on the Board of Directors in any one region is subject to elections, the ballot will be prepared to require separate elections for each seat.

The Election/Bylaws Committee may enforce any regulations that do not violate the instructions and intent of this section in order to facilitate the conduct of said elections.

In the event that more than one seat on the Board of Directors in any one region is subject to elections, the ballot will be prepared to require separate elections for each seat.

The Election and Bylaws Committee may enforce any regulations that do not violate the instructions and intent of this section in order to facilitate the conduct of said elections.

Section 3. Disqualification of Directors, Vacancies

All duly elected or appointed directors shall serve in such capacity for one (1) full term of office unless such director shall become disqualified from further service upon the occurrence of any of the following:

PLACENTIA LIBRARY DISTRICT BOARD OF TRUSTEES

TO: Library Board of Trustees
FROM: Elizabeth D. Minter, Library Director *EDM*
SUBJECT: Proposed Public Behavior Policy
DATE: July 21, 2003

BACKGROUND:

During the past several months the staff has been working on a replacement for the District's Public Behavior Policy.

The current Policy has been in effect since 1998 when the Library began allowing beverages in the reading areas. The current Policy is Attachment A. The current Policy is printed on laminated table tents located on every study table in the Library.

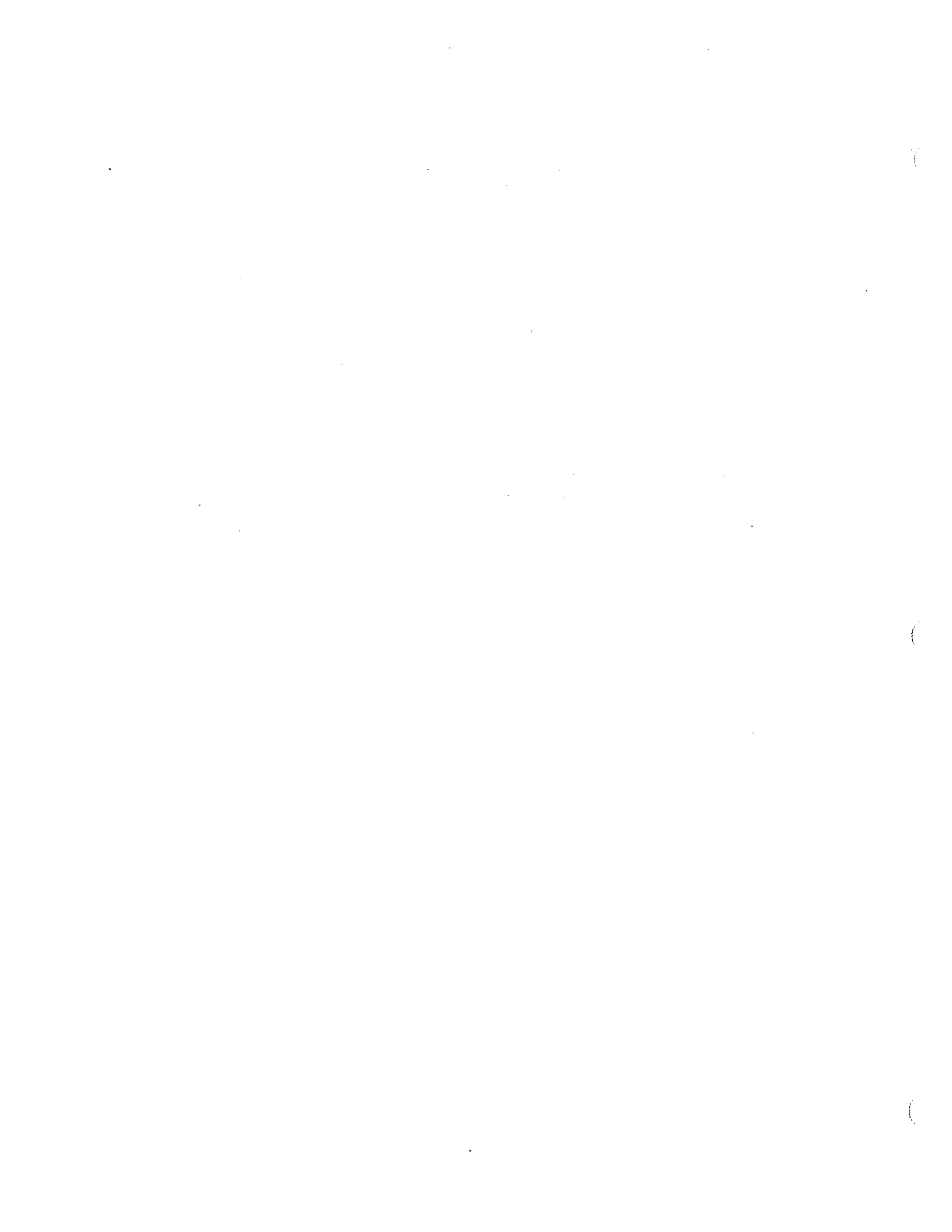
The proposed Policy in Attachment B. Since it is considerable longer than the current Policy it will be in somewhat smaller print on each table tent. It is proposed that a copy also be enlarged and framed and installed in the entry hall.

RECOMMENDATION:

Adopt the proposed Public Behavior Policy to be effective August 1, 2003.

Placentia Library District
Public Behavior Policy

- 📖 Conversations are not allowed in the Reading Room or at study tables. After one warning noisy individuals will be asked to leave.
- 📖 The Library has no areas for group study or working on group projects.
- 📖 There is a limit of four people at each study table. Furniture may not be rearranged or moved from one area to another.
- 📖 Food is allowed only in the vending machine area. Drinks in covered containers are allowed in the Library.
- 📖 Librarians will help students find answers to their homework questions, but will not give them answers either in person or by telephone.
- 📖 The staff at the Reference Desk will be happy to assist you with finding or using books and other materials in the Library.

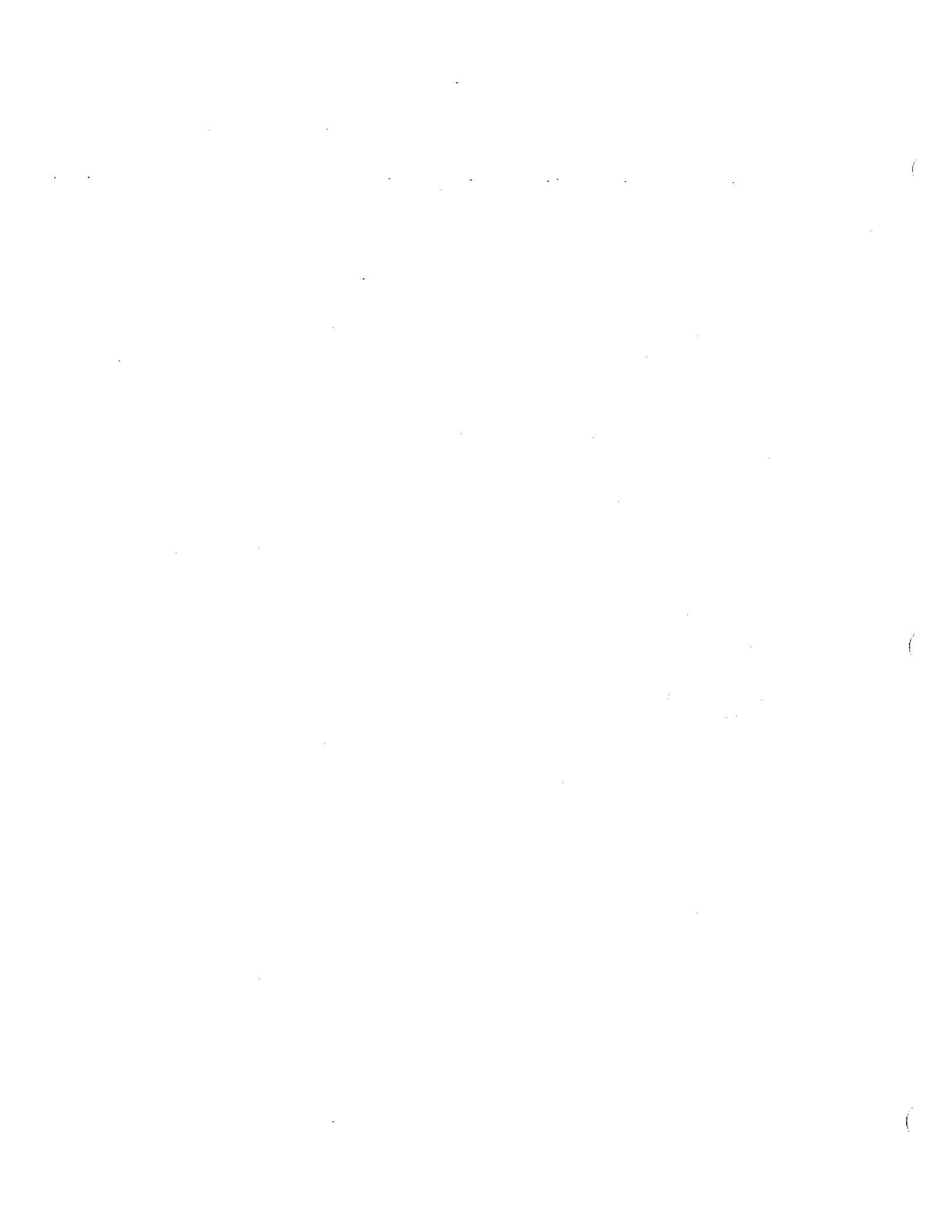


Placentia Library District
Public Behavior Policy
Proposed July 21, 2003

The following rules help to maintain a comfortable environment for all Library users.

1. In respect of the rights of others, please maintain low noise levels. Listening devices should not be audible to anyone but yourself.
2. The library is a no cell phone zone.
3. No running, rowdy behavior or fighting. Video cameras are in use throughout the Library.
4. No harassment of Library staff or patrons.
5. There is a limit of four people at each study table. Furniture may not be rearranged or moved from one area to another.
6. Shirts and shoes are required.
7. Only assistive animals are permitted in the building.
8. Bicycling, skateboarding, and roller skating on Library property are a safety hazard to others. Library users are required to carry skateboards, scooters, and roller blades while in the Library. Bicycles must be left outside at the bike racks.
9. Snacks and covered drinks are permitted in the Library. Please place any trash in the wastebaskets provided.
10. Please respect the rights of others to quietly study, read or work without interference.
11. Parents, the Library is a public place. Library staff is not responsible for providing parental supervision.

Individuals who do not respect the rights of others will be asked to leave the Library.



TO: Elizabeth Minter, Library Director
 FROM: Jim Roberts, Public Services Manager *JR*
 DATE: July 14, 2003

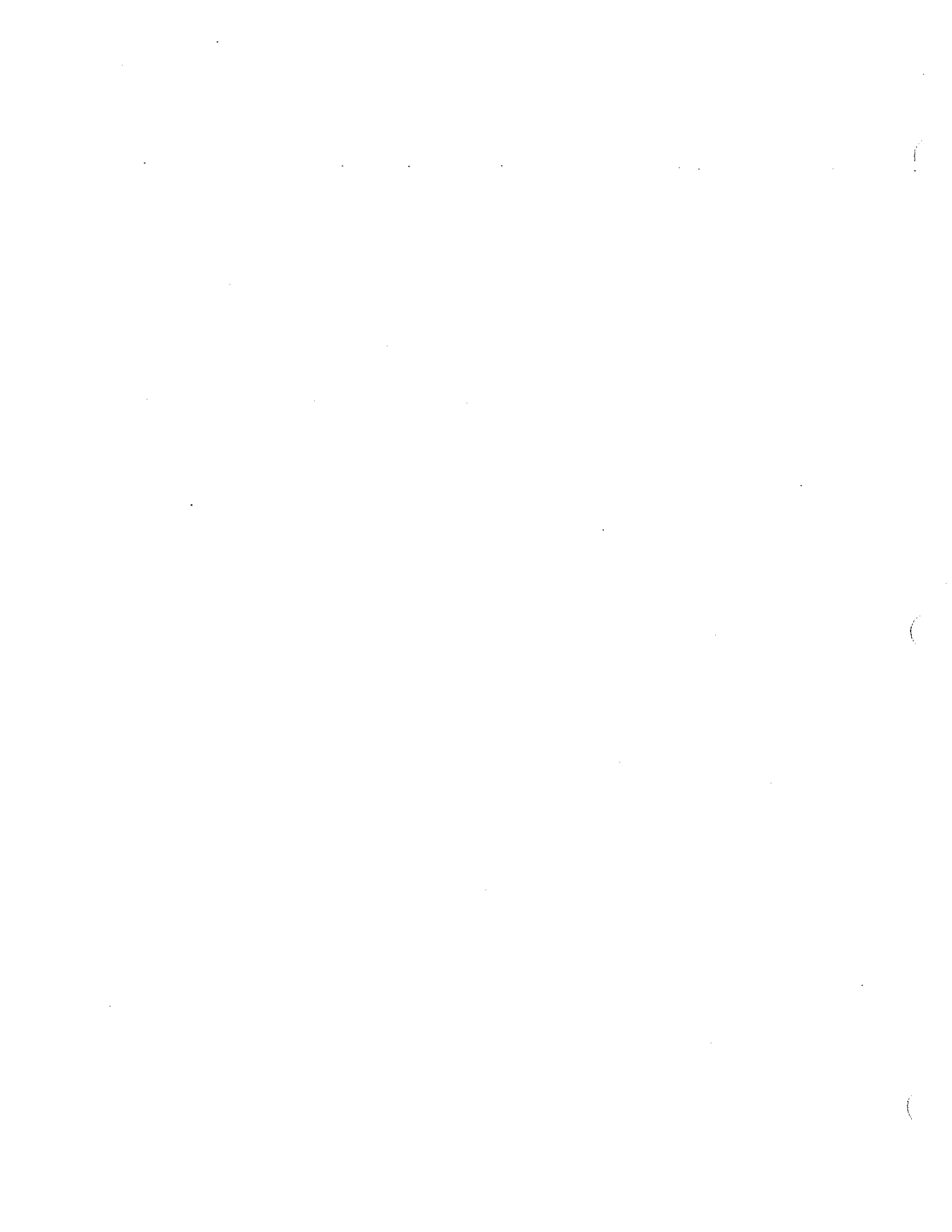
SUBJECT: Program Committee Report for the month of June.


DEPARTMENT	NUMBER OF PROGRAMS	NUMBER OF ATTENDEES
<i>ADULT SERVICES</i>	0	00
<u>TYD Total</u>	12	167
 <i>CHILDREN'S SERVICES</i>		
Wed. PM Story Times	0	00
Thurs. AM Story Times	0	00
3-4 year-old music times	0	00
5-6 year-old music times	0	00
Lapsits	0	00
Class tours	0	00
Comm Center Storytimes	0	00
Head Start Storytimes	0	00
Way-Out Wednesday (WOW)	2	282
Summer Reading Program (SRP)	1	750
TOTAL FOR JUNE	3	<u>1,032</u>
YTD TOTAL	340	<u>10,227</u>

LITERACY SERVICES **June 2002-03 FY 2002-03 YTD**

Total Tutors	173	284
Total Students	213	349
Total Hours	1,899	17,614

For more detailed literacy statistics, see Agenda Item 42, pages 2 of 3 and 3 of 3.



To: Elizabeth Minter, Library Director
From: Jillian Rakos, Children's Librarian 
Date: July 21, 2003
Subject: **June Activities in the Children's Department**

Programming- There were no Storytimes, Musictimes or Lapsits in June. The Storytime, Lapsit and Musictime schedule will resume in July.

Summer Reading Program- The Summer Reading Program is well under way. As of June 30th, 767 children had registered for the Summer Reading Program. By the end of June we were finishing the 2nd week of the program. There is a team of 9 teen volunteers to man the prize booth and re-shelve and clean books as time permits.


Way Out Wednesdays- There were two Way Out Wednesday shows in June, with a total of 282 kids and adults attending. Allen Oshiro performed magic, and there was a radical science presentation by Rudy.

Summer Reading Program School Visits- School visits to promote the Summer Reading Program were completed in June. The Children's Librarian and ELLI Coordinator, Ann-Margaret Webb visited 2 Placentia Elementary schools, telling approximately 750 children about the Summer Reading Program. Thanks to Ann-Margaret Webb for helping out with the school visits.

Offsite Programming- Storytimes at the Placentia Head Start classrooms have will not be continued due to budgetary constraints.



TO: Elizabeth Minter, Library Director

FROM: Jim Roberts, Public Services Manager 

DATE: July 14, 2003

SUBJECT: **Placentia Library Literacy Services (PLLS) Activities Report for the month of June.**

Tutor Training. The Literacy Coordinator conducted one regular tutor training workshop and two accelerated workshops in June and seven tutors were trained, four adults and three teens. All new tutors are presently matched or are being matched. The next tutor training is scheduled for August 3, 2003. There will be no tutor training workshop in July.

Families for Literacy (FFL) Program Status. In June, the FFL Program successfully completed its first parenting workshop: *Growing With Mother Goose*. The workshop focused on helping parents and caregivers use children's books to explain and discuss common preschool-age issues. All five parents were grateful to receive four new free books to take home and share with their children at home. The FFL Program continued to serve 42 families in June.

Placentia Rotary Reading Enrichment Program (PRREP). PRREP's inaugural year this past school year was tremendously successful. More than 80 high school volunteers from El Dorado and Valencia High Schools accounted for over sixteen hundred tutoring hours. Many of our PRREP volunteers will take the summer off, and we're encouraging them to come back again next year.

Reach Out and Read Partnership Continues. In June, PLLS continued its partnership with St. Judes Medical Center and the Reach Out and Read Program, a pediatric-based literacy program. We want to continue to especially recognize two of our volunteers, Diane Martlaro and Petey Peterson, who go to the Whitten Center in Placentia on Monday mornings and read to children while they are waiting to see the St. Judes pediatric staff.

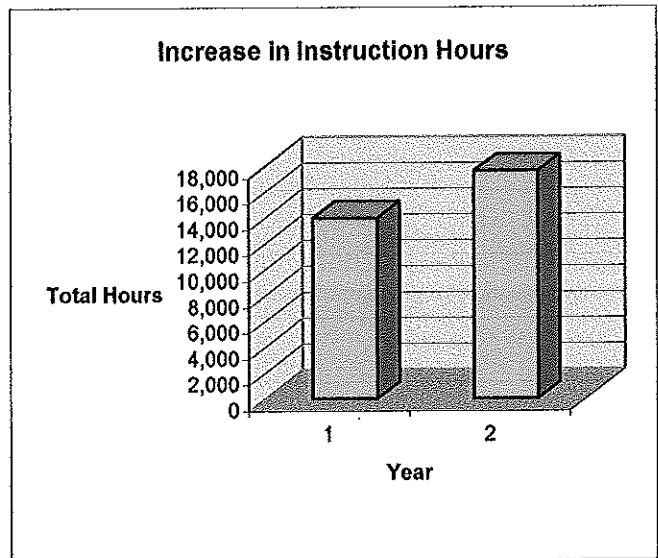
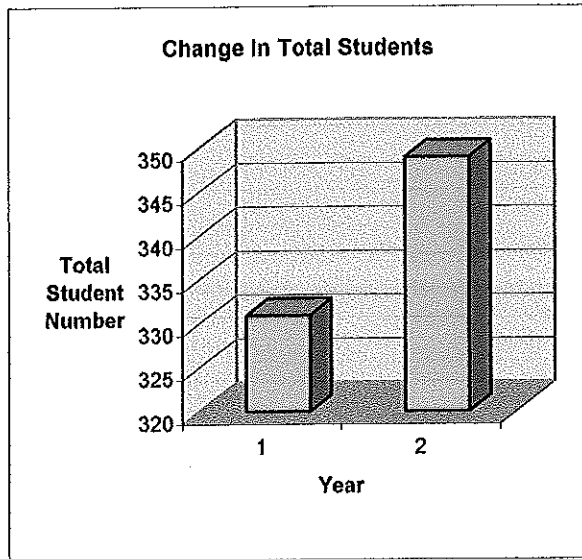
English Language and Literacy Intensive (ELLI) Program Update. May was the last full month for ELLI. We're still waiting for information from the State Library to determine funding for ELLI for FY 2003-04

Literacy statistics. See Agenda Item 42, Page 2 of 3 and Page 3 of 3.

Placenta Library Literacy Services

Report of Growth and Progress

	Jun-02	Jun-03	YTD 2002	YTD 2003
Tutors				
Adult	86	118	133	165
Teen	53	55	95	119
Hours Instruction	1,026	1,899	13,985	17,614
Other Volunteer Hours	48	48	488	746
Total Hours	1,074	1,947	14,473	18,368
Training Workshops				
Workshops Held	2	2	23	36
Tutors Trained	11	7	120	173
Students				
With Adult Tutors	127	130	197	203
With Teen Tutors	79	83	104	131
In Groups	5	0	32	15
Total Active Students	211	213	333	349
Families for Literacy				
Family Students	22	117	26	117
Family Tutors	10	41	12	47
Hours of Instruction	68	120	568	1004
ELLI Program				
K-6th Grade Students	61	423	199	423
Tutors for K-6th Grade	9	17	15	20
Hours of Instruction	217	100	4,029	1,832
Total Tutors	139	173	228	284
Total Students	211	213	331	349
Total Instruction Hours	1,074	1,899	13,985	17,619



2) *Handwritten title*
 3) *Handwritten title*

Figure 1: *Handwritten caption*

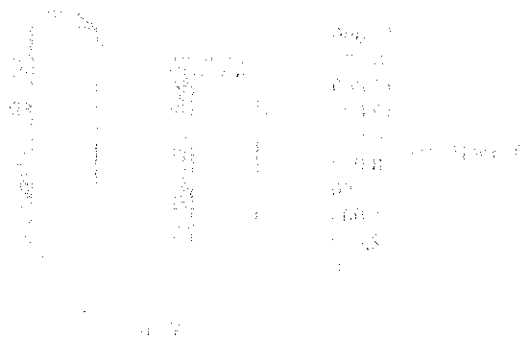



Figure 2: *Handwritten caption*



To: Elizabeth Minter, Library Director

From: Jim Roberts, Public Services Manager 

Date: July 14, 2003

SUBJECT: Placentia Library Web Site Development Report for the month of June.

In June, the Placentia Library District had 24,340 "hits" on the Web Site, an average 812 a day. The following are our year to date statistics:

Pages Visited	Jan-03	Feb-03	Mar-03	April-03	May-03	June-03
Borrowers	157	153	142	210	194	151
Friends	215	95	85	88	116	73
District	34	76	100	88	80	59
Fines	47	16	16	56	48	31
Foundation	73	48	41	96	81	52
History Room	89	65	56	77	197	150
Literacy/CLC Logo	101	53	46	99	86	92
Passports	383	204	174	240	246	468
Total Views Most Hits	1,030	710	629	954	1,048	1,076

Total Most Hits YTD 11,109

TO: Elizabeth Minter, Library Director
FROM: Donna Siloti, Administrative Assistant
DATE: July 21, 2003
SUBJECT: Publicity materials produced for June 2003

Information on the Placentia Library cable channel #53:

1. Welcome to Placentia Library, address, website & telephone number
2. Library Hours
3. Library Board of Trustees
4. Apply for your passport at Placentia Library
5. Literacy Services logo
6. Literacy Program asking for volunteers
7. Friends of Placentia Library Bookstore offering great bargains
8. Special Back Room Book Sale Every 2nd Sunday, Hours and Dates
9. Passport Hours
10. Silent Auction Returns

General Newspaper articles published:

1. School District Launches Summer Reading Program
2. Harry Potter

Library Newspaper articles published:

1. Web Filters an Infringement Risk
2. Web Porn Filters at Libraries Upheld
3. Libraries Must Filter Web Porn
4. Libraries Already Cut Smut
5. Library Story and Music Time Begin
6. Government Can Require Libraries to Block Porn Web Sites, Justices Rule
7. Volunteers Needed to Help at Library
8. Micromanaging the Local Library
9. Oranges to Elephants

Flyers and Notices:

1. Foundation thank you cards, Library bookmarks, and ID cards are sent out
2. Friends membership thank you letters are sent out with membership cards
3. Second Sunday Booksale flyer
4. Library Closed for Labor Day

Web filters an infringement risk

THE NEW YORK TIMES

WASHINGTON • Two Supreme Court justices who voted Monday to uphold the Children's Internet Protection Act suggested that it could be subject to a new First Amendment challenge if it proved unduly burdensome once it went into effect.

But justices Anthony M. Kennedy and Stephen G. Breyer said there were not sufficient reasons to strike the law down.

All nine justices agreed that restricting children's access to pornographic material did not in itself pose a constitutional problem. Nor was there any dispute that available filters inevitably block more ma-

terial than contemplated by the statute.

The question was the extent to which this "overblocking" infringes the First Amendment rights of adult library patrons.

The three dissenting justices, John Paul Stevens, David H. Souter and Ruth Bader Ginsburg, disputed the premises of Chief Justice William H. Rehnquist's opinion. "An abridgment of speech by means of a threatened denial of benefits can be just as pernicious as an abridgment by means of a threatened penalty," Stevens said.

ON PAGE 1

SUPREME COURT: Children's Internet Protection Act upheld.

School district launches summer reading program

332
 By Theresa Salinas
 Placentia News-Times

The Placentia-Yorba Linda Unified School District, in conjunction with the Placentia Library, is holding a new summer reading program for middle school students.

The program, which runs through Aug. 15, rewards students for reading books from the library's Accelerated Reading list.

"Middle school students tend to be more reticent readers, so we opted to focus on them this first year," Judi Carmona noted in the district's announcement. Suggested selections

include "Robinson Crusoe" by Daniel Defoe, "Little Women" by Louisa May Alcott and "Friendly Persuasion" by Yorba Linda-native Jessamyn West.

After reading the books, students take a quiz. If they pass, they receive a certificate for a free Carl's Jr. hamburger and are entered in a drawing in which they can win a \$50 savings bond or \$50 gift certificate to the Brea Mall.

The library also has a similar program for elementary school-age students.

For more information, call the Placentia Library at (714) 528-1906.

TUESDAY 331

Literacy or Training sessions are held at 6 p.m. at the Placentia Library, 411 E. Chapman Ave. (714) 528-1906.

Musictim for ages 3-4 meets from 6 to 7 p.m. at the Placentia Library, 411 E. Chapman Ave. (714) 528-1906, Ext. 212.

Placentia-Yorba Linda Unified School District board of trustees meets at 7 p.m. at the Educational Services Center, 4999 Casa Loma Ave., Yorba Linda. Call (714) 528-2550.

Cultural Arts Commission meets at 7 p.m. at the Community Meeting Room, 401 E. Chapman Ave. Call (714) 993-8117.

Placentia Planning Commission meets at 7 p.m. in City Hall Council Chambers, 401 E. Chapman Ave. Call (714) 993-8124.

WEDNESDAY

Exercise classes for seniors are held at 10 a.m. at the Senior Center, 1333 Bradford St. Call (714) 986-2121.

Story time for children ages 3 to 6 at 6:30 p.m. at the Placentia Library, 411 E. Chapman Ave. Free. Call (714) 528-1906, Ext. 212.

Heritage Festival Committee meets at 7 p.m. at the Community Meeting Room, 401 E. Chapman Ave. Call (714) 993-8117.

For more listings, see www.ocregister.com/placentia. What is happening in your club, organization or civic group? Call (714) 704-3796 or fax (714) 704-3714. Include phone numbers.

pacific clippings

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The Register
Daily JUN 22 2003

POTTER MANIA HAS O.C. SPELLBOUND

Magic moment finally arrives

332

Harry Potter fans grab up books at midnight release and spend much of Saturday enthralled.

By VIK JOLLY
THE ORANGE COUNTY REGISTER

Boys wear thick, round black glasses to mimic Harry Potter. Girls spend hours braiding their hair to look like Hermione Granger. Adults wear Sorting Hats and Gryffindor scarves.

They all beg to be inducted into the Hogwarts School of Witchcraft and Wizardry. And families throw Harry Potter-themed birthday parties for which RSVPs are sought via Mugglephone.

A generation of young children, and those young at heart, are finding themselves in the throes of a powerful phenomenon sweeping at least two continents.

Instead of watching television, playing computer games or listening to a favorite CD, kids like Gillian Nichols, 16, of Anaheim and Amanda Wetzel, 12, of Costa Mesa, and others around the globe are thumbing through a just-released tome. (The Brit-



MARK AVERY, THE REGISTER
ANTICIPATING THE BOOK: Sean McGuire, 10, waits for his dad, Dan, to pay for snacks Friday night at the Barnes & Noble in Costa Mesa.

SEE POTTER • PAGE 4

ous or
"It
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Har
local
on tele
of you
ternet.

...ation and at the U.S. Postal

...ANIA HAS A C SDELI ROUND

POTTER: Copies fly off the shelves

FROM PAGE 1

... edition is 768 pages, and
... American edition 870, but
... the same content.)
... And it seems, by early rat-
... gs, that J.K. Rowling may
... ave scored yet another
... uckdown with her sequel,
... Harry Potter and the Order
... the Phoenix."

... About 6.8 million first-print
... S. copies went on sale Sat-
... day. Rowling's last book,
... Harry Potter and the Goblet
... Fire," sold 3 million copies
... 48 hours. "The Order of the
... Phoenix" is expected to top
... Amazon.com reportedly
... sold 1 million copies the first
... day.

... Wetzell dressed as young
... heroine Hermione Granger
... and got her copy at a minute
... past midnight Saturday at the
... orders bookstore at South
... east Plaza. Her mother
... elped braid her blond hair to
... look like Harry's friend, and
... he's read all four of the previ-
... us books.

... "It feels like you're actually
... in the story," she said.
... Harry's all around: at your
... local bookstore, video store,
... on television, on the front page
... of your newspaper, on the In-
...ernet. There's no escaping
... the new king of fantasy.

There are Harry Potter
Meetups, for the young ones
and the grownups, at coffee-
houses. There are action fig-
ures of three-headed dogs and
snakes. And there is even a
first-ever Harry Potter Sym-
posium, dubbed Nimbus 2003,
scheduled for next month in
Orlando, Fla.

The reason for the roaring
success of Rowling's unas-
suming, broom-riding adoles-
cent boy wizard may be aston-
ishingly simple - Harry
Potter's struggles are human.

Madeleine L'Engle, C.S. Le-
wis and JRR Tolkien also have
works in the same genre, but
none have at once com-
manded the attention of such
a large audience like Rowling.

Why?
"Because of her protago-
nist, Harry Potter. As the kids
get older, the protagonist gets
older," said Miriam Perez,
Santa Ana's young adult li-
brarian. "And they are follow-
ing him."

Hundreds of Orange County
muggles with circies under
their eyes raced through crisp
pages of their dream book Sat-
urday, breathlessly following
the unfolding odyssey of their
hero, Harry Potter.

Many stayed up way past
the midnight Friday release of
"Phoenix," while copies of the
coveted book started arriv-
ing by mail Saturday at



PHOTOS: MARK AVERY, THE REGISTER
EAGER: Sara Garvey, 9, of Huntington Beach can't wait to get her hands on "Harry Potter and the Order of the Phoenix" early Saturday at the Barnes and Noble bookstore in Costa Mesa.

At 12:01 a.m. Saturday, the gongs of the summer solstice, gongs started ringing. The first installment five of Rowling's now 15-year-old boy wizard's adventure straight into the arms of adoring fans. "I'd have cried if I hadn't seen it," said Katie Aguilar, of Anaheim after she got a reservation number at 7 p.m.



HOW: Magician Jimmie Franks entertains the crowd waiting Friday night at the Barnes & Noble bookstore in Costa Mesa.

In Chapter 2, Potter's neighbor Mrs. Figg reveals to him that she's a Squib. (Nothing terrible has happened so far. Rowling has said, to the dismay of Harry fans everywhere, that a major character dies in book five.)

As store employees at Barnes & Noble at Metro Pointe in Costa Mesa wheeled in a cart with the first 140 cellophane-wrapped copies of "Phoenix" from a back room, where they had been kept under lock and key for about a week, a momentary hush fell over the patrons.

Brianna Montanez, 12, of Santa Ana stomped her feet and attempted, unsuccessfully, to control a squeal.

"It is so beauti-

ful, so new," said her cousin Jonathan Nunez, 9, as store employees cut through the cellophane, revealing the hard-bound, silky blue covers.

"It smells good," said Montanez's other cousin, Deanna Coughlin, 9, clutching her copy of "Phoenix" outside the Costa Mesa Barnes & Noble, where more than 400 bought the book before the store closed about 1 a.m. and reopened at 8 a.m.

The Barnes & Noble was sold out of its first shipment of 810 books by 11:30 a.m. Saturday. A new shipment arrives Monday. The books are expected to

fly off library shelves just as fast.

Anaheim library staff started notifying patrons earlier in the week that reserved copies must be picked up by Monday. The city ordered 67 copies of the book for its five libraries and one bookmobile and made them available Saturday.

One hundred, eighty-three patrons had reserved the book through a joint Anaheim, Yorba Linda and Placentia computer system.

The Orange County Public Library ordered 50 books and is expecting many more to be donated to its 28 branches through Friends of the Library. About 400 patrons had put their names on a hold list.

The latest installment also is generating renewed interest in Rowling's previous four books.

"I guess we never really grow up," says Rob Richard, Santa Ana's library director. "When I was a kid I can remember being thrilled about reading stories like King Arthur. ... Something about the larger-than-life myth, the magical world of what can be. That, I think, really sparks kids' imagination, and we've all had that."

Debbie Hallie, 52, of Santa Ana, has always been interested in the genre, and made sure she got a hug from Costa Mesa Barnes and Noble worker Tim Martin, who was dressed as Harry for the night.

"I had to meet him to make the night complete," she said. "Everybody wants to know how he'll succeed. He's a poor little orphan."

The Harry Potter books that are touching a generation of children also have sparked a debate about their content.

Nora Nichols wondered whether her daughter Gillian, 16, should read the book at all. Nichols, from Anaheim, had to weigh the book's popularity against her religion's teachings.

"I explained to her the magic and witchcraft aspect of it; told her it's totally against our religion," said

Nora Nichols, a Catholic. "She's old enough to realize that it is just a book."

By 2:30 p.m. Saturday, Gillian had already devoured 200 pages and begun Chapter 11.

Here's how Gillian summarized what she read:

In Chapter 3, some wizards move Harry to safety. In the next chapter, Harry learns about the Order of the Phoenix. Percy is disowned. Harry then has to go to the Ministry of Magic to clear his name for using a spell to fight the Dementors. Readers get to see what the Ministry looks like. Harry gets cleared. Hermione and Ron become Prefects. Chapter 10 brings a new character, Luna Lovegood.

"There's a whole new setting and a whole bunch of new characters, so it's confusing but still great," Gillian said.

CONTACT THE WRITER:

vjolly@ocreglster.com
or (714) 704-3740

Harry Potter and the order of books

Amazon.com sells a record number, adding work for the postal service.

BY PEGGY ANDERSEN
THE ASSOCIATED PRESS

SEATTLE - Amazon.com shipped out more than a million copies of the new Harry Potter book, making Saturday the largest distribution day of a single item in e-commerce history.

Orders for "Harry Potter and the Order of the Phoenix," the fifth installment in J.K. Rowling's hit series, nearly tripled those for the previous record-holder at Amazon. The old record of 410,000 was held by Book 4 in the series, "Harry Potter and the Goblet of Fire" in 2000.

More than 760,000 advance copies were ordered from Amazon.com's U.S. Web site, up from 350,000 for "Goblet," and orders on its overseas Web sites brought the total to

Amazon offered a 40 percent discount on the recommended retail price of \$29.99. Even with the \$3.99 standard delivery fee - which guaranteed the book's arrival Saturday - its customers saved money on the list price.

Being part of Potter mania was a kick for workers at Amazon and at the U.S. Postal Service and FedEx Corp., which handled deliveries.

"I was walking down the hall the other day and saw someone wearing Harry Potter socks. It's fun for everyone," said Jami Baker, a spokeswoman with Seattle-based Amazon.

Postal Service spokesman Peter Hass in Portland, Ore., said the service was delivering more than 700,000 books for Amazon on Saturday.

The book's release likely made the parcel load "a little heavier today, but we enjoy delivering it," Hass said. "I think our employees are probably as excited about it as the customers are. ... They expect some kids to be waiting for the mail



FAN: Alex Terrieri, 9, vies to be a Potter look-alike Friday at Borders in Costa Mesa.

What readers say

"A lot has changed, especially Harry's attitude."

Gillian Nichols,
16, of Anaheim.

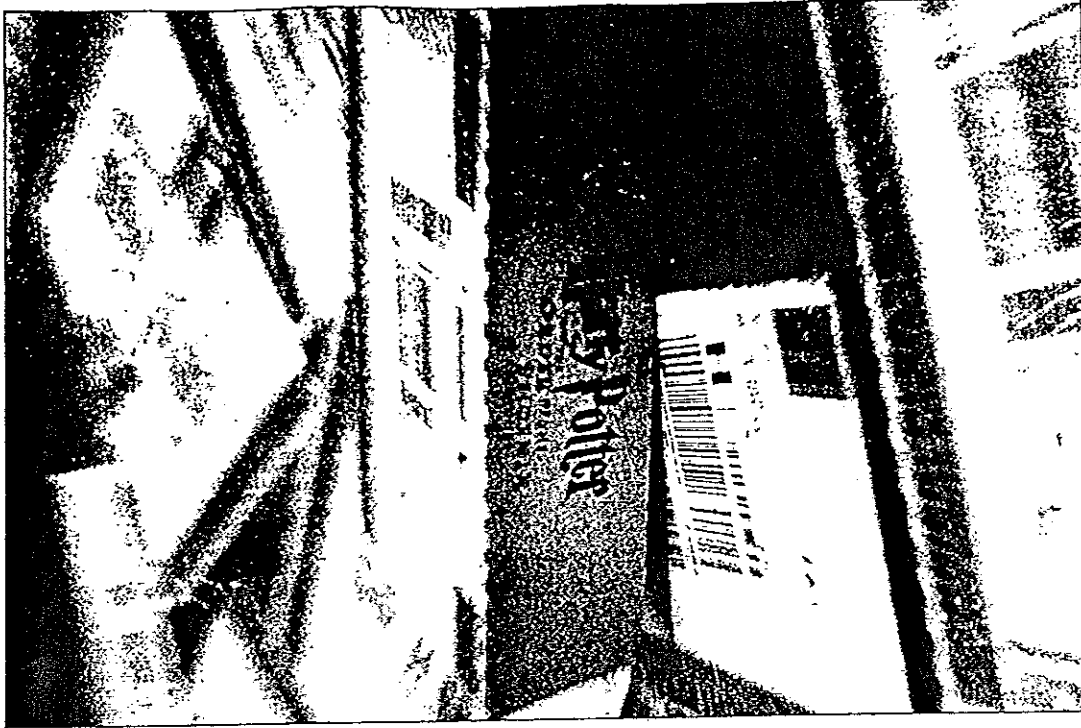
She went to bed at 2 a.m. Saturday and awakened to read again at 10:30, and was shocked by the developments in Chapters 4 to 6.

"I was, like, oh my God. Oh, it was horrible, but it was great."

Katie Aguilar,
17, of Anaheim, on surprises in Chapter 2.

"Don't read the ending, Brianna."
Joseph Montanez,
of Santa Ana.

to his daughter, 12. But the warning came too late. "I did already," she said.



STACKS: The new books flow at a FedEx distribution center.

MARVI LACAR, THE REGISTER

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Los Angeles Times
OC Edition
Daily JUN 24 2003

Web Porn Filters at Libraries Upheld

Facilities that receive federal money must shield children from smut, justices rule.

By DAVID G. SAVAGE
Times Staff Writer

332
WASHINGTON — Public libraries that receive federal funds may be forced to install software filters on their computers to shield children from pornography, the Supreme Court ruled Monday.

Library patrons do not have a

free-speech right to view pornography, the court said. Moreover, the government is entitled to take special measures to protect children, the justices said.

The 6-3 decision revives a law passed by Congress three years ago that ties federal subsidies for libraries to their use of computer software designed to block Web sites with sexually explicit material that is "harmful to minors." Adults may ask that the filters be turned off.

"The Constitution does not guarantee the right to acquire information at a public library without any risk of embarrass-

ment," Chief Justice William H. Rehnquist said in upholding the law.

About 14 million people use library computers to connect to the Internet. Last year, Congress gave public libraries more than \$200 million in grants and discounts for Internet service.

It is now up to libraries to decide how to comply with the law.

In Southern California, some library officials said the ruling will have little effect.

Los Angeles County library officials said they installed a voluntary filter program in all 84 li-

[See Libraries, Page A18]

SUPREME COURT RULINGS

Libraries Must Filter Web Porn

[Libraries, from Page A1]
libraries last winter in response to local concerns about children's access to pornography. Children who sign on to the county's computers automatically trigger a filter unless their parents have decided to let them have unfettered access, said library spokeswoman Nancy Mahr. Adults can choose to view the Internet with or without the filter, she said.

The city of Los Angeles' 68 branch libraries do not receive federal funds and should not be affected, said spokesman Peter Persic. However, library officials and the city attorney's office will review the decision to see whether it has implications for the city libraries, he said.

Orange County Librarian John Adams said the county has filters on its 500 computers in 30 libraries. He said federal funds account for \$5,000 of the system's \$30-million budget — not an amount, Adams said, that would compel the county to "cooperate or not."

"What I find disturbing about this is that the question [of filtering] is no longer to be decided by local residents," Adams said. "It runs counter to why I think libraries have been successful in reflecting the interests and standards of our communities."

Ventura County library officials called the ruling "good news." Starrett Kreissman, director of the Ventura County Library, said the system "already filters the Internet for children,



Associated Press
WEB BLOCKS: A high court ruling may affect patrons like Paul Mimogue, using the Internet at the public library in Concord, N.H.

unless their parents request" otherwise. The court's decision will eliminate that option and will extend the policy to require Internet filtering for adult library users, unless they ask that it be turned off. The library system receives a small amount of federal money for Internet and communications support.

If the costs of implementing and enforcing tougher Internet restrictions outweigh the support the library receives from federal coffers, Kreissman said she would consider doing without the federal money.

Similarly, a librarian in San Bernardino County said libraries there have already moved to in-

"Right now, it's hard to say how [the court's ruling] will impact libraries in the state. However, there was nothing really new because everybody knew what had been proposed. The only difference is that now the proposal is going to be enforced," she said.

The practical effect of the ruling is that "it will make [libraries] think twice about applying for a grant," she added.

Monday's ruling also has no effect on the Internet in general or on home computers. In recent years, the Supreme Court has voided two laws that sought to regulate sexually explicit material that minors could obtain online. In both cases, the court said the bans went too far and imposed censorship on adults.

The legal dispute in the library case also focused on whether a law designed to protect children would infringe on the free-speech rights of adults.

Lawyers for the American Library Assn. contended that the software filters were clumsy and ineffective. They said thousands of Web sites would be blocked.

Sometimes, the reason was apparent. For example, a Web site that dealt with breast cancer was blocked because of its subject matter. Sometimes, travel sites that portrayed suntanned bodies by swimming pools were blocked as obscene by filters that react to photos of human flesh.

In some instances, the reason for the blocks remained a mys-

terial filters on public computers. "We see little impact," said Ed Kiecykowski, the chief county librarian. Three years ago, the county Board of Supervisors began requiring the installation of filters, he said.

Federal funds are funneled through the California State Library, which has received \$16.1 million for grants to libraries around the state in the next fiscal year.

Diana Paque, chief of the state's Library Development Services Bureau, said her office has received 127 applications for grants ranging from \$5,000 to \$1.3 million; but only a handful for Internet access.

n, Justices Rule

tery. For example, one filter blocked the home page of a Canadian hunting and fishing club.

The library association's suit went before a three-judge court in Philadelphia. Last year, those federal judges struck down the law because they were convinced that the filters screened out too much that was neither obscene nor pornographic.

But the Supreme Court took up the government's appeal in the case of *U.S. vs. American Library Assn.* and upheld the law without delving too deeply into how it will work in practice.

The chief justice said Congress is entitled to put limits on how federal funds are used. He noted that in 1998, the high court upheld Congress' demand that the National Endowment for the Arts consider "standards of decency" before awarding arts grants. While artists are free to say what they wish, Congress is also free to set some limits on how public funds are used, the court said. Justices Sandra Day O'Connor, Antonin Scalia and Clarence Thomas joined Rehnquist's opinion.

In concurring opinions, Justices Anthony M. Kennedy and Stephen G. Breyer said the law need not violate the free-speech rights of adults since they remain free to ask that the filter on their computer be disconnected.

In dissent, Justice John Paul Stevens said the law should be struck down as a "statutory blunderbuss that mandates this re-

vast amount of over-blocking" of material that is protected by the 1st Amendment. Justices David H. Souter and Ruth Bader Ginsburg dissented as well.

Officials at the library association said they were disappointed by the ruling.

"Today's decision forces libraries to choose between federal funding for technology improvements and censorship. Millions of library users will lose," the group said.

But others applauded the ruling for protecting children from smut. "Congress enacted the [law] so that federal tax dollars wouldn't be used to turn libraries into dirty peep shows open to kids," said Jan LaRue, counsel for Concerned Women for America. "The court soundly rejected the inane idea that the 1st Amendment requires taxpayers to provide access to illegal porn in a library."

In defending the law, Solicitor General Theodore B. Olson argued that libraries make decisions every day as to what to put on their shelves. They do not — and need not — subscribe to *Hustler* magazine or buy X-rated videos, he said. For the same reason, he added, they may block sexually explicit Internet material without violating the free-speech rights of patrons.

Times staff writers Maica Gold, Kristina Sauerwein, Andy Olsen, Denise M. Bonilla and H.G. Reza contributed to this report.

The Register
Daily JUN 24 2003

Libraries already cut smut

332
Most local branches have existing Internet filters on computers.

By GREG HARDESTY
THE ORANGE COUNTY REGISTER

The porn police got reinforcements for Orange County libraries Monday, courtesy of the federal government.

But for most of the county's public libraries, the additional troops may not be needed, since most libraries already have policies and computer devices to prevent porn from

popping in front of the pupils of pre-pubescents.

"All of us in Orange County have a greater concern about the possible impact of pornography on children versus the opportunities that free speech provides," said Nora Jacob, library-services director for the Orange Public Library.

The ruling Monday by the U.S. Supreme Court allows Congress to force public li-

MORE ON LIBRARIES

NEWS 1: Government can require libraries to block porn.

LOCAL 4: Internet filtering polices at O.C. libraries.

braries to install anti-smut "filters" on all computers as a condition of receiving federal technology grants.

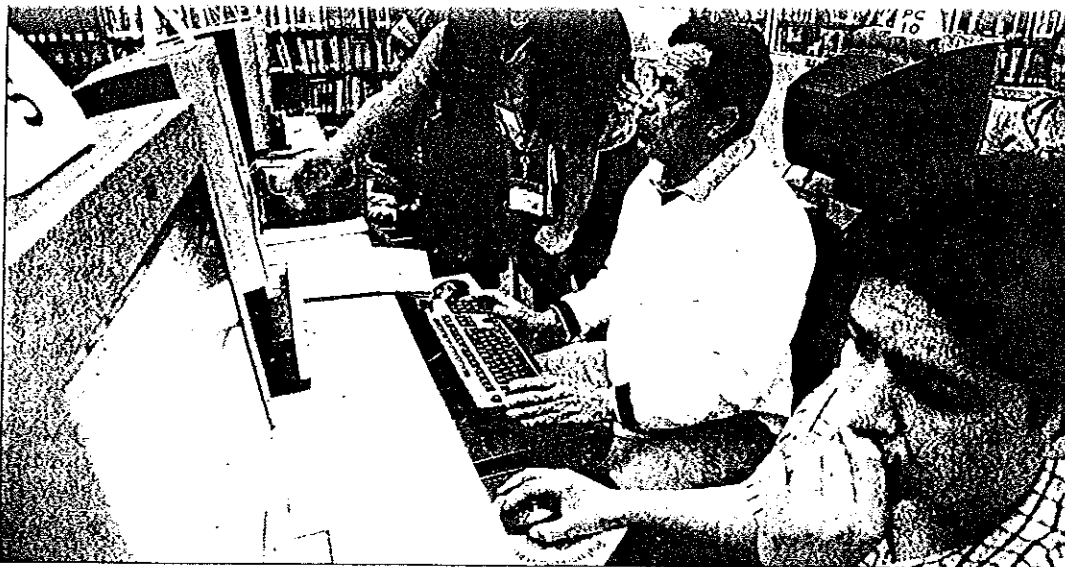
The decision rubbed some library officials the wrong way. "It's unfortunate," said John Adams, librarian of the Orange County Public Library,

which has 30 branches. "For the first time, the federal government is very heavy-handedly telling local libraries what they should be doing.

"One of the strengths of having local control is being able to seek a quick remedy for a problem by going to your supervisors or City Council."

The ruling restored the Children's Internet Protection Act, passed in 2000 but overturned by a Pennsylvania appeals court.

SEE LIBRARY • PAGE 4



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MARK AVERY, THE REGISTER

CHECKING IN: Library clerk Bianca Garcia tries to help Hector Perez check his e-mail Monday in the computer lab at the Anaheim Public Library on Monday. Unlike the other computers in the library, the 11 in this room have no filters blocking Internet content.

LIBRARY

FROM PAGE 1

Bringing the county's public libraries up to the new standard - should they decide to continue receiving federal money - shouldn't be too difficult, library directors said.

"It won't change life for us that much, really," said Santa Ana library director Rob Richard.

At the Orange County Public Library, only about \$35,000 of federal money flows into the \$30 million budget, Adams said.

Similarly, Santa Ana Public Library, with three branches, gets \$37,000 in federal subsidies out of a budget of \$4.2 million.

"Times are tough for libraries, but \$37,000 is not going to make or break us," Richard said. "For a lot of librarians, they see this (ruling) as a matter of principle."

Critics of the Children's Internet Protection Act complain that filtering devices - software programs whose operators review millions of Web sites to decide which ones are not acceptable - also block non-pornographic sites, thus violating the Constitution's free-speech guarantees.

Sandie Kloszewski, 36, of Santa Ana is worried about losing access to legitimate Web sites.

The Web-page designer uses her local library to research so-called "intersexed" genders. She was born a hermaphrodite.

Kloszewski said she uses the Santa Ana library's adult computers - only youth computers have filters - to read about hermaphrodites. But she recently was denied access to similar Web sites when she logged on at the Orange Public Library.

The law applies to all computers in public libraries that are paid for, in part, by the federal government.

"I'm very much for filtering out adult content," Kloszewski said, "but there's a better way than putting filters on all computers. ... It's locking us out. I pay my taxes. It's called a public library (for a reason)."

Public libraries take different approaches to fight smut.

The Orange Public Library's three branches have computer filters, but only adult patrons can request to turn them off.

In Anaheim's five libraries, children's computers have filters and adult computers have unfiltered Internet access.

In addition to using filters as a safeguard, most public libraries have policies that prohibit viewing sexually explicit material.

Viewing porn in Orange County's public libraries isn't a huge problem, but it happens, directors said.

Anaheim has yanked In-

ternet access from 11 people since its anti-smut policy began in 2000, City Librarian Carol Stone said.

She said she is studying the ruling to determine whether she will continue to apply for up to \$10,000 in federal grants that pay for high-speed Internet access and other technological needs.

The main problem for Stone and other library directors isn't losing a federal subsidy. It's battling the tide of pornography.

"The challenge, from my perspective, is the prevalence of inappropriate material on the Internet," Stone said.

Jesse Mapula, 29, checked his e-mail and played games at the Anaheim Public Library on Monday.

"I think (the ruling) is a great idea," he said. "But they might need to do more than this - like better supervision - because when I used to live in La Habra I saw elementary-school kids looking at porn at the library."

"I don't like porn - I never have," Mapula said. "If people don't like this ruling, they can go buy their own computers."

CONTACT THE WRITER:
 (714) 796-2286 or
 ghardesty@ocregister.com

- **Anaheim Public Library, five branches:** The 20 computers for children and young adults at four branches have filters; the computers at the main branch have unfiltered Internet access.

- **Buena Park, one branch:** Information unavailable.

- **Fullerton, two branches:** Information unavailable.

- **Huntington Beach, four branches:** Adults seeking unfiltered computers are sent to a more secluded area of the library and pay a hourly fee.

- **Mission Viejo Library, one branch:** Children's computers filtered; adult computers unfiltered.

- **Newport Beach Public Library, four branches:** Computers in the children's rooms have filtering systems; other computers have none.

- **Orange County Public Library, 30 branches:** Children's computers filtered; adult computers unfiltered.

- **Orange Public Library, three branches:** All computers have filters, but adult patrons can request to turn them off.

- **Placentia Library District, one branch:** The library has its own system to filter out what it deems inappropriate, rather than a commercial system.

- **Santa Ana Public Library, three branches:** Only youth computers have filters, but high school students can get parental permission to use the Internet without filters.

- **Yorba Linda Public Library, one branch:** Of the 10 adult computers, three have filters and the rest do not, giving patrons a choice. Three computers in the children's room have filters.

— The Orange County Register

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Placentia News
Weekly JUN 19 2003

Summer story and music times begin

Three free Placentia Library programs are set to return in July.

Here are the program schedules:

- ▶ 'Lapsit' stories for ages 2 and younger will be read from 10:15 to 10:35 a.m. Thursdays from July 3 through Aug. 28.
- ▶ Story times for ages 3 to 6 will be held from 6:30 to 7 p.m. Wednesdays from July 2 through Aug. 27 and 11 to 11:30 a.m. Thursdays from July 3 through Aug. 28.
- ▶ Musictime for ages 3-4 will meet from 6 to 6:30 p.m. Tuesdays and from 6:30 to 7:15 p.m. Tuesdays for ages 5-6 from July 1 through Aug. 26.

The library is at 411 E. Chapman Ave. Information: (714) 228-1906, Ext. 212.

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The Register
Daily JUN 24 2003

Government can require libraries to block porn Web sites, justices rule

REGISTER STAFF
AND WIRE REPORTS

WASHINGTON • The Supreme Court said Monday that the government can require public libraries to equip computers with anti-pornography filters, rejecting librarians' complaints that the law amounts to censorship.

More than 14 million people a year use public-library computers, including many children, and the court said patrons of all ages were being exposed to sex sites on the Web.

"(This ruling) reflects the general frustration in society that children can be exposed to pornography without even trying to seek it out," said Nora Jacob, library services director for the Orange Public Library.

Justices ruled 6-3 that the government can withhold money from libraries that won't install blocking devices, even though the technology shuts off more

than pornography. Chief Justice William H. Rehnquist, who was joined by Justices Antonin Scalia, Sandra Day O'Connor and Clarence Thomas, said the law did not violate First Amendment free speech.

Two other members of the majority - Justices Anthony M. Kennedy and Stephen G. Breyer - said it was allowable as long as libraries disable the filters for adult patrons who ask. The law does not specifically require the disabling.

Libraries had argued that the technology blocks a vast amount of valuable information about science, medicine and other topics along with dirty pictures.

MORE INSIDE

ORANGE COUNTY: Most libraries already filter out porn. **Local 1**

LAW: It could face a new First Amendment challenge. **News 5**

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Placentia News
Weekly JUN 19 2003

Volunteers needed to help at library

The Placentia Library is seeking volunteers to help with book sales and assisting customers, as well as pricing and sorting donations.

Proceeds from the sale of used books will benefit the library's programs and services. Information: Jillian Rakos, (714) 528-1925, Ext. 201.



EDITORIALS

Micromanaging the local library

The most significant lesson to be learned from the Supreme Court's decision upholding the Children's Internet Protection Act is not about pornography or filters or the importance of unrestricted access. It is about control, and the inclination of Congress and the national government to parlay a small amount of the taxpayers' money into a huge amount of direct control of local institutions.

The act in question, passed after a fair amount of publicity about children in libraries having access to pornography through library Internet connections - a problem whose real dimensions are almost impossible to determine - requires local libraries that receive federal subsidies for Internet service to install filtering software to block obscene or pornographic images and material.

The American Library Association filed suit claiming the act required libraries to violate the First Amendment by keeping constitutionally protected material from their patrons - it happens that pornography filters block all kinds of material that isn't pornographic - and a district court in Pennsylvania agreed. On Monday the U.S. Supreme Court decided 6-3 that the law doesn't turn librarians into censors because they can turn off the filters for adult patrons.

The argument presented by Chief Justice Rehnquist was plausible though a little convoluted. He argued that a library computer is not a public forum in the traditional sense, and that libraries already ex-

ercise discretion when acquiring books. In dissent, Justice Souter argued that a library is more like the post office, which has to deliver things many find objectionable so long as they're not illegal.

In practice, the ruling will have little impact since most local libraries, like those in Orange County, already use pornography filters. Some libraries will have a little less flexibility in their policies than they do now, but they will probably be able to cope.

There is disagreement among experts about the best way to handle the library Internet-filter problem. But Congress blithely imposed a one-size-fits-all mandate for a problem that could have been handled better at the local level.

What is outrageous about the entire issue is Congress' insistence on micromanaging local institutions by attaching strict conditions to a pittance of money handed out. The Orange County Public Library system, for example, has a budget of \$30 million, \$35,000 of which is federal subsidies for Internet access. The Santa Ana library sys-

tem gets \$37,000 out of a budget of \$4.2 million.

For that tiny percentage of their budgets, however, the libraries endure a huge dollop of control, exercised mainly so Congress could grandstand and claim it was "protecting the children." There is controversy about just how big the porn-through-library-computers problem really is and there is disagreement among experts about the best way to approach it. But Congress blithely imposed a one-size-fits-all mandate for a problem that could have been and in most cases actually was being handled better at the local level.

This is how we lose our freedom to faraway bureaucrats. And the courts blithely go along.

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Placentia News
Weekly JUN 26 2003



Photos by Stan Bird / Placentia News-Times

CO-AUTHORS EMILY ROBERTS AND CHRIS LOWE describe their children's Placentia history book 'Elephant Rides For Free' with Van Buren Elementary School third-graders.

ORANGES TO ELEPHANTS

By Patrick Vuong
Placentia News-Times

It was the intercollegiate race of the year, drawing more than 10,000 people to the track in Placentia.

Harvard, Chapman, even England's University of Oxford were all there to determine who had the fastest ... pachyderm.

The Dumbo Derby of 1965, billed as the inaugural Intercollegiate Elephant Race in Human History, was hosted by Orange County State College - now known as California State

University, Fullerton - on open land that is now Tri-City Park. It was also the inspiration for



The writers unveiled a handful of the 1,500 books printed to two third-grade classes at Van

Buren Elementary School just before school let out for the summer earlier this month.

"Emily and I couldn't have selected the name without your help," Lowe told the kids, who had voted for the title from three choices presented by the two authors.

ON THE COVER

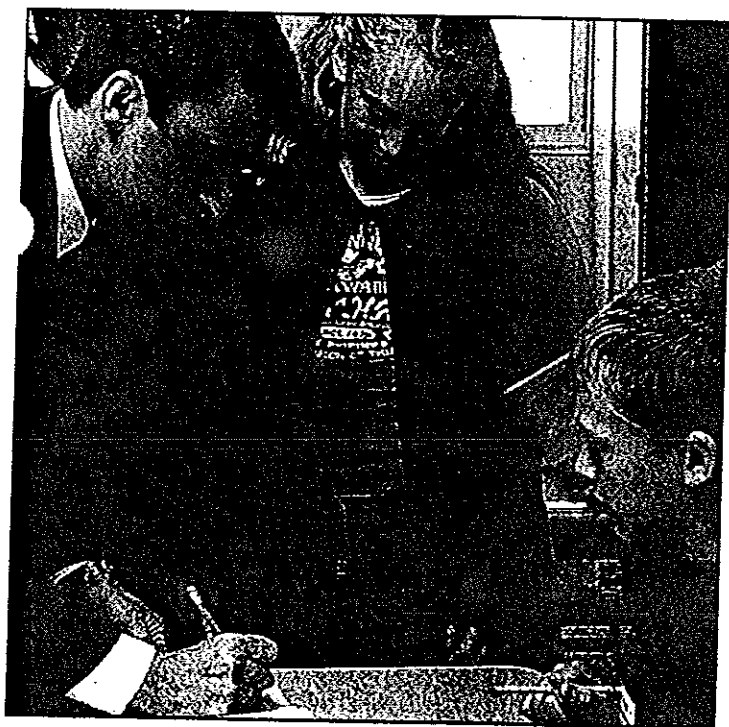
Lowe, 33, said the name refers to what happened after the 1965 contest, when some of the racers let children ride the giant mammals free of charge.

Please see **ELEPHANTS Page 4**



Photos courtesy of Placentia-Yorba Linda Unified School District

KYLE TWOMEY, 9, above, leafs through new history book by Chris Lowe, who signs autographs for students, below.



first time."

They had waited all school year to hold copies of the finished product, a glossy softcover complete with illustrations and archived photos.

"I thought it was a great idea for them to write this book," said Kyle Twomey, 9, of Chris Parmenter's classroom.

IN PRINT

"We work on writing skills quite a bit, and it was great having the children see the benefits of good writing," Parmenter said. "He has provided an integral part of the curriculum that we will use."

The 208-page "Elephant Rides for Free" highlights everything from Placentia's first inhabitants in 8000 B.C. to a failed attempt at sheep farming by John Wagner in the 1870s. The chronicle also includes the elections of the first Hispanic City Council member; Alfred Aguirre, and the first female mayor, Carol Downey.

The book has been several years in the making, because of Lowe's busy schedule as executive director of the Fullerton Chamber of Commerce and a Placentia councilman.

That was until he teamed up with Emily Roberts, the chamber's publications/communications director.

"It's been nice because it's a joining of both of our goals," said Roberts, 24. "He's always wanted to write for the children, and I'm from Placentia and have always wanted to write a book."

Forming Tesoro Publishing, Roberts and Lowe researched the town's past with the aid of local historians, including former Placentia Historical Committee Chairwoman Marie Schmidt. They then began writing the manuscript in May 2002, going through about 100 rough drafts.

PUBLISHING PURPOSE

Roberts hopes the Placentia-Yorba Linda Unified School District will approve the book for classroom use. The duo also plans to donate a portion of the sales to the Placentia Library and set up scholarships for area kids.

The goal of Tesoro Publishing, Roberts said, is to help other local authors accomplish their dreams while helping young students discover new stories and old tales.

"Having kids at that age read my book is amazing," Roberts said. "The best thing about it is knowing that future generations are reading that book and learning about history. And it's something that helps them enjoy reading."

FROM 1

Since then, pachyderm rides have become a staple of Placentia's annual Heritage Festival and Parade while the college's mascot is Tuffy the Titan, an elephant.

Lowe and Roberts decided to include Van Buren, the councilman's alma mater, into their creative process last year be-

cause civic history and government is an essential part of third-grade studies. Aside from letting the kids vote on the book's title, he also visited the classes and lectured about Placentia's government.

On June 12, the kids greeted the authors with bated breath and eager eyes.

"They're the people we wrote it for," Lowe said. "It's nice to see them see it for the



TO: Elizabeth Minter, Library Director
FROM: Katie Matas, Library Assistant *KM*
DATE: July 21, 2003
SUBJECT: **Safety Committee report for June**

There was no safety committee meeting in June. The next meeting is scheduled for Wednesday, July 23, 2003 at 11:30 A.M.

