

SB 739 – Oppose

July 26, 1999

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likelihood of collective bargaining impasses. The petition requirements are sufficiently low to insure ease of signature collection. Whereas SB 739 would permit initiation of agency shop agreements by an unregulated petition process and election by a minority of unit employees (majority of those casting ballots), it would require a vote by a majority of bargaining unit employees for rescission. This bill would extend agency shop agreements to management, supervisory and confidential employees notwithstanding the conflicts of interest compromising the management side of labor-management relations. The SB 739 provisions for agency shop agreements also fail to address constitutional caselaw regarding agency shop agreements, including fee disclosure language and employee challenge rights (see *Abood v. Detroit Board of Education* (1977), U.S. Supreme Court 431 US 209, 97 Supreme Court 1782; *Chicago Teachers Union, Loc. No. 1 v. Hudson* (1986), 475 us 292, 106 Supreme Court 1066; *Lehnert v. Ferris Faculty Assn.* (1991), 500 US 507, 1111 Supreme Court 1950, and Government Code Section 3515.8 for existing PERB law relating to school employees). The administrative costs resulting from this mandate would impose a reimbursable and unfunded state mandate on local agencies.

**Mandatory Arbitration:** Existing MMBA law provides for resolution of impasses by procedures contained in "...local rule, regulation, or ordinance, when such procedures are utilized by mutual consent." Additionally, it provides "A public agency may adopt reasonable rules and regulations after consultation in good faith with representatives of an employee organization or organizations for the administration of employer-employee relations..." including for "...additional procedures for the resolution of disputes involving wages, hours and other terms and conditions of employment." Existing law also provides for judicial remedy by a party to a dispute not satisfied with the result of the local dispute resolution procedure.

SB 739 would add to MMBA reference to certain procedures which local agencies may use in dispute resolution including binding arbitration. The bill would mandate that "disputes that may arise involving the interpretation, application or violation of (an) agreement" must be submitted to binding grievance arbitration.

The mandatory grievance arbitration imposed by SB 739 would impose limitations on local agency control of collective bargaining without any evidence that current law requires such drastic change. It would place under the jurisdiction of non-elected arbitrators decisions potentially involving thousands of local agency collective bargaining agreements. This would create a loss of control and accountability by local elected boards regarding major non-economic staffing issues in addition to disputes with budget impact. It would mandate substantial administrative costs for arbitration without eliminating any existing additional administrative and court remedies available to the parties in conflict. It would not require exhaustion of other administrative remedies prior to entering into binding arbitration. Any settlement costs, which exceed the position of local agencies, and administrative costs resulting from this mandate would create a reimbursable and unfunded state mandate.

**Recognition Procedures:** Existing MMBA law provides for exclusive recognition for an employee organization to represent employees of a bargaining unit based upon "...reasonable rules and regulations after consultation in good faith with representatives of an employee organization or organizations..." Existing law also provides for local "...rules and regulations which may include

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provisions for (a) verifying that an organization does in fact represent employees of the public agency; (b) verifying the official status of employee organization officers and representatives; (c) recognition of employee organizations; (d) exclusive recognition of employee organizations formally recognized pursuant to a vote of the employees of the agency or an appropriate unit thereof..." The MMBA also provides for revocation of exclusive representation by majority vote of employees after 12 months, and prohibits public agencies from unreasonably withholding recognition of employee organizations.

SB 739 would confer upon an employee organization exclusive recognition solely based upon a signed petition or authorization cards which show that a majority of the employees in a bargaining unit desire such representation unless another employee organization has been previously deemed the exclusive representative. It would eliminate the requirement in MMBA and labor relations laws generally that the exclusive representation be ratified by a vote of employees. It would also provide for disputes to be resolved by the Public Employment Relations Board (PERB).

SB 739 would eliminate local recognition procedures which have already been developed by agreement between local agencies and employee groups, including employee election requirements, without any demonstration of need for a single state-administered system. It would make the PERB responsible for resolution of appeals, even though it lacks any local agency expertise, and would create substantial delays in dispute resolution (please see PERB appeal procedures described below related to "unfair practice" complaints). Administrative expenses resulting from this requirement would be an unfunded reimbursable state mandate.

**Unfair Practice Complaints to the PERB:** As referenced above, existing MMBA law provides for resolution of disputes by local procedures developed by local collective bargaining. Parties not satisfied with local dispute resolution may seek judicial relief.

SB 739 would define any complaint related to MMBA or any rules and regulations adopted by a public agency to be an "unfair practice" charge. All unfair practice charges would be resolved by the PERB.

The unfair practice complaint procedure proposed by SB 739 would be in addition to, and not as a replacement for, existing complaint resolution procedures. It would add substantial delay and expense to resolution of complaints. During initial years of this mandate, there would be enormous confusion as the PERB expands staff to meet this enormous new demand for service, develops procedures and educates its staff regarding local collective bargaining law. Even without start-up confusion, and based upon existing PERB experience, a full unfair complaint resolution will add between 18 - 24 months of delay to the resolution of a complaint (please review the following paragraph regarding the PERB unfair practice complaint resolution process). The definition of "unfair practice" in SB 739 is exceedingly broad, which will increase incidents of complaints (for comparison, please review the "unfair practice" definition for school collective bargaining law found in Government Code Section 3543.5 (a) - (e)). This "unfair practice" complaint resolution procedure would result in a huge, yet unfunded, reimbursable state mandate on local agencies.

Following are the existing "unfair complaint" procedure time expenditures by PERB for agencies currently under its jurisdiction: "Unfair practice" pleadings are submitted by parties, following which an investigation is completed by PERB staff within approximately 60 days (about 1/2 of complaints are

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resolved at this level). Following investigation, PERB staff issues a complaint. An informal conference is scheduled approximately within 30 days following issuance of the complaint (about 1/2 of remaining complaints are settled at this step). A formal hearing is scheduled approximately 60 days following the informal hearing. Transcripts of the formal hearing are released approximately two to three weeks following the formal hearing, after which parties are given 30 days for briefing time. The Administrative Law Judge (ALJ) proposed decision is released approximately 45 days later. Parties have 20 days to file an exception to the ALJ decision. Approximately 10 % of all "unfair practice" pleadings will be appealed to the Board, which will hear the appeal approximately two to three months later. Most complicated proceedings are granted time extensions.

**Summary of Policy Concerns:** August 16 amendments to SB 739 impose highly burdensome, unnecessary and costly collective bargaining requirements on local public agencies without any indication of need for these mandates and without proposing any efficiencies. This bill erodes the control of local elected governing boards regarding human resource management and payroll costs. SB 739 is in conflict with existing local agency labor contracts and well-established labor relations practice. It exceeds other collective bargaining laws by mandating an agency shop requirement absent a negotiated agreement and absent approval of the majority of employees in the bargaining unit, extends the agency shop mandate to management, supervisory and confidential employees and neglects to provide employees constitutional caselaw protections. The bill's agency shop provisions are clearly anti-employee because of their denial of freedom of choice of individual employees and imposition of a mandate to pay a portion of their salary to a union. It mandates binding grievance arbitration in addition to local dispute resolution procedures that generally work very effectively, and without requiring exhaustion of local dispute resolution procedures. It mandates PERB resolution of unfair practice complaints, without balancing this requirement with other provisions of PERB such as: agency shop agreement fee disclosure and rescission requirements, denial or limitations on the representation rights of confidential, supervisory and management employees, restricted definition of "unfair practice," and employee strike restrictions consistent with caselaw requirements. The bill moves in the opposite direction of other PERB law by citing the "right to strike" case (*County Sanitation District...*) without even attempting to balance it with caselaw findings that a strike by peace officers is always a threat to the public health or safety (*City of Santa Ana v. Santa Ana Police Benevolent Assoc. (1989) 207 Cal. App. 3d 1568*) SB 739 fundamentally attacks local control by its provisions to remove from local collective bargaining the control of complaint resolution, agency shop agreements, and exclusive recognition.

**Summary of Fiscal Concerns:** SB 739 creates a huge reimbursable and unfunded state mandate. New administrative costs, and arbitration settlement costs which exceed the position of local agencies, should be reimbursable state mandates pursuant to Article XIII B, Section 6 of the State Constitution. This mandate obligation has been confirmed by Legislative Counsel opinion on a related matter (SB 888 in 1980 dealing with binding arbitration), and is also confirmed by state reimbursement for local school collective bargaining (State Budget Account 6110-295-0001 No. 16). The current state reimbursement for the school collective bargaining mandate is \$32.7 million, which should only be a fraction of the reimbursable costs for SB 739. SB 739 costs will be greater than those reimbursed to schools due, in part, to the much more complex and decentralized body of local agency collective bargaining agreements. State Controller Parameters and Guidelines for reimbursement for collective

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**July 26, 1999**  
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elections and decertification elections, impasse proceedings, contract administration and adjudication of contract disputes either by arbitration or litigation, representation at PERB proceedings, and unfair labor practice adjudication process. Schools reimbursable expenses include: salaries and benefits for employer representatives and employees released from work, travel, transcripts, administration of elections, contract services, training, expert witnesses, reproduction, arbitrators' fees, and public notice requirements.

These state mandate reimbursement costs are in addition to those the state will experience due to workload increases mandated on the PERB, which were conservatively estimated by PERB staff for related legislation in 1997 to annually exceed \$1.4 million. PERB staff has advised us their expectation would be for workload to more than double with implementation of SB 739. This sort of workload increase would require the addition of eight lawyers and two clerical in the regional offices and four Administrative Law Judges statewide. Additionally, the PERB Board would need an additional two Legal Advisors and one clerical position.

**In conclusion:** For the above reasons, CSAC, the League of California Cities, the California Special Districts' Association, and the California Association of Sanitation Agencies strongly urge your "NO" vote on SB 739. If you have any questions or comments, please contact Steve Keil at 327-7500 ext. 521, Dwight Stenbakken at 658-8213, Ralph Heim at 442-7889, or Michael Dillon at 448-2196.

cc: The Honorable Hilda Solis  
Consultant, Assembly Public Employees, Retirement and Social Security Committee

# Heim, Noack, Kelly

GOVERNMENTAL

Ralph A. Heim  
 Russell W. Noack  
 Anne Kelly  
 Leslie S. Spahn  
 John Caldwell

## HAND DELIVERY

August 20, 1999

The Honorable Thomas Calderon  
 California State Assembly, District 58  
 State Capitol, Room 2148  
 Sacramento, CA 95814

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**Re: Assembly Bill 1553 - O P P O S E**

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Dear Assembly Member Calderon:

On behalf of our client, the California Special Districts Association, I regret to inform you of their opposition to your Assembly Bill 1553 as amended August 16, 1999.

The California Special Districts Association opposes your AB 1553 for the following reasons:

1. The bill would exempt San Bernardino County from existing requirements of the Service Duplication Act.
2. The bill would allow landowners by a majority vote to secure an exemption from a sphere of influence boundary.
3. The bill exempts specified local agencies from local zoning ordinances for specific territories.

As you know, the Commission on Local Governance for the 21<sup>st</sup> Century has commenced a comprehensive study of the Cortese-Knox Local Government Reorganization Act of 1985, and will be presenting their recommendations to the Governor and Legislature in the near future. At a minimum and respectfully, the California Special Districts Association would urge you to

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 Sacramento, CA 95814  
 Tel. (916) 442-4584  
 Fax (916) 441-4925  
 Email: general@hnks.com

**The Honorable Thomas Calderon**  
**Re: Assembly Bill 1553 - O P P O S E**  
**August 20, 1999**  
**Page 2**

consider holding AB 1553 until after the Commission renders its recommendations to ensure that the provisions contained in AB 1553 do not conflict with said recommendations.

On behalf of the California Special Districts Association, I appreciate this opportunity to provide you with these comments in opposition to your AB 1553.

Sincerely,

Heim, Noack, Kelly & Spahn



Ralph A. Heim

RAH/kmg

cc: Mr. Michael Gotch, Legislative Secretary  
Office of Governor Gray Davis

bcc: CSDA Legislative Committee (via fax)

# Heim, Noack, Kelly

GOVERNMENTAL

## TRANSMITTED FACSIMILE

2 Pages

Ralph A. Heim  
 Russell W. Noack  
 Anne Kelly  
 Leslie S. Spahn  
 John Caldwell

**August 31, 1999**

**9:15 a.m. (PDT)**

**TO: CSDA Legislative Committee**

Dewey Ausmus	760-745-5827 (145)
Carol Bartels	909-683-8458 (145)
Roger Boedecker	707-986-7435 (145)
Kit Carter	805-227-6231 (145)
Kathleen Cole	916-444-6887 (145)
Ron Davis	916-448-8499 (145)
Glenn Farrel/Randy Kanouse	916-444-2829 (145)
Jim Meredith	805-526-7025 (145)
Elizabeth Minter	714-528-8236 (145)
Carol Severin	510-569-1417 (145)
Catherine Smith	916-442-7889 (145)
Sherry Sterrett	925-671-7591 (145)
cc: David McMurchie	916-443-0869 (145)

**FROM: Ralph A. Heim**

**RE: Property Tax Allocation Hearing**

For your information, I have attached a press release from Senator Richard Rainey, Chair, Senate Local Government Committee, announcing an interim hearing on the allocation of property taxes.

I will provide you with the hearing agenda and the Committee's background paper when available.

RAH/kmg  
 Attachment



# News Release

## California State Senate

RELEASE: Immediate  
August 24, 1999

CONTACT: Peter Detwiler  
916/445-9748

### RAINEY PANEL LOOKS AT ALLOCATING TAXES

Property tax allocation is the topic of a special hearing on Tuesday, September 21, 1999, according to State Senator Richard K. Rainey (R-Walnut Creek) who chairs the Senate Local Government Committee. Rainey's hearing which begins at 9:30 a.m. in the State Capitol will explore inequities in allocating local property tax revenues to cities, counties, and special districts.

"We want to find out if our communities really get their fair share," said Rainey. "People pay lots of property taxes and they have a right to know where their tax dollars really go. This gives us a chance to dig into the topic and figure out if the current formulas are fair or not."

Rainey has invited representatives of Governor Gray Davis to come to the hearing and explain the Davis Administration's thinking on property tax issues. When Davis issued his first budget in January 1999, the new governor pledged to rethink the way that state law controls local property taxes. Davis then said that his "Administration believes that local governments are entitled to share with state government the resources stemming from California's economic growth." But there were no reforms this year.

Senator Rainey has also invited the Legislature's top fiscal expert to explain the problems that local agencies face because of the state's formulas for splitting property tax revenues among different types of local governments. Rainey is also inviting representatives of cities, counties, and special districts to talk with the legislators at the special hearing on September 21.

A hearing agenda and background paper will be available from the Senate Committee's office about a week before the hearing. The materials will also appear on the Committee's website [www.sen.ca.gov/locgov](http://www.sen.ca.gov/locgov)

###

# RICHARD RAINEY

## State Senator, 7th District

Capitol Office • State Capitol • Room 4090 • Sacramento, CA 95814-4906 • (916) 445-6083 • FAX (916) 445-2527  
District Office • 1948 Mt. Diablo Blvd. • Walnut Creek, CA 94596 • (925) 280-0276 • FAX (925) 280-0299



# PLACENTIA LIBRARY

411 East Chapman Avenue, Placentia, CA 92870-6198

Elizabeth D. Minter, M.L.S., Library Director

714-528-1925, Ext. 202

(714) 528-8236 (Fax)

plalibd@cosmoslink.net



September 2, 1999

Board of Trustees

Margaret V. Dinsmore

Robin J. Masters

Al Shkoler

Saundra Stark

Gaeten M. Wood

The Honorable Richard Rainey, Chairman  
Senate Local Government Committee  
State Capitol  
Sacramento, CA 95814

FAX: 916-445-2527

RE: Property Tax Allocation Hearing

Dear Chairman Rainey:

I am writing to you on behalf of the Board of Trustees of Placentia Library District to request the Senate Local Government Committee's support for re-establishing an adequate and secure local property tax allocation for California's independent public library districts.

As an independent special district Placentia Library lost 50.41% of its property tax revenue during the 1992-93 and 1993-94 ERAF shifts. Property tax is the District's sole tax source for operating revenue and none has been restored since those shifts. The result has been a deterioration in local public library services as the Library's hours were reduced from 64 to 39 per week, its staff reduced from 24 full time equivalents to 12, and its book budget reduced from over \$150,000 to approximately \$60,000.

We believe that it is ironic that one type of Education Code agency (public library districts, both independent and County-dependent) is being required to finance another type of Education Code agency (the public schools and community colleges).

Public libraries need to be able to strengthen their after school programs, homework assistance services and family literacy programs to complement the school-year programs offered by our public schools – something we at Placentia cannot do because 50.41% of our property tax revenue is being diverted to the schools whose families are trying to serve!

Anything that you can do on behalf of the State of California to restore the service levels of its independent and County-dependent special district libraries will be deeply appreciated.

Sincerely,

Al Shkoler  
President

**RChampion**

**From:** California Library Association <info@cla-net.org>  
**To:** John Adams <jadams@oclib.co.orange.ca.us>; Miguel Alaniz <malaniz@cerfnet.com>; Winona Allard <wallard@pen.ci.santa-monica.ca.us>; Jeanne Amos <jamos@innercite.com>; Marilyn Ashcraft <ashcraft@earthlink.com>; Gregg Atkins <atkins@smcccd.cc.ca.us>; Judith Auth <judith\_adm@riverside.lib.ca.us>; Henry Bates <bateshenry@hotmail.com>; Barbara Bowie <barbara\_cps@riverside.lib.ca.us>; Anne Cain <acain@mail.contra-costa.lib.ca.us>; Anne Campbell <acamp@sdcoe.k12.ca.us>; Gary Christmas <gchristm@co.riverside.ca.us>; Bea Chute <mcclshq@mclsys.org>; Ann Cousineau <acousine@snap.lib.ca.us>; Marilyn Crouch <mcroucili@sdcl.org>  
**Sent:** Monday, August 23, 1999 1:18 PM  
**Subject:** CLA Lobbyist Update

**TO:** CLA MEMBERS/SYSTEMS/NETWORK CONTACTS

**FROM:** Mike Dillon, Lobbyist  
Christina Dillon, Lobbyist

**RE:** NEWS FROM THE CAPITOL

**LIBRARY BOND BILL SET IN NEW COMMITTEE - LETTERS NEEDED**

We have received word that SB 3, the \$1 billion Library Construction and Renovation Bond Act by Senators Richard Rainey, Senate President pro Tem John Burton, and Dede Alpert, has been set for hearing in the Assembly Local Government Committee on Wednesday, August 25 at 1:30 p.m. You will recall from our notice to the field on July 16, that SB 3 had been tentatively assigned to the Assembly Education Committee for hearing. Subsequently, the Assembly Local Government Committee requested jurisdiction of the bill, and will hear SB 3 instead. (In past years, the library bond bill has been heard by the Local Government Committee in the Assembly).

We previously reported that the Assembly Education Committee had been investigating the issue of whether or not land donated for libraries should count towards the 35% match requirement. We are hopeful that this issue will not be raised by the Local Government Committee, who has traditionally been sympathetic to the lack of local government revenue streams available to fund library needs. Thank you to all who supplied information on the donated land issues in your community - we may still need to use the information, should questions arise.

Please take a moment today to write the members of the Assembly Local Government Committee and encourage their strong support for SB 3 when the bond measure is before them for consideration on August 25.

- ASSEMBLY LOCAL GOVERNMENT**  
 Assemblyman John Longville, Chair (\* - principal co-author)  
 Assemblyman Robert Pacheco, Vice Chair  
 Assemblywoman Ellen Corbett  
 Assemblyman Howard Kaloogian  
 Assemblywoman Sheila Kuehl (\* - co-author)  
 Assemblywoman Nell Soto  
 Assemblyman Bruce Thompson  
 Assemblywoman Helen Thomson (\* - principal co-author)

Post-It Fax Note	7671	Date	8/23/99	# of pages	2
To	MCLS/SLS/ASSOCIATE	From	MCLS/SLS HQ		
Co./Dept.	Member Directors	Co.			
Phone #		Phone #	626/683-8294		
Fax #		Fax #	626/683-8097		

Assemblyman Tom Torlakson

Sample address:  
The Honorable John Longville, Chair  
Assembly Local Government Committee  
State Capitol  
Sacramento, CA. 95814

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**ANNUAL CLA CONFERENCE**

101<sup>st</sup> Annual Conference - November 13-16, 1999 - Palm Springs

\*\*\*\*\*

**California Library Association**

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Sacramento, CA 95814  
Phone: (916) 447-8541  
FAX: (916) 447-8394  
email: [info@cla-net.org](mailto:info@cla-net.org)  
<http://www.cla-net.org>

To: [LISTSERV@listproc.sjsu.edu](mailto:LISTSERV@listproc.sjsu.edu), CLA <[CALIX@SJSUVM1.SJSU.EDU](mailto:CALIX@SJSUVM1.SJSU.EDU)>  
Subject: CLA LOBBYIST UPDATE

August 27, 1999

TO: CLA MEMBERS/SYSTEMS/NETWORK CONTACTS

FROM: Mike Dillon, Lobbyist  
Christina Dillon, Lobbyist

RE: NEWS FROM THE CAPITOL

**LIBRARY BOND BILL "ON THE MOVE"**

On Wednesday, the Assembly Local Government Committee considered SB 3-Rainey/ Burton/Alpert, which proposes to place a \$1 billion Library Construction and Renovation Bond Act on the November 2000 ballot. Present to testify on the measure were CLA; Solano County Library Director and Chair of the CLA Legislative Committee, Ann Cousineau; and lobbyists for the Urban Counties Caucus and Solano County.

Two Republican members of the Committee voiced early opposition to the measure in the hearing. Assemblyman Howard Kaloogian inquired as to why Senator Rainey was not pursuing "pay as you go" projects, and instead was opting to use general obligation bonds, which would place a debt burden on "the generations to come." Senator Rainey responded that the legislature has not made a commitment to libraries in the form of a "pay as you go" agreement at any time in history, then noted that the need was so substantial, that the general obligation bond was the only suitable alternative. Assemblyman Bruce Thompson told Senator Rainey that he would be unable to support the bill as the "\$1 billion would be better spent buying a PC (personal computer) for every family in California." Senator Rainey responded that the libraries perform much more of a function than just offering a computer for patrons.

Committee members Tom Torlakson and Nell Soto spoke in strong support of SB 3 and then asked to be added on as co-authors. Committee Chair, John Longville stressed that the plight of libraries was tremendous as "the amount of the ERAF shift from libraries is upwards of \$80 to \$100 million per year." The final vote on the measure was:  
AYE VOTES - John Longville (Chair), Robert Pacheco (Vice Chair), Ellen Corbett, Sheila Kuehl, Nell Soto, Helen Thomson, and Tom Torlakson.  
NO VOTES - Howard Kaloogian, Bruce Thompson

While the dollar amount for the bond is likely to be reduced eventually, CLA is very encouraged that SB 3 "remains on the table." In recent days the Governor's office has entered into discussions with legislative leaders on

LS/SLS/Associate	7671	Date	8/27/99	# of pages	2
Members-Directors		From	MCLS/SLS HQ		
		Co.			
		Phone #	626/683-8244		
		Fax #	626/683-8097		

the library bond. These developments are encouraging. At this time, please take a moment to write your individual Assembly member and encourage their strong support when the bill reaches them for a vote on the Assembly Floor. Negotiations are going to move very quickly in these final days of the legislative session (adjournment for the year will be September 9th), so your phone calls or letters to your representative in the next few days will be critical. Thanks for your help!

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**ANNUAL CLA CONFERENCE**  
101<sup>st</sup> Annual Conference - November 13-16, 1999 - Palm Springs  
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**California Library Association**

717 K Street, Suite 300

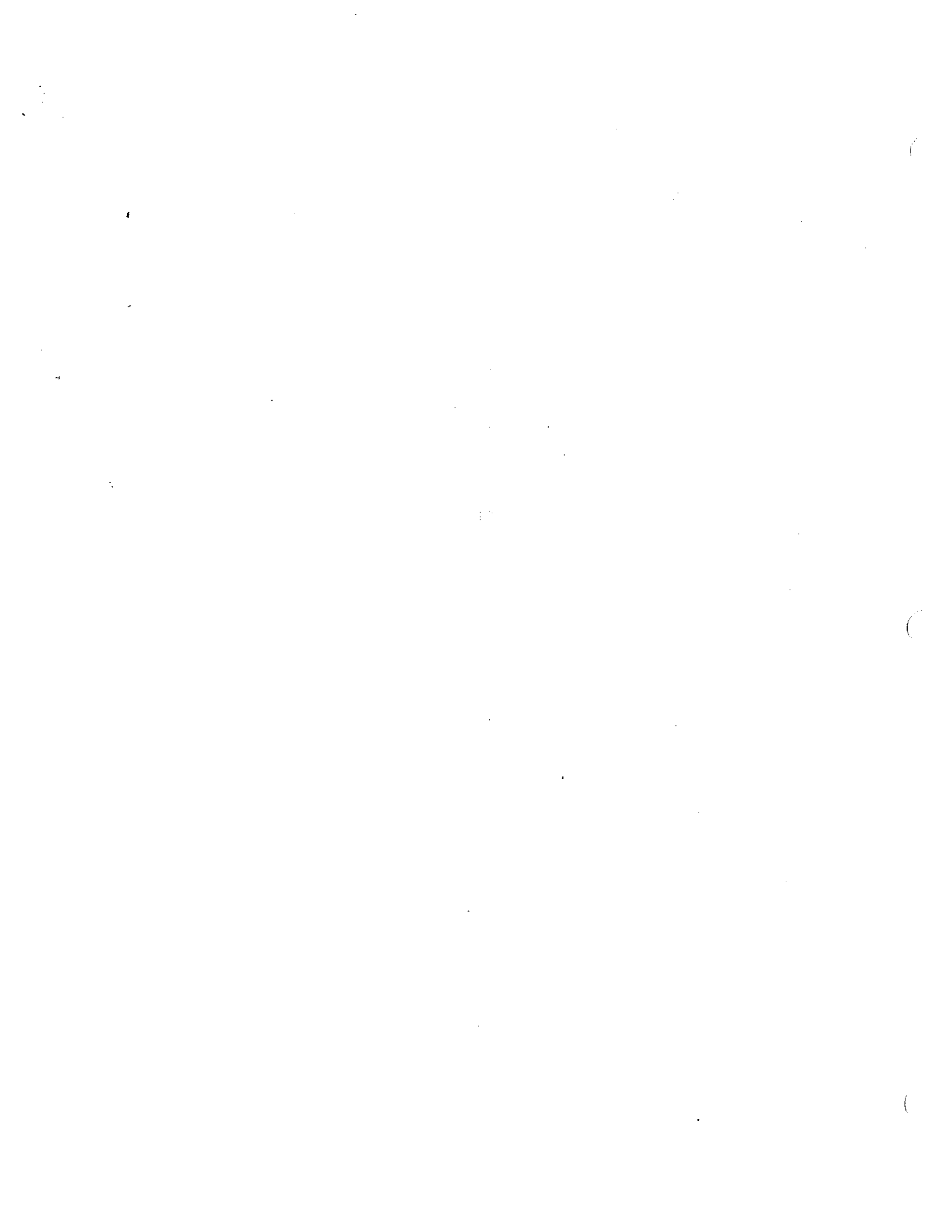
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<http://www.cla-net.org>



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**PLACENTIA LIBRARY DISTRICT BOARD OF TRUSTEES**

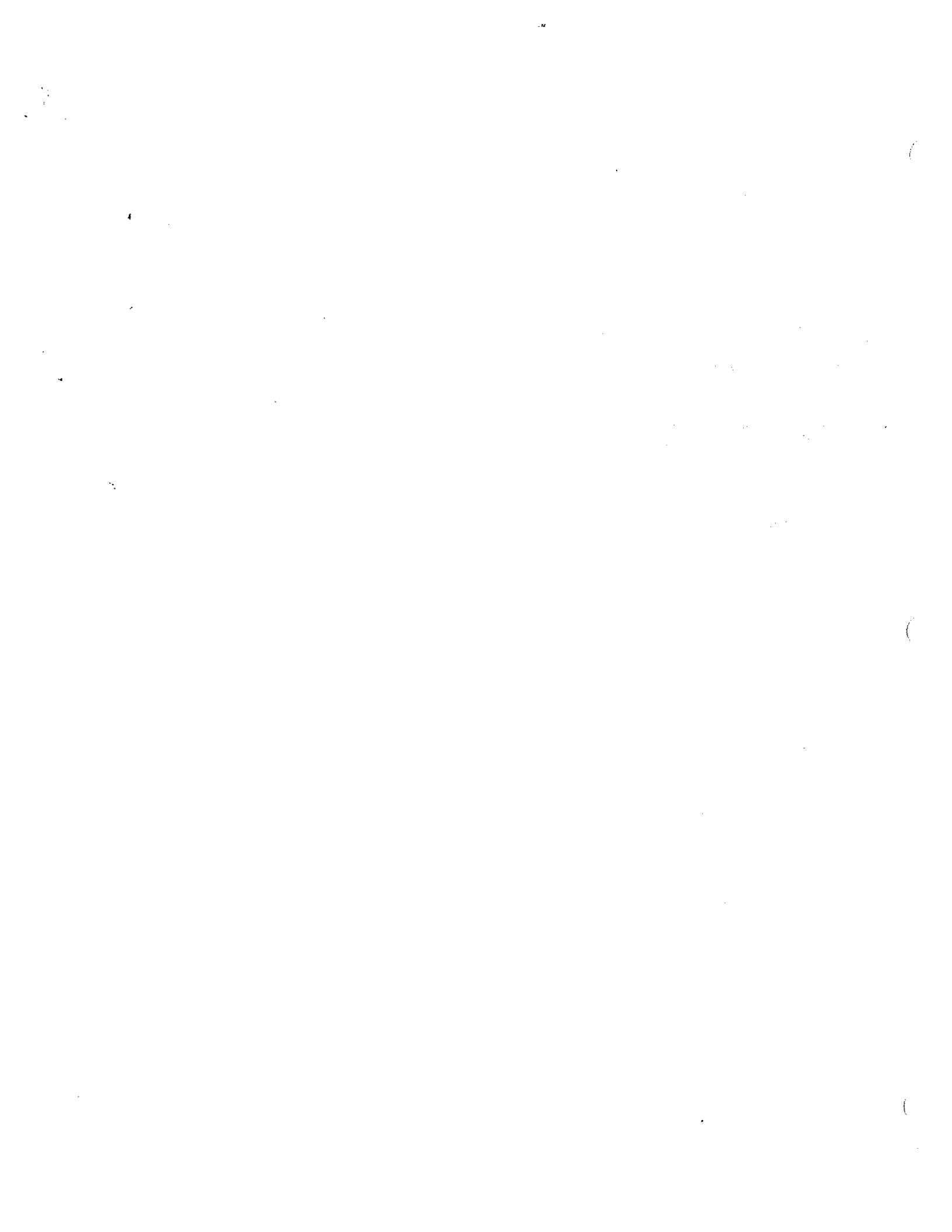
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**TO:** Library Board of Trustees  
**FROM:** Elizabeth D. Minter, Library Director *edm*  
**SUBJECT:** Status Report on the Placentia History Room project with the City of Placentia  
**DATE:** September 15, 1999

At its meeting on September 7, 1999 the Placentia City Council voted unanimously to appropriate \$50,000 for the expansion and furnishing of the Placentia History Room.

The City Agenda Report is Attachment A.

A report from the Placentia History Room Committee is Attachment B.







# Placentia City Council

## AGENDA

TO: CITY ADMINISTRATOR  
 FROM: DIRECTOR, DEVELOPMENT SERVICES  
 DATE: SEPTEMBER 2, 1999  
 SUBJECT: REQUEST TO EXPAND THE HISTORY ROOM  
 IN THE PLACENTIA LIBRARY  
 IMPACT: \$50,000 (UNAPPROPRIATED RESERVES)

### INTRODUCTION:

The Historical committee utilizes a room in the Placentia Library where they store materials which they have collected over the years. This material includes pictures, books, other small artifacts, oral histories, etc. The public is welcome to the room when members of the Committee are in attendance. The Library can neither provide staff for the room nor spend time in cataloging its contents; they simply provide the physical space. The Historical committee is now proposing that the room be enlarged and the Library is supporting this proposal. The City Council has held two (2) study sessions on this proposal and asked that the item be put on the Council agenda.

### DISCUSSION

The History Room occupies part of the Library's storage room. These days, more and more of the Library's material is being stored "on-line" rather than on shelves in the storage room, therefore, expansion of the History Room will not have a negative effect on the Library.

The Chief Building Official has drawn up a proposed plan showing two (2) different ways the History Room can be expanded, labeled Alternatives 1 and 2 (see Exhibit 1) and the Historical Committee has provided a plan on how these additions could be furnished (See Exhibit 2). Preliminary estimates indicate that both alternatives could be built and furnished for \$50,000.

The City will be the lead agency for this project overseeing the preparation of working drawings, the bid process and the actual construction.

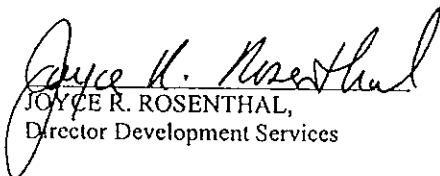
### RECOMMENDATION:

It is recommended that City Council:

1. Appropriate \$50,000 for expansion of the History Room within the Placentia Library.
2. Adopt the attached resolution.

Submitted by:

Reviewed and approved:

  
 JOYCE R. ROSENTHAL,  
 Director Development Services

  
 ROBERT D'AMATO  
 City Administrator

AGENDA ITEM NO.: 15

COUNCIL MEETING DATE SEP 07 1999

September 8, 1999

TO: PLACENTIA LIBRARY DISTRICT  
BOARD OF TRUSTEES

FROM: PAT IROT HISTORY ROOM LIAISON and  
HISTORY ROOM COMMITTEE - P.Irot, P.Jertberg, M.Schmidt

RE: HISTORY ROOM Report

We are grateful to you - and to Elizabeth Minter, Director - for the support given to the concept of historical preservation and for the ongoing work of our group. We are grateful, as well, for the support of the current expansion efforts.

First and foremost, your interest in and support for the preservation of this community's history is evident through your designation of space for this activity - and - the designation of a liaison to work with other groups in the community interested in Placentia history.

Several years ago, additional space to meet the growing needs was offered by Elizabeth as a "someday" possibility. But, it was a dream to feed our hopes. Then, at last year's Donor Reception, a city council member, remarking positively on the work taking place in the History Room, suggested that the assistance of city funds might be available. (In all honesty, we were quite taken back and wondered if it were possible that he did not know the organizational distinctions between the library and the city.)

With the council's first study session, it became clear that the city had a vested interest. It was understandable for the city to support through funding the joint working agreement between the city's Historical Committee and the Placentia Library. To its credit, this collaborative arrangement was initiated the Library Board.

Support continued from library staff and the Library Board as a proposal for expansion was prepared. Other study sessions occurred. Then, on September 7, 1999, the council approved an appropriation of \$50,000 to add 600 feet of space and provide furniture and equipment.

We, of course, await the construction timeline. Meanwhile our efforts to organize materials for retrieval need to continue. We foresee the need to close public access to the History Room and also the need for a workplace so that we can continue unimpeded. Perhaps the currently unused public "typing/computer room" could be our temporary headquarters.

We hope you enjoyed the History Room article written for the last newsletter; we have more articles in mind. For the Library's webpage, we plan from time to time to submit a local history article to include in the History Room section. Topics we might

cover would be the origin of the city's name, the history of crate labels, the railroad's role in the early development, the "grasseaters" story.

We are currently in contact with the Chamber of Commerce with the intent of creating a library display on the history of the Miss Placentia Pageant to coincide with the current year's event. We were delighted to learn that CC's plans for this include the first Miss Placentia, Victoria Weslech in the Heritage Days parade. Given the time and the talent, the History Room Committee would hope to provide historical displays in conjunction with other local events. It is true that the job grows with each hour we spend and each idea we get.

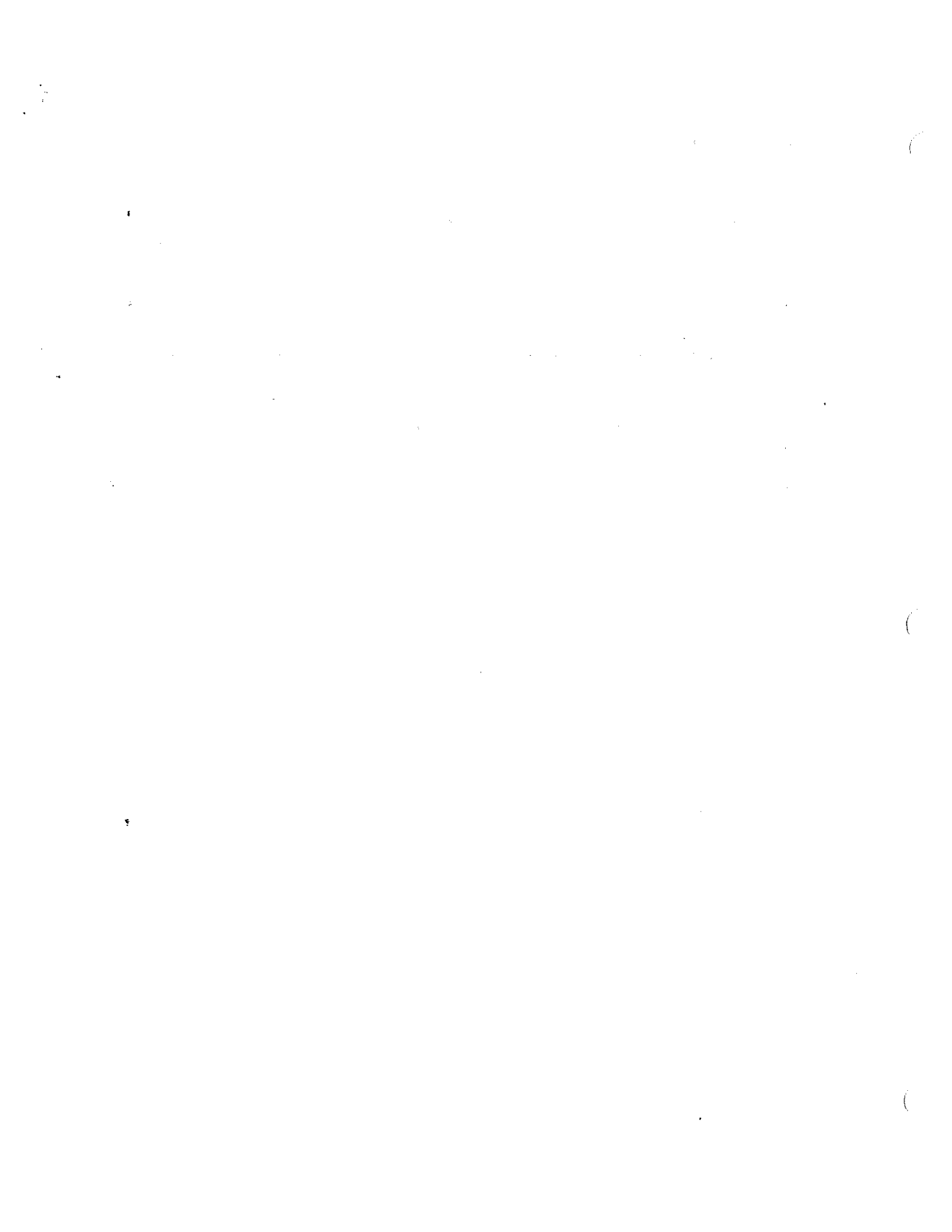
On Saturday, October 23, 1999, AT CSUF, we will participate as presentors in the ORANGE COUNTY HISTORY CONFERENCE. The presentation is entitled "Placentia Volunteers on a Shoestring" Can you imagine - we have to register for the two-day conference at a discount rate of \$20 each?

The Brower accession included a period dress, mantille combs, fans, etc. along with books, newsclippings, event programs, private papers. In addition, in a carton from the library, we have more materials including a diary written in 1819 by a Fullerton woman, whose name bears no significance at the moment - another mystery to solve.

We continue to work on filling in the missing volumes of our local high school annuals collection; we are grateful for recent additions.

We currently have a volunteer doing data entry for us; our computer is very old and very slow but so far Judy is faithful. Upon her return from a trip, our software trainer, Pat Jertberg, will be training several other volunteers.

If there questions or concerns that we can answer, please let us know.



Pillsbury



Madison &  
Sutro LLP

101 WES  
SAN DIEGO, CALIFORNIA 92101-8219  
TELEPHONE: (619) 234-5000 FAX (619) 236-1995  
internet: pillsburylaw.com

Writer's direct dial number / email  
(619) 544-3177

August 20, 1999

VIA FACSIMILE

TO: ORANGE COUNTY INVESTMENT POOL  
PARTICIPANTS' DISTRIBUTION LIST

Re: In Re County of Orange - Hennigan, Mercer & Bennett  
Bonus Request

Dear Pool Participant:

Many of you have asked whether the Pool Committee and its counsel will be taking an active role in opposing the request for a \$49 million bonus submitted by Hennigan, Mercer & Bennett ("HMB").

The Representative, Tom Hayes, has assured us that he did not intend to agree to any bonus when he signed an engagement agreement letter with HMB in 1966. Further, there are many reasons why the proposed bonus is neither appropriate under applicable law nor under the terms of the County's confirmed Plan of Adjustment.

Mr. Hayes has now been required to retain separate counsel to represent him because the bonus request has created a conflict of interest between the Representative and HMB. We are well-acquainted with Mr. Hayes' newly selected counsel, Gerald McMahon of Seltzer, Kaplan, Wilkins & McMahon. He is a capable trial attorney who is supported by able bankruptcy counsel. We will provide assistance to Mr. Hayes' counsel as needed, including ensuring that his counsel understands the history of the Pool Litigation and the Litigation Fund, as well as the Representative's role and authority.

The many communications we have had with Pool Committee members and Pool Participants regarding HMB's request indicates the strongest of opposition to the proposed bonus. Since the proposed bonus, if approved, will be paid primarily from money which

Orange County Investment Pool  
Participants' Distribution List  
August 20, 1999  
Page 2

would otherwise be distributed to Pool Participants, the Committee will oppose the proposed bonus on behalf of all Pool Participants and will coordinate with Mr. Hayes' counsel to the extent possible to maximize our effectiveness.

Very truly yours,



Patrick C. Shea

cc: Orange County Official Investment Pool  
Participants Committee and Counsel  
Mr. Thomas W. Hayes



# First American Trust

RECOGNIZING CLIENT NEEDS AND DELIVERING SOLUTIONS

August 23, 1999

Ms. Elizabeth Minter  
Placentia Library District  
411 E Chapman Ave  
Placentia, CA 92870-6101

Account(s):  
PLACENTIA LIBRARY MPPP TRUSTEE 60-1076-00

Dear Ms. Elizabeth Minter:

First American Trust, FSB (formally First American Trust Company) and First American Capital Management, Inc., an SEC 1940 Act Registered Investment Adviser, are wholly owned subsidiaries of The First American Financial Corporation. When First American Capital Management, Inc. started operating in December of 1995, we subcontracted with them to provide investment management services for individual issues management and mutual fund asset allocation program under the investment policies established by the Directors of First American Trust Company. Since First American Capital Management, Inc.'s inception (or your later selection of First American Trust as a manager/fiduciary), First American Capital Management, Inc. has managed the financial assets for the account(s) listed above as the investment adviser.

Recently the First American Trust Company converted from a state-chartered bank to a Federal Savings Bank and an SEC 1940 Act Registered Investment Adviser. With this change we have created an in-house investment team led by Mr. Chris Rogers. As a result, Chris and his team, as employees of First American Trust, began managing your account(s) listed above on July 16, 1999. The program under which your account is managed has not, however, changed. Chris and his team will be applying policies adopted and monitored by your Administrator, our Officers' Trust and Investment Committee and our Board of Directors in the same manner as was the case prior to and during the time that First American Capital Management, Inc. provided us investment management services under an investment adviser contract. Therefore, we expect that your account will be handled with considerable consistency and continuity of investment management style.

We appreciate your continued use of our trust and investment services. If you have any questions please call me. Chris's biographical information is enclosed for your ease of reference. If you would like to meet with Chris, please contact your Account Administrator.

Sincerely,

David O. Rahn  
Senior Vice President  
Chief Operating Officer

Enclosure

## **CHRISTOPHER J. ROGERS- INVESTMENT MANAGER**

---

Christopher J. Rogers has been named portfolio manager to expand and enhance the range of investment services provided by First American Trust. He is based at the corporate headquarters in Santa Ana and reports directly to Dave Rahn, senior vice president and chief operating officer. "Chris has extensive experience in portfolio management, with expertise in securities research, asset allocation, performance management, investment analysis and new business development", says Rahn. "He is a highly skilled professional who has developed outstanding quantitative, financial modeling and programming skills. His background perfectly matches our requirements and adds a new dimension to our client services."

Rogers has more than 15 years of experience in the financial services industry. Before joining First American Trust, he was portfolio analyst for Metropolitan Life Insurance Company, advising clients in the development of their portfolios through researching and recommending securities to meet each individual's financial goals. An innovative strategist, Rogers developed new marketing techniques that strengthened client relationships and fostered new business. His previous professional experience also includes management position at Corporate Securities Group, Pacific Life Insurance Company, and Merrill Lynch.

Actively involved in professional organizations, Rogers is a member of the Los Angeles Society of Financial Analysts and the Orange County Society of Investment Managers. He also is an arbitrator for the NASD Board of Arbitration. He graduated from the University of Washington with a bachelor's degree in economics and is currently a CFA level three candidate. Rogers is a resident of Santa Ana.



# CALIFORNIA STATE LIBRARY

LIBRARY—COURTS BUILDING • P.O. BOX 942837 • SACRAMENTO, CA 94237-0001



## MEMORANDUM

TO: Members, Library of California Board

FROM: Tom Andersen, CLSA Program Coordinator *Tom Andersen*  
Liz Gibson, Bureau Chief *Liz Gibson*  
Library Development Services

DATE: August 17, 1999

SUBJECT: Library of California Board actions taken at the August 12, 1999 meeting

### Purpose of the Library of California Act:

The Legislature finds and declares that it is in the interest of the people of the state to ensure that all Californians have free and convenient access to all library resources and services that could provide essential information and enrich their lives; and, to respond fully and successfully to these information needs and to the diversity of California's population, libraries of all types and in all parts of the state must be enabled to interact, cooperate, and share resources. This policy shall be accomplished by enabling libraries of all types and in all parts of the state to provide their users with the services and resources of all libraries in this state, and by assisting libraries to provide and improve services to the underserved.

To achieve the purpose of the Act, the following actions were taken at the Library of California Board meeting in San Diego, August 12, 1999:

#### Adoption of Agenda

1. It was moved, seconded (Spence/Fong) and carried unanimously that the Library of California Board adopt the agenda as amended.

#### Approval of Transcript to Minutes

2. It was moved, seconded (Spence/Purucker) and carried unanimously that the Library of California Board adopt the draft transcript, pages 24-37, of the Approved April 28-29, 1999 Library of California Board meeting minutes, and attach the corrected transcript to the April minutes.

#### Approval of Minutes

3. The draft minutes of the June 16-17, 1999 Library of California Board meeting were approved as submitted.

Board Actions, August 12, 1999

#### **Regulations for the Library of California Act**

4. It was moved by the Legislation Committee (Steinhauser) and carried unanimously that the Library of California Board direct its Chief Executive Officer to revise the proposed regulations as follows:
  1. In accordance with Staff Recommendations in Exhibit C, except for Recommendation (c) on Proposed Regulation 20317;
  2. Revise Proposed Regulation 20317, changing "ninety" to "sixty" in (c) and changing "one hundred, twenty" to "one hundred, fifty" in (d);
  3. In accordance with recommendations 2. and 5. in Exhibit D;
  4. Revise Proposed Regulation 20328 (e), changing "annually" to "at least every two years;" and
  5. Revise Proposed Regulation 20300 in accordance with legal advice.and to initiate a second period of public comment, to last 15 days.  
(See Attachment A: includes Exhibits C & D)

#### **Library of California Budget Change Proposal**

5. It was moved (Kallenberg/Calderon) and carried unanimously that, as part of the evolving Library of California Program, the Board direct its Chief Executive Officer to prepare a Budget Change Proposal for up to \$30 million of additional FY 2000/01 Library of California funds, in support of Library of California Program additions described in Document 7 of the August 1999 Board meeting agenda packet.

#### **Library of California Interlibrary Loan Pilot Program**

6. It was moved by the Access Services Committee (Fong) and carried unanimously that the Library of California Board direct its Chief Executive Officer to continue the extension of the statewide loan program through June 2000, based on reimbursing all Library of California eligible libraries for interlibrary loans to other libraries within California, and that an additional \$1,000,000 of Library of California funds be allocated for this pilot program.

#### **CLSA Interlibrary Loan, Universal Borrowing, Equal Access Program**

7. It was moved by the Access Services Committee (Fong) and carried unanimously that the Library of California Board direct its Chief Executive Officer to withhold 20% of all CLSA ILL and Direct Loan Program reimbursement payments throughout the 1999/2000 fiscal year and that, after determining the full State cost of the ILL & Direct Loan programs for the 1999/2000 fiscal year, direct the Chief Executive Officer to pay the full amount remaining due to each participating library if sufficient funds remain in the 1999/2000 CLSA ILL & Direct Loan Program appropriation, or to pro rate the final payment equitably if insufficient funds remain in the 1999/2000 CLSA ILL & Direct Loan Program appropriation.

Board Actions, August 12, 1999

**CLSA Interlibrary Loan, Universal Borrowing, Equal Access Program**

8. It was moved by the Access Services Committee (Fong) and carried unanimously that the Library of California Board direct its Chief Executive Officer to seek additional 2000/01 local assistance funding in the amount of \$3,127,000 to eliminate the documented shortfall for qualifying Direct Loans and Interlibrary Loans.

**CLSA Statewide Young Adult Services Program**

9. It was moved by the Access Services Committee (Purucker) and carried by a vote of 10 yes, 1 no (Spence) that the Library of California Board pursue legislative vehicles to obtain funding to implement the statewide Young Adult Services Program based on the program design that was previously adopted by the Board and presented with updated information at the August 1999 meeting.

**Special Services Program – Literacy**

10. It was moved by the Literacy Committee (Wang) and carried unanimously that the Library of California Board direct its Chief Executive Officer to seek additional year 2000/01 local assistance funding in the amount not to exceed \$700,000 for the for the CLSA Special Services - California Library Service Program.

**Special Services Program – Literacy**

11. It was moved by the Literacy Committee (Wang) and carried unanimously that the Library of California Board direct its Chief Executive Officer to seek additional year 2000/01 funding in the amount up to \$750,000, less the amount of a legislative augmentation, for the CLSA Special Services - Families For Literacy program.

**System Reference Program**

12. It was moved by the CLSA Transition Committee (Spence) and carried that the Library of California Board approve the System Population and Membership figures for use in the allocation of System Reference Program funds for the 1999/2000 fiscal year. (See Attachment A)

**System Advisory Board**

13. It was moved by the CLSA Transition Committee (Spence) and carried unanimously that the Library of California Board approve the use of 1999/2000 allocated SAB Program funds, where available within each approved SAB budget, and where requested, to reimburse one SAB member from each System for expenses incurred in attending the November 1999 Library of California Board meeting and the California Library Association conference to be held in Palm Springs.

Board Actions, August 12, 1999

**Recommended 1999/2000 Budget**

14. It was moved, seconded (Fong/Kallenberg) and carried unanimously that the State Board adopt the 1999/2000 CLSA Budget as displayed in the chart entitled "Recommended 1999/2000 CLSA Baseline Budget by Program" and that the aforementioned chart be included in the minutes of this meeting and that no other actions with respect to the 1999/2000 CLSA Local Assistance Budget be taken at this time. (See Attachment C)

**Recommended 2000/01 Budget**

15. It was moved, seconded (Steinhauser/Purucker) and carried unanimously that the State Board adopt the 2000/01 CLSA Budget as displayed in the chart entitled "Summary—2000/01 CLSA Baseline Budget Recommended by Program," amended as follows: that 1) Special Services: Young Adult Services Additional Funding Recommended line item be zero (Ø), that 2) a three asterisk (\*\*\*) footnote be inserted stating that at the August 12, 1999 Board Meeting the Board decided to pursue legislative alternatives for funding the Young Adult Services Program and remains committed to this program, and that 3) the total line for additional funding recommended be changed to \$4,577,000; and that the aforementioned chart, as amended, be included in the minutes of this meeting. (See Attachment D)

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## PLACENTIA LIBRARY DISTRICT BOARD OF TRUSTEES

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**TO:** Library Board of Trustees  
**FROM:** Elizabeth D. Minter, Library Director  
**SUBJECT:** Review Library Revenue Issues and continue the discussion of the feasibility of Library Parcel Tax ballot issue.  
**DATE:** September 15, 1999

**BACKGROUND:**

Library Revenue Issues

At its Meeting on April 15, 1997, the Board requested that an item for the discussion of Library Revenue Issues be included on each Agenda.

1. Property Tax

No activity to report.

2. State Funds

No activity to report.

3. Local Revenues

The coffee service is scheduled to begin by the end of September. This is scheduled to be a County Exempt activity.

Parcel Tax Election Considerations

Attachment A is a copy of the recommendations from the Measure W Campaign Committee in 1997 along with the brochure from a political campaign consulting firm.

**RECOMMENDATIONS:**

Give direction for future action

## TAX ELECTION CONSIDERATIONS

Should we schedule a tax election?

What are our options?

- Continue another a year to see if the legislature will provide some relief;
- Study whether to become a part of the county library system;
- Review the pros and cons of becoming a department of the City of Placentia;
- Consider a Joint Powers Agreement to become a branch of the Anaheim Library;
- Continue as we have in 1997 since we have not received many complaints about the reduced hours or the declining number of books on the shelves.
- Do an in depth survey of the community to determine whether to have another tax election or to join with Anaheim?

If we vote to go ahead with a tax election, when?

March 1998

June 1998

November 1998

March 1999

If we vote to schedule a tax election, the following are suggestions for timelines and ideas to maximize the effort for a VICTORY.!!

1. Each trustee suggest a person to serve on a Steering Committee.
2. The Steering Committee will meet several times during the first nine to twelve months prior to the scheduled election. The committee will study data from the last election and determine strategy for this election such as Voter Identification, the budget, the needed printed material, the number of mass mailings, the number of mailings to targeted voters, the chairmen needed for each task, etc.
3. Poll current library users about: 1. what they like most about the Placentia Library; 2. how often they have used the library in the past month; 3. if there were two things they could change in the Placentia Library, what they would be, etc. The surveys could be at the Circulation, Reference, etc. Desks. The information would form part of the basis of the print material and main message for voters.
4. 6 months before the election, the fund raising would start. The goal would be to have the greatest amount collected available three months prior to the election.
5. 5 months before the chairmen meet and discuss their tasks and how many volunteers needed for each task. Print material is prepared.

6. The campaign is "kicked off" three months before the election. Party atmosphere to inspire and inform the volunteers. A large calendar is available to explain the timeline of each activity.
7. Dates for two phone banks determined. Suggest these banks be set up and held in the Meeting Room. Two week-ends, four hours a day.
8. Signs, brochures, publicity are not the key elements to winning. Strategy and targeted voters are the answer. We must have 67% of those voting.
9. The PTA and the Teachers, etc. in the district have a vested interest in the success of the election and must be mobilized EARLY!

The "experts" say that "issue" elections are the hardest to win.

The "experts" say the best time for such an election is one that will probably have the lowest turn-out.

The "experts" say that our chance for a 67% support vote will come from targeting those people who support the library, who voted to support the last election, and those we can identify who will support it in this election, .....and to get these people to the polls on election day or when they will send their absentee ballots.

We also need to identify volunteers, at least 100, who will give two to four or more hours to helping the campaign.





Political Campaigns



Public Affairs

Governmental Relations



Crotty Consulting is an innovative political campaign, public affairs and governmental relations firm, established in 1990.

From the agency's office in San Diego, Crotty Consulting serves a variety of political, government, corporate and trade association clients throughout the western United States.

Crotty Consulting provides full-service account management and is particularly adept at creating realistic and budget-conscious strategic plans for candidates, government agencies, businesses and organizations. Our experience ranges from local, state and federal candidate and initiative campaigns to consensus building for major public works projects. We specialize in community outreach, issue advocacy, media relations and persuasive direct mail.

Crotty Consulting conceives thoroughly creative concepts to meet our client's specialized political, public affairs, issues management and communications needs.

Crotty Consulting is unparalleled in our ability to form coalitions and build grassroots support for issues, programs and projects. We excel at campaign strategy and execution.

The Crotty Consulting team includes research, public policy, government and political specialists, print and broadcast communication experts, award-winning writers and designers and planning, permitting and community relations professionals.



Crotty Consulting has conducted political and public affairs campaigns in several states and dozens of cities and counties throughout the western United States. These campaigns were characterized by an acute sensitivity to local needs and concerns. Our value is expressed primarily in the following skills:

*Strategic Planning.* Every Crotty Consulting campaign starts with an in-depth understanding of the client and the project as the basis of a strategic plan. A Crotty Consulting strategic plan includes a situation analysis, research, positioning, media analysis, internal and external communications, copy platform of features and benefits, special events, contact recommendations and budget. We define customer and project needs and motivations in order to place our clients in the most favorable position possible.

*Research.* Crotty Consulting knows how to get at the root of what people are thinking about an issue. We take intricate research results and turn them into cogent, targeted campaigns designed to influence and move constituencies to action. Our campaigns are marked by sensitivity to an audience's needs and desires, while delivering clear messages that meet our client's goals.

*Media and Community Relations.* Crotty Consulting specializes in complex, often controversial issues. Our extensive experience in politics, media, public awareness, governmental affairs and community outreach makes us uniquely qualified to meet our client's needs. We are experts at consensus planning and coalition building. At Crotty Consulting, we know how to shape and mobilize the public's opinion of an issue — a key factor in either completing or defeating it.

*Communications.* Crotty Consulting produces compelling communications programs that get noticed. We know how to translate complicated research results into messages and themes that are easily accessible and understandable. The agency develops precisely targeted campaigns that reach audiences in the most effective and cost-efficient manner possible. Our experience covers all medium, including print, broadcast, collateral, telemarketing and video.

*Advocacy.* Crotty Consulting is thoroughly grounded in the political terrain of California and the western United States, having worked at the federal, state and local levels of government, politics and campaigns for almost 20 years.

*Campaign Strategy.* Crotty Consulting was founded on the belief that successful campaigns require innovative thinking backed by plain, old hard work. Our campaigns are marked by their style, technical sophistication, ability to deliver highly targeted, persuasive messages to voters -- and by their success.



Christopher J. Crotty  
Principal

Chris Crotty has been involved in local, state and federal political campaigns and public affairs programs for almost twenty years. After writing for the San Francisco Examiner and working for the U.S. Environmental Protection Agency, Crotty earned his law degree from the University of San Diego.

Following law school, Crotty worked on Maureen O'Connor's 1986 San Diego Mayoral campaign, and then joined her staff as a senior policy aide. After several years in the Mayor's office, Crotty left municipal government to become Chief of Staff for California Assemblywoman Lucy Killea.

Since 1990, Crotty has worked exclusively as a political campaign, public affairs and government relations consultant for a wide variety of clients throughout the western United States.

He specializes in campaign strategy and management, government relations, media relations and advertising. Crotty has worked extensively with government, community and business leaders on a variety of issues, including transportation, land-use, public works and community development.

DRAFT

September \_\_, 1999

Ms. Elizabeth D. Minter, M.L.S.  
Placentia Library District of Orange County  
411 East Chapman Avenue  
Placentia, California 92870-6198

Re: **ABN AMRO Incorporated Lease-Purchase Agreement**

Dear Elizabeth:

In connection with our representation of the Placentia Library District related to the lease-purchase of energy conservation equipment by the District, this letter describes the services our firm will provide:

Scope of Services. We will act as special counsel to the District in connection with the lease-purchase of the equipment. These services will include the following:

- (1) Review of the Lease-Purchase Agreement and Escrow Agreement prepared by ABN AMRO Incorporated;
- (2) Preparation of resolutions, documents and certificates for the District necessary in connection with the lease-purchase of the equipment; and
- (3) Upon completion of the lease-purchase of the equipment, we will deliver our opinion to the effect that the Lease-Purchase Agreement and the Escrow Agreement are valid and binding obligations of the District.

Services Limited to Role as Special Counsel. The scope of our services shall be limited to services as special counsel to the District in connection with the lease-purchase of the equipment as described above. We do not provide general counsel services for library districts (such as employment law, labor relations, federal or state tax law or environmental law). In addition, it is our understanding that ABN AMRO Incorporated, will, if it so chooses, engage a firm to serve as special tax counsel to provide an opinion that the interest on the rental payments under the Lease-Purchase Agreement are excludable from gross income for federal income tax purposes.

Fees and Expenses. The fees for our services and disbursements will be \$\_\_\_\_\_.

Insurance. We are presently insured by Lawyers' Mutual Insurance Company for professional liability coverage and would be pleased to provide the District with additional information regarding our policy coverage should the District have an interest in this material.

Termination. The District has the right to terminate our representation of it at any time. We have the right to terminate our representation upon 15 days written notice to the District, subject to our

DRAFT

CONFIDENTIAL

MEMORANDUM FOR THE DIRECTOR, FBI  
SUBJECT: [Illegible]

Reference is made to the report of [Illegible]

Date: [Illegible]

The report of [Illegible] indicates that [Illegible] is a [Illegible] of [Illegible] and [Illegible] of [Illegible].

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Ms. Elizabeth Minter  
Placentia Library District of Orange County  
September \_\_\_\_, 1999  
Page 2

obligation to give reasonable notice to arrange alternative representation and otherwise to comply with the duties imposed upon attorneys by the Rules of Professional Conduct. Upon any such termination and our presentation of a final bill, all fees and disbursements previously incurred will be due.

Prior Representations. The foregoing representation of the District will focus primarily on matters relating to the lease-purchase of the equipment. We are not aware of any adverse representation among ourselves, the District and other parties to the lease-purchase of the equipment. Should a conflict arise, or where the appearance of a conflict should arise, it is appropriate for each party to consent to our proposed representation in the particular situation prior to additional work being performed.

It would be appreciated if you would confirm that such arrangement is agreed to by the District by arranging for an authorized representative of the District to sign a copy of this letter and returning it to me.

If there are any questions regarding the matters outlined in this letter, please do not hesitate to contact me.

Very truly yours,

George W. McFarlin

Consented To and Approved

PLACENTIA LIBRARY DISTRICT OF ORANGE COUNTY

By: \_\_\_\_\_  
Name:  
Title:

1.  $\frac{1}{2} \int_0^1 (2x^2 + 3x - 4) dx = \frac{1}{2} \left[ \frac{2}{3}x^3 + \frac{3}{2}x^2 - 4x \right]_0^1 = \frac{1}{2} \left( \frac{2}{3} + \frac{3}{2} - 4 \right) = \frac{1}{2} \left( \frac{4}{6} + \frac{9}{6} - \frac{24}{6} \right) = \frac{1}{2} \left( \frac{-11}{6} \right) = -\frac{11}{12}$

2.  $\int_0^1 (x^2 + 2x - 3) dx = \left[ \frac{1}{3}x^3 + x^2 - 3x \right]_0^1 = \left( \frac{1}{3} + 1 - 3 \right) - (0) = \frac{1}{3} + 1 - 3 = \frac{1}{3} - 2 = -\frac{5}{3}$

3.  $\int_0^1 (x^3 + 2x^2 - 5x + 7) dx = \left[ \frac{1}{4}x^4 + \frac{2}{3}x^3 - \frac{5}{2}x^2 + 7x \right]_0^1 = \left( \frac{1}{4} + \frac{2}{3} - \frac{5}{2} + 7 \right) - (0) = \frac{1}{4} + \frac{2}{3} - \frac{5}{2} + 7 = \frac{3}{12} + \frac{8}{12} - \frac{30}{12} + \frac{84}{12} = \frac{63}{12} = \frac{21}{4}$

4.  $\int_0^1 (x^2 + 3x - 2) dx = \left[ \frac{1}{3}x^3 + \frac{3}{2}x^2 - 2x \right]_0^1 = \left( \frac{1}{3} + \frac{3}{2} - 2 \right) - (0) = \frac{1}{3} + \frac{3}{2} - 2 = \frac{2}{6} + \frac{9}{6} - \frac{12}{6} = \frac{-1}{6}$

5.  $\int_0^1 (x^4 + 2x^3 - 3x^2 + 4x - 5) dx = \left[ \frac{1}{5}x^5 + \frac{1}{2}x^4 - x^3 + 2x^2 - 5x \right]_0^1 = \left( \frac{1}{5} + \frac{1}{2} - 1 + 2 - 5 \right) - (0) = \frac{1}{5} + \frac{1}{2} - 1 + 2 - 5 = \frac{2}{10} + \frac{5}{10} - \frac{10}{10} + \frac{20}{10} - \frac{50}{10} = \frac{-33}{10}$

$$\int_0^1 (x^2 + 3x - 4) dx$$

$$\int_0^1 (x^3 + 2x^2 - 5x + 7) dx$$

$$\int_0^1 (x^2 + 3x - 2) dx$$

$$\int_0^1 (x^4 + 2x^3 - 3x^2 + 4x - 5) dx$$



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**PLACENTIA LIBRARY DISTRICT BOARD OF TRUSTEES**

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**TO:** Library Board of Trustees

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

**SUBJECT:** Energy Conservation Project Financing Agreement and Authorization to Purchase Additional Lighting Fixtures

**DATE:** September 15, 1999

**BACKGROUND**

Financing Agreement

At its Regular Meeting on August 18, 1999 the Library Board approved the energy conservation project proposed by IEC, Inc. and authorized the Library Director to negotiate the financing contract with the assistance of legal counsel.

Placentia City Attorney Carol Tanenbaum recommended the legal services of George McFarlin. Mr. McFarlin prepared the same type of contract for the City of Placentia several years ago. Mr. McFarlin will be present at the meeting to discuss the financing contract and assist the Board with the adoption of the Resolutions.

McFarlin & Anderson have reviewed the proposed financing contract and have negotiated the required changes with ABN AMRO, Inc. The final contract documents will be available at the Board Meeting.

Attachment A is the legal opinion prepared by McFarlin & Anderson. This document is required as a part of the financing agreement. Mr. McFarlin and Mr. Anderson were thorough in their research while preparing this document and consulted with the staff at ABN AMRO, Inc, Nancy Rorabaugh at IEC, Neal Gruber at the Orange County Auditor Controller's Office, M. A. McHenry, CPA at Munson, Cronick & Associates, and the Library Director. As part of the legal opinion the Library Board needs to certify certain issues as presented on pages 6 and 7 of Attachment A.

Attachment B is Resolution 99-5 that defines the District's responsibilities in the financing agreement.

Attachment C is Resolution 99-6 approves the financing contract.



Additional Lighting Fixtures

Library Director Minter has requested that several additional lighting fixtures be added by the contractor completing the energy conservation project installation. These items are listed in Attachment D.

The cost of the recommended items is \$2,658 plus sales tax and shipping.

**RECOMMENDATION**

1. Authorize the Library Board President <sup>enr</sup> the Certificate in support of the legal opinion provided to ABN AMRO, Inc.
2. Motion to read Resolution 99-5 by title only
3. Motion to adopt Resolution 99-5
4. Motion to read Resolution 99-6 by title only
5. Motion to adopt Resolution 99-6
6. Approve purchase of additional lighting fixtures as identified in Attachment D at a cost of \$2,658 plus tax and shipping



September \_\_, 1999

ABN AMRO Incorporated  
Suite 400  
208 S. LaSalle Street  
Chicago, IL 60604  
Attention: Leasing and Financial Services

**Re: Equipment Schedule No. \_\_\_\_\_ dated as of \_\_\_\_\_ to the Master Lease-Purchase Agreement No. \_\_\_\_\_ dated as of \_\_\_\_\_ between ABN AMRO Incorporated and Placentia Library District**

Ladies and Gentlemen:

We have acted as special counsel to the Placentia Library District of Orange County, California (the "Lessee") in connection with the execution and delivery of Equipment Schedule No. \_\_\_\_\_ dated as of \_\_\_\_\_ to the Master Lease-Purchase Agreement No. \_\_\_\_\_ dated as of \_\_\_\_\_ (together, the "Agreement") between ABN AMRO Incorporated ("Lessor") and the Lessee. The Agreement and the Escrow Agreement (the "Escrow Agreement") for the Equipment Schedule No. \_\_\_\_\_ dated as of \_\_\_\_\_ to the Master Lease-Purchase Agreement No. \_\_\_\_\_ dated as of \_\_\_\_\_ have been entered into pursuant to and by the authority of the Chapter 9 of Part 11 of Division 1 of Title 1 (commencing with Section 19600) of the Education Code of the State of California (the "Act").

We advise you that we are not general counsel to the Lessee and do not represent the Lessee on a continuing basis. Rather, we have been engaged to advise the Lessee in connection with the Agreement and the Escrow Agreement.

In such connection, we have examined the record of the proceedings submitted to us relative to the execution of the Agreement and the Escrow Agreement, including the Agreement, the Escrow Agreement, certificates of the Lessee and others, and such other documents and matters to the extent we deemed necessary to render the opinions set forth herein.

For purposes of the opinion set forth in this letter, we have, with your consent, assumed that:

1. The Agreement and the Escrow Agreement have not been modified in any way by any oral agreement, written document or course of conduct; and
2. The Agreement and the Escrow Agreement conform to the final copies of the Agreement and the Escrow Agreement submitted to us for our review, and the appropriate exhibits have been attached to the Agreement and the Escrow Agreement and all blanks have been completed as appropriate.

For purposes of this opinion, we have also assumed, with your consent, that: (a) all public

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records and certificates, documents and other proceedings examined by us that have been executed or certificated by public officials and corporate officers acting within the scope of their official capacities are accurate and we have not verified the accuracy or truthfulness thereof; (b) the execution and delivery and performance of the Agreement and the Escrow Agreement has been duly authorized by all requisite action on the part of the parties thereto, other than the Lessee, and the Agreement and the Escrow Agreement have been validly executed and delivered by each such entity (other than the Lessee), (c) the individuals executing the Agreement and the Escrow Agreement have been duly authorized by all requisite action on the part of each such entity (with the exception of the Lessee) to do so; (d) execution and delivery of the Agreement and the Escrow Agreement by the parties thereto (other than the Lessee), and the performance by such parties (other than the Lessee) of their respective obligations under the Agreement and the Escrow Agreement, will not conflict with, violate or constitute a default under: (i) any lease, indenture, instrument or other agreement to which any such entity (other than the Lessee) is a party or to which its property is subject; (ii) any rule, law or regulation of any jurisdiction other than the State of California (the "State") to which it is subject; or (iii) any order, judgment, decree, determination or award of any court or governmental authority to which it is subject; and (e) that the Agreement and the Escrow Agreement constitute the legal, valid and binding obligation of the parties thereto other than the Lessee, enforceable against the other parties thereto in accordance with its terms.

In rendering the opinions expressed in this letter, we have made no independent review of the contractual arrangements or other business affairs of the Lessee or the Lessor. With your permission, we have not investigated or reviewed any records of the Lessee or the Lessor except as otherwise expressly noted above, nor have we conducted or ordered a search of any governmental, administrative or court records or dockets relating to the Lessee or the Lessor.

We have interviewed officers and employees of the Lessee concerning the accuracy and completeness of, but otherwise have not made any investigation of, the representations and warranties set forth in the Agreement or the Escrow Agreement, and, unless otherwise expressly set forth in this letter, we express no opinion as to the accuracy or completeness of such representations. With respect to the accuracy of material factual matters which were not independently established, we have relied, to the extent we deem such reliance reasonable, upon discussions with the officers and agents of the Lessee, upon certificates of officers of the Lessee and upon the certificates of public officials obtained in connection with the matters covered by the opinions herein and have relied upon their responses and certificates without further inquiry.

We understand that you may obtain an opinion of a law firm as to the exclusion of the interest component of Rental Payments from gross income for federal and state income tax purposes. Accordingly, we express no opinion thereon. We express no opinion as to the laws, regulations and other provisions related to securities or income taxes.

Whenever a statement concerning factual matters herein is qualified by the phrase "to our knowledge," it is intended to indicate that, during the course of our representation of the Lessee in connection with this opinion letter, no information that would give us current actual knowledge of the inaccuracy of such factual statement has come to the attention of the attorneys in our firm who have been involved with our representation of the Lessee. Other than our review of the documents listed above, we have not undertaken any factual investigation, and any limited inquiry undertaken by us during the preparation of this opinion letter should not be regarded as such an investigation. No inference concerning our knowledge of any factual matters bearing on the accuracy of any such factual statement should be drawn from our limited representation of the Lessee.

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We made such examination of California law and the laws of the United States of America as we deem relevant for the purposes of this opinion. We undertake no obligation to advise you of any change in such laws after the date hereof. We did not consider the effect, if any, of the laws of any other jurisdiction upon the matters covered by this opinion. Our engagement with respect to the Agreement has concluded with its execution and we disclaim any obligation to update this letter.

Based on the foregoing, and subject to the qualifications and exceptions herein contained, we are of the following opinions:

1. Lessee is a library district, duly organized and legally existing as a political subdivision under the Constitution and laws of the State of California with full power and authority to enter into the Agreement and the Escrow Agreement.
2. The Agreement and the Escrow Agreement have been duly authorized, executed and delivered by, Lessee, and, assuming due authorization, execution and delivery thereof by Lessor, constitute the legal, valid and binding obligations of Lessee, enforceable against Lessee in accordance with their respective terms.
3. The Lessee has complied with any applicable public bidding requirements in connection with the Agreement, the Escrow Agreement and the transactions contemplated thereby.
4. Based solely on the certifications of the Lessee, no litigation or proceeding is pending or, to the best of our knowledge, threatened to restrain or enjoin the execution, delivery or performance by Lessee of the Agreement or the Escrow Agreement or in any way to contest the validity of the Agreement or the Escrow Agreement, to contest or question the creation or existence of Lessee or its governing body or the authority or ability of Lessee to execute or deliver the Agreement or the Escrow Agreement or to comply with or perform its obligations thereunder. Based solely on the certifications of the Lessee, there is no litigation pending or, to the best of our knowledge, threatened seeking to restrain or enjoin Lessee from annually appropriating sufficient funds to pay the related Rental Payments or other amounts contemplated by the Agreement.
5. The resolution adopted by Lessee's governing body authorizing the execution and delivery of the Agreement, the Escrow Agreement and certain other matters was adopted at a meeting that was held in compliance with all applicable laws relating to the holding of open and public meetings.
6. Based solely on the certifications of the Lessee, the entering into and performance of the Agreement and the Escrow Agreement do not violate any judgment, order, law or regulation applicable to Lessee or result in any breach of, or constitute a default under, or result in the creation of any lien, charge, security interest or other encumbrance upon any assets of Lessee or on the Equipment (as defined in the Agreement) or the Escrow Agreement (as defined in the Escrow Agreement) pursuant to any indenture, mortgage, deed of trust, bank loan or credit agreement or other instrument to which Lessee is a party or by which it or its assets may be bound, except as provided in the Agreement and the Escrow Agreement.
7. Lessee has properly designated the Agreement as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

With respect to the opinions set forth above, you should also be aware that the enforceability of the Agreement and the Escrow Agreement may be limited by or subject to the following

## McFarlin & Anderson

provisions of law:

- (i) Our opinions are specifically subject to and limited by (a) the effect of bankruptcy, insolvency, reorganization, arrangement, moratorium, fraudulent transfer, equitable subordination or other laws or court decisions now or hereafter in effect relating to or affecting the rights or remedies of creditors; (b) the effect of general principles of equity, whether enforcement is considered in a proceeding in equity or at law, and the discretion of the court before which any proceeding therefor may be brought; (c) the unenforceability under certain circumstances under law or court decisions of provisions providing for the indemnification of or contribution to a party with respect to a liability where such indemnification or contribution is contrary to public policy; (d) the unenforceability of any provision requiring the payment of attorney's fees, except to the extent that a court determines such fees to be reasonable; and (e) we express no opinion concerning the enforceability of provisions imposing penalties, forfeitures, late payment charges or an increase in interest rate upon delinquency in payment or the occurrence of a default. No opinion is expressed as to any contribution, choice of law, choice of forum, waiver or indemnification provisions contained in the Agreement or the Escrow Agreement.
- (ii) Certain remedies, waivers and other provisions of the Agreement or the Escrow Agreement may not be enforceable; nevertheless, subject to the limitations expressed elsewhere in this opinion or incorporated by reference into this opinion, upon a material default by the Lessee in the payment of the Rental Payments (as defined in the Agreement) or in the payment of the Lessee's obligations under the Agreement or the Escrow Agreement or upon a material default by the Lessee in the performance of any other material covenant of the Agreement or the Escrow Agreement, such unenforceability will not preclude the acceleration of the obligation of the Lessee to repay such Rental Payments or the Lessee's obligations under the Agreement or the Escrow Agreement, respectively.

We express no opinion as to the enforceability of provisions in any of the documents mentioned herein related to the disposition of insurance proceeds or condemnation proceeds or which enlarge a lender's rights after default beyond those granted by law.

We express no opinion as to the enforceability of provisions in any of the documents mentioned herein which seek to indemnify any parties for their own negligence, gross negligence or wilful misconduct.

Without limiting the other exceptions set forth herein, our opinion is limited to reflect the fact, as set forth in Page 30 of the Business Law Section of the State Bar of California's 1990 Report of the Committee on Borrowers Regarding Legal Opinions in Business Transactions, that an enforceability or remedies opinion means only that some remedy is available under the agreement in question and not necessarily every provision in the agreement will be enforceable by a court in all circumstances.

We have not rendered insurance advice to the Lessee with respect to any types or classifications of coverage, including general liability coverage, and we do not represent by this opinion or otherwise that we have reviewed or made any assessment about, nor do we express any opinion about the types or amount of coverage, or the ability of any insurer or any self-insurance program or organization to meet its obligations pursuant to any policy or agreement with the Lessee or of the adequacy of the funding or reserves thereof.



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We have not rendered financial advice to the Lessee and do not represent by this opinion, or otherwise, that we have reviewed or made any assessment about, nor do we offer any opinion about, the financial condition of the Lessee, past, present or future.

We express no opinion as to the ownership of any real or personal property of the Lessee. We have not made or undertaken to make any investigation as to the state or quality of title to the Equipment or the Leased Premises, and we express no opinion with respect thereto. We have made no independent evaluation of property ownership. We express no opinion upon the plans, specifications, and other engineering details of the proceedings.

We express no opinion regarding any provisions in the documents mentioned herein regarding the enforceability of any security interest or the perfection thereof in collateral.

The opinion expressed herein is based on facts, laws, regulations and case law in effect as of the date hereof, and we assume no obligation to revise or supplement this letter should such facts, laws, regulations and case law be changed in any respect. We cannot give any opinion or assurance about future activities of the Lessee, or about the effect of future changes in the Code, the applicable regulations, the interpretation thereof or the resulting changes in enforcement thereof by the Internal Revenue Service.

The foregoing represent our interpretation of applicable law to the facts as described herein. We bring to your attention that our legal opinion and conclusions are an expression of professional judgment and are not a guarantee of result.

This opinion is furnished by us as special counsel to the Lessee and, may be relied upon by Lessor and its purchasers and assignees pursuant to the Agreement and may be relied upon by special tax counsel if one is retained to render an opinion as to the exemption from federal income taxation of the interest component of payments to be made by Lessee pursuant to the Agreement. This letter shall not be used, quoted, disseminated, circulated or relied upon by any other person or entity for any purpose without our prior written consent.

Sincerely,

McFARLIN & ANDERSON

## McFarlin & Anderson

### CERTIFICATE OF THE PLACENTIA LIBRARY DISTRICT OF ORANGE COUNTY

The undersigned, on behalf of the Placentia Library District of Orange County (the "Lessee") in connection with the Equipment Schedule No. \_\_\_\_\_ dated as of \_\_\_\_\_ to the Master Lease-Purchase Agreement No. \_\_\_\_\_ dated as of \_\_\_\_\_ (together, the "Agreement") between ABN AMRO Incorporated ("Lessor") and the Lessee and in support of the opinion of McFarlin & Anderson, does hereby certify as follows:

1. Capitalized terms used in this Certificate and not otherwise defined shall have the meanings ascribed to them in the Opinion.
2. Lessee is a library district, duly organized and legally existing as a political subdivision under the Constitution and laws of the State of California with full power and authority to enter into the Agreement and the Escrow Agreement.
3. The Agreement and the Escrow Agreement have been duly authorized, executed and delivered by, Lessee, and, assuming due authorization, execution and delivery thereof by Lessor, constitute the legal, valid and binding obligations of Lessee, enforceable against Lessee in accordance with their respective terms.
4. The Lessee has complied with any applicable public bidding requirements in connection with the Agreement, the Escrow Agreement and the transactions contemplated thereby.
5. No litigation or proceeding is pending or, threatened to restrain or enjoin the execution, delivery or performance by Lessee of the Agreement or the Escrow Agreement or in any way to contest the validity of the Agreement or the Escrow Agreement, to contest or question the creation or existence of Lessee or its governing body or the authority or ability of Lessee to execute or deliver the Agreement or the Escrow Agreement or to comply with or perform its obligations thereunder. There is no litigation pending or, threatened seeking to restrain or enjoin Lessee from annually appropriating sufficient funds to pay the related Rental Payments or other amounts contemplated by the Agreement.
6. The resolution adopted by Lessee's governing body authorizing the execution and delivery of the Agreement, the Escrow Agreement and certain other matters was adopted at a meeting that was held in compliance with all applicable laws relating to the holding of open and public meetings.
7. The entering into and performance of the Agreement and the Escrow Agreement do not violate any judgment, order, law or regulation applicable to Lessee or result in any breach of, or constitute a default under, or result in the creation of any lien, charge, security interest or other encumbrance upon any assets of Lessee or on the Equipment (as defined in the Agreement) or the Escrow Agreement (as defined in the Escrow Agreement) pursuant to any indenture, mortgage, deed of trust, bank loan or credit agreement or other instrument to which Lessee is a party or by which it or its assets may be bound, except as provided in the Agreement and the Escrow Agreement.
8. Lessee has properly designated the Agreement as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

The foregoing certification are made as representation of fact only, and are not meant to constitute legal conclusions. As representations of fact, the foregoing statements are intended to be relied upon by McFarlin & Anderson.

September \_\_, 1999

PLACENTIA LIBRARY DISTRICT OF ORANGE  
COUNTY

By: \_\_\_\_\_  
Name: Al Shkoler  
Title: President, Board of Trustees of the Placentia  
Library District of Orange County



**RESOLUTION NO. 99-5**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
PLACENTIA LIBRARY DISTRICT OF ORANGE COUNTY  
DECLARING ITS OFFICIAL INTENT OF REIMBURSEMENT  
OF CAPITAL EXPENDITURES**

**WHEREAS**, the Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the "Regulations") dealing with the issuance of obligations, all or a portion of the proceeds of which are to be used to reimburse the Placentia Library District of Orange County (the "District") for project expenditures made by the District prior to the date of issuance of the obligations; and

**WHEREAS**, the Regulations generally require that the District make a declaration of its official intent to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued borrowing, that the borrowing occur and the reimbursement allocation be made from the proceeds of such borrowing within 18 months of the payment of the expenditure or, if longer, within 18 months of the date the project is placed in service or abandoned, but in no event more than three years after the expenditure is paid, and that the expenditure be a capital expenditure; and

**WHEREAS**, the Board of Trustees of the District (the "Board of Trustees") has determined that it is necessary and in the best interests of the District to acquire that certain equipment described on Schedule A hereto (the "Equipment"). It is expected that the projected cost of the Equipment will not exceed \$325,000.00. The District intends to finance all or a portion of such cost through the entering into of a lease-purchase agreement (the "Lease") the interest on which is intended to be excludable from the gross income of the recipient for federal income tax purposes. The District expects to make expenditures for costs relating to the Equipment after the date of this Resolution (or has made such expenditure no longer than 60 days prior to the date of this Resolution) and prior to the entering into of such Lease.

**NOW, THEREFORE**, be it resolved by the Board of Trustees as follows:

**SECTION 1.** The District proposes to undertake the acquisition of the Equipment.

**SECTION 2.** This Resolution is solely for purposes of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations. This Resolution is not intended to bind the District to make any expenditures, incur any indebtedness or proceed with the project.

**SECTION 3.** The District reasonably expects to reimburse the expenditures made for costs of the Equipment out of the proceeds of a Lease to be incurred by the District in a maximum principal amount of \$325,000.00 after the date of payment of all or a portion of such costs. All reimbursed expenditures shall be capitalized expenditures as defined in Section 1.150-1(b) of the Regulations.

**SECTION 4.** The District's financial officer shall be responsible for making a written reimbursement allocation described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Lease to reimburse the source of temporary financing used by the District to make payment of the prior costs of the Equipment. Each allocation shall be evidenced by an entry on the official books and records of the District maintained for the Lease, shall specifically identify the actual prior expenditure being reimbursed or, in the case of reimbursement of a fund or account in accordance with Section 1.150-2, the fund or account from which the expenditure was paid. Such allocation shall be

made within 30 days of the issuance of the Lease.

**SECTION 4.** This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this \_\_\_ day of \_\_\_\_\_, 1999.

PLACENTIA LIBRARY DISTRICT OF ORANGE  
COUNTY

By \_\_\_\_\_  
Al Shkoler, President

Attest:

\_\_\_\_\_  
Robin J. Masters, Secretary

I, Robin J. Masters, Secretary of the Board of Trustees of the Placentia Library District of Orange County hereby certify that the above and foregoing resolution was duly and regularly adopted by the Board of Trustees at a Regular Meeting held on \_\_\_\_\_, 1999 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and seal this \_\_\_\_\_ date of \_\_\_\_\_, 1999.

---

Robin J. Masters, Secretary  
Board of Trustees of the Placentia Library District  
of Orange County

**SCHEDULE A**  
**EQUIPMENT LIST**



**RESOLUTION NO. 99-6**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
PLACENTIA LIBRARY DISTRICT OF ORANGE COUNTY  
APPROVING THE FORM OF AND AUTHORIZING THE  
LEASE-PURCHASE OF CERTAIN EQUIPMENT AND THE  
EXECUTION AND DELIVERY OF A MASTER LEASE-  
PURCHASE AGREEMENT, INCLUDING AN EQUIPMENT  
SCHEDULE ATTACHED THERETO AND AN ESCROW  
AGREEMENT AND APPROVING CERTAIN ACTIONS IN  
CONNECTION THEREWITH**

**WHEREAS**, the Placentia Library District of Orange County (the "District") was formed and is operating under Chapter 9 of Part 11 of Division 1 of Title 1 of the Education Code of the State of California (the "Act"); and

**WHEREAS**, the District desires to lease-purchase certain lighting, heating and air conditioning equipment (the "Equipment") in order to implement an energy conservation program; and

**WHEREAS**, in order to facilitate the financing of the Equipment, it is proposed that the District enter into (i) a Master Lease-Purchase Agreement by and between the District and ABN AMRO Incorporated (the "Lessor"), (ii) an Equipment Schedule by and between the District and the Lessor describing the Equipment and rental payments (collectively with the Master Lease-Purchase Agreement, the "Agreement"), and (iii) an Escrow Agreement (the "Escrow Agreement") by and between the District and ABN AMRO Incorporated, as escrow agent, establishing an escrow fund to be held by the escrow agent to be used to pay the costs to acquire the Equipment to be leased pursuant to the Agreement; and

**WHEREAS**, funds for the Rental Payments (as defined in the Agreement) are projected to be available from operating funds that otherwise would have been used for purchase of electrical or other energy required by the District in the absence of the energy conservation program; and

**WHEREAS**, under the Agreement, the District will be obligated to make payments to the Lessor or its assigns from any income, revenue, cash receipts, or other moneys of the District lawfully available therefore; and

**WHEREAS**, on August 18, 1999, the Board of Trustees held a public hearing to consider the proposed energy conservation program for the District and all interested persons were invited to attend the hearing and express opinions with respect thereto; and

**WHEREAS**, two weeks public notice of the public hearing was provided by posting notice of the hearing at the Administrative Offices of the District located at 411 S. Chapman Avenue, Placentia California and by publication of a notice of public hearing in the Placentia News-Times; and

**WHEREAS**, following the public hearing on August 18, 1999, the Board of Trustees approved the energy conservation program; and

**WHEREAS**, the District has full legal right, power and authority under the Constitution and laws of the State of California to enter into the transactions herein authorized; and

**WHEREAS**, the Board of Trustees of the District (the "Board of Trustees") has been presented with forms of the Agreement and the Escrow Agreement and the Board of Trustees has examined and approved the Agreement and the Escrow Agreement and desires to authorize and direct the execution of the Agreement and the Escrow Agreement; and

**WHEREAS**, pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), under certain circumstances, certain obligations the interest on which is excludable from gross income for federal income tax purposes under Section 103 of the Code may be designated by the issuer thereof as "qualified tax-exempt obligations," thereby allowing certain financial institutions that are holders of such qualified tax-exempt obligations to deduct for federal income tax purposes a portion of such institution's interest expense that is allocable to such qualified tax-exempt obligations, all as determined in accordance with Sections 265 and 291 of the Code and the District desires to designate the Agreement and the Rental Payments thereunder as "qualified tax-exempt obligations" within the meaning of Section 265 of the Code; and

**WHEREAS**, the District hereby represents that:

- (1) the Agreement authorized by this Resolution and the Rental Payments payable thereunder are not private activity bonds within the meaning of Section 141 of the Code;
- (2) The net proceeds of the Agreement are to be used for local governmental activities of the District;
- (3) neither the District, nor any subordinate entities thereof, has heretofore issued any obligations in calendar year 1999 the interest on which is excludable from gross income for federal income tax purposes under Section 103 of the Code;
- (4) the District reasonably anticipates that it, together with its subordinate entities, will issue during the remainder of calendar year 1999 obligations the interest on which is excludable from gross income for federal income tax purposes under Section 103 of the Code which, when aggregated with the Agreement and the Rental Payments thereunder and all obligations described in Paragraph (3) above, will not exceed an aggregate principal amount of \$5,000,000.

**NOW, THEREFORE**, be it resolved by the Board of Trustees of the Placentia Library District of Orange County as follows:

**SECTION 1.** The Board of Trustees hereby finds and determines that it is in the public interest, convenience and welfare and for the common benefit of the inhabitants of the District that the District facilitate the lease-purchase and financing of the Equipment by authorizing the execution and delivery of the Agreement and the Escrow Agreement. The Board of Trustees hereby finds and determines that there are significant public benefits to the inhabitants of the District from the Agreement and the Escrow Agreement as authorized by this Resolution. The Board of Trustees finds that funds for the Rental Payments and Additional Payments under the Agreement are projected to be available from funding that otherwise would have been used for purchase of electrical or other energy required by the District in the absence of the energy conservation program.

**SECTION 2.** The lease-purchase of the Equipment on the terms and conditions specified herein and in the Agreement and the Escrow Agreement is hereby approved; provided however, that the aggregate principal amount of the rental payments shall not exceed \$325,000.00. The Rental Payments shall be payable during a period of not more than 15 years and the interest payable thereon shall be determined in accordance with the terms of this Agreement and shall not exceed a rate equal to 5.7% per annum.

**SECTION 3.** The form and content of the Agreement (a copy of which is on file with the Secretary) submitted to this meeting and incorporated herein as though set forth in full herein is hereby approved and the President, the Vice President and the Secretary, and each of them, each acting individually, are hereby authorized and directed to execute and deliver for and in the name and on behalf of the District, the Agreement in substantially the form submitted to this meeting, with such additions and changes therein as the officers executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof with such additions or changes; provided, however, that such changes, insertions and omissions shall not result in a principal amount in excess of \$325,000.00, an interest rate in excess of 5.7% per annum or a final maturity date in excess of 15 years. The Rental Payments shall be dated, shall be payable on the dates, shall be subject to prepayment, without premium or penalty, and shall be as otherwise provided in the Agreement as the same shall be completed as provided in this Resolution.

**SECTION 4.** The form and content of the Escrow Agreement (a copy of which is on file with the Secretary) submitted to this meeting and incorporated herein as though set forth in full herein is hereby approved and the President, the Vice President and the Secretary, and each of them, each acting individually, are hereby authorized and directed to execute and deliver for and in the name and on behalf of the District, the Escrow Agreement in substantially the form submitted to this meeting, with such additions and changes therein as the officers executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof with such additions or changes.

**SECTION 5.** The obligations under the Agreement, including the Rental Payments, shall be payable from operating funds that otherwise would have been used for purchase of electrical or other energy required by the District in the absence of the energy conservation program.

**SECTION 6.** The moneys for the purchase of the Equipment will be deposited with the Escrow Agent. Any combination of three (3) Trustees and/or the Library Director are authorized to approve payment request forms under the Escrow Agreement and the President, the Vice President and the Library Director, and each of them, each acting individually, are authorized to approve the investment of funds held in the Escrow Fund pending disbursement in accordance with the Escrow Agreement.

**SECTION 7.** The District hereby designates the Agreement and the Rental Payments thereunder as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.

**SECTION 8.** Appropriate officials of the District are hereby authorized and directed to take such other actions as may be necessary to designate the Agreement and the Rental Payments thereunder as "qualified tax-exempt obligations," including, if either deemed necessary or appropriate, placing a legend to such effect on the Agreement in such form as is either deemed necessary or appropriate.

**SECTION 9.** All actions heretofore taken by any officer or employee of the District with respect to the energy conservation program and the execution and delivery of the Agreement and the

Escrow Agreement, or in connection with or related to any of the agreements referenced herein or the lease-purchase of the Equipment are hereby approved, confirmed and ratified.

**SECTION 10.** The President, Vice President, the Library Director of the District, and the Secretary and any other officers of the District are, and each of them acting alone is, hereby authorized and directed, for and in the name and on behalf of the District to do any and all things and take any and all actions and execute and deliver any and all certificates, agreements and other documents, which they, or any of them may deem necessary or advisable in order to consummate the lawful execution and delivery of the Agreement and the Escrow Agreement in accordance with this Resolution.

**SECTION 11.** No Trustee, officer or employee of the District shall be responsible, directly or indirectly, for the Agreement or the Rental Payments or any obligation, debt or liability relating to the Agreement or the Rental Payments.

**SECTION 12.** This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this \_\_\_ day of \_\_\_\_\_, 1999.

PLACENTIA LIBRARY DISTRICT OF ORANGE  
COUNTY

By \_\_\_\_\_  
Al Shkoler, President

Attest:

\_\_\_\_\_  
Robin J. Masters, Secretary

I, Robin J. Masters, Secretary of the Board of Trustees of the Placentia Library District of Orange County hereby certify that the above and foregoing resolution was duly and regularly adopted by the Board of Trustees at a Regular Meeting held on \_\_\_\_\_, 1999 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and seal this \_\_\_\_\_ date of \_\_\_\_\_, 1999.

---

Robin J. Masters, Secretary  
Board of Trustees of the Placentia Library District  
of Orange County

## SCHEDULE OF DOCUMENTS

Documents incorporated by reference to materials filed with the Secretary:

- (1) Lease-Purchase Agreement
- (2) Equipment Schedule
- (3) Escrow Agreement





ECONOMIC  
LIGHTING  
TECHNOLOGY, INC.

September 7, 1999

Elizabeth Minter  
Library Director  
Placentia Library District  
411 East Chapman Avenue  
Placentia, CA 92870-6198

Re: Quotes for lighting additions

Dear Elizabeth,

I have developed the following quotes in response to your requests. They are separated into individual areas for ease of evaluation.

1. Children's Library, back corner

Replace existing incandescent fixture with surface mount fixture.

Replace with 1x4 wrap \$ 169.00

Replace with 2x4 box \$ 213.00

2. Story Area in Children's Library

Replace existing incandescent fixture with 2 surface mount fixtures, dimming.

Replace with 1x4 wraps \$ 564.00

Replace with 2x4 boxes \$ 663.00

3. Front Hall, over book sales.

Remove 2 existing downlight fixtures and replace with 2 eight foot fluorescent wraps, delete installation of downlight retrofit units.

Replace with 1x8 wraps, \$ 393.00

Credit for deleted units \$ 375.00

Net cost for this option \$ 18.00

4. Front Hall, High Fixtures.

Replace existing downlighting with 6 eight foot surface fixtures and 2 four foot surface fixtures, delete installation of downlight retrofit units.

Replace with 1x4 and 1x8 wraps \$ 1,320.00

Replace with 2x4 boxes with K23 lenses \$ 1,980.00

Credit for deleted units \$ 630.00

Net cost for this option \$ 690.00 or \$ 1,350.00

Not Proposed

5. Raised Skylights, in rear area.

Install 4 new eight foot surface mount fixtures around perimeter of skylights to raise light levels in this area.

Provide and install 4 eight foot wraps \$ 825.00

Provide and install 8 2x4 boxes \$ 1,052.00



6. Rear Areas, over video files.

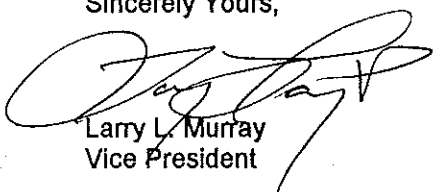
Install 4 additional surface mount fixtures to light these stacks.

Provide and install 4 1x4 wraps           \$ 587.00

Provide and install 4 2x4 boxes           \$ 794.00

Maximum cost is \$ 4,090.00 if all of the highest cost replacements are selected, lead time is approximately 3 weeks for surface boxes, wraps are in stock, prices do not include any permit fees or engineering /application costs. Thank you for allowing us to quote these improvements.

Sincerely Yours,



Larry L. Murray  
Vice President



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**PLACENTIA LIBRARY DISTRICT BOARD OF TRUSTEES**

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**TO:** Library Board of Trustees  
**FROM:** Elizabeth D. Minter, Library Director *Edm*  
**SUBJECT:** Evaluation of Library Director  
**DATE:** September 15, 1999

**BACKGROUND:**

The Library Board held Closed Sessions to discuss the evaluation of the Library Director at its June 16, 1999, July 21, 1999 and August 18, 1999 Board Meetings.

Following its Closed Session on August 18, 1999 the Board requested that the evaluation process and salary for the Library Director be placed on the September 15, 1999 Agenda.

**RECOMMENDATION:**

Complete the evaluation process and make a salary recommendation for the Library Director.



Placentia Library District  
 September 1999 Salary Survey  
 September 15, 1999

Libraries in Orange County	Years in Position	Director's Salary	Car Allowance	Medical Benefits	Life Insurance	Vacation
• Anaheim City	2	89,380	0	Full family	25,000	?
• Buena Park District	1	85,300	0	100% indiv Family co-pay	100,000	15
Fullerton City		FY97-98 90,000				
Huntington Beach City		FY97-98 91,764				
• Mission Viejo City	2	91,680	231	Cafeteria \$565/mo	150,000	26 incl. Sick
Newport Beach		FY97-98 102,888				
Orange County		FY97-98 139,860				
Orange City		FY97-98 106,176				
* Placentia District	9	81,926	0	100% indiv Family co-pay	15,000	20
Santa Ana City		FY97-98 104,448				
* Yorba Linda City	15	93,984	150	Full Family	94,000	20



Library District 500 Order

Placentia Library District  
 Summary of State Library FY 1997-98  
 May-99



Libraries in Orange County	Library Dir.	Salary	Svc. Mgr.	Salary	Librarian I	Salary	Lib. Asst.	Salary	Clerk	FTE
Orange County	139,860		75,420	45,744	31,404	26,148	289.50			
Orange City	106,176		74,520	41,988	34,224	26,808	35.36			
Santa Ana City	104,448		62,712	45,180	35,400	29,412	61.25			
Newport Beach	102,888		62,100	47,772	40,608	31,644	64.89			
Huntington Beach City	91,764		69,732	42,576	35,352	32,196	52.50			
Buena Park District	91,380		65,808	40,164	*	25,128	22.00			
Yorba Linda City	91,260		67,668	41,352	36,120	26,928	26.50			
Fullerton City	90,000		61,188	43,056	32,172	27,900	43.60			
Anaheim City	85,980		72,108	39,972	31,992	23,688	113.00			
Placentia District	77,220		62,928	39,420	33,336	24,804	13.50			
Mission Viejo City	67,356		50,436	43,644	35,676	29,220	21.50			



Similar Size & Districts	Library Dir.	Salary	Svc. Mgr.	Salary	Librarian I	Salary	Lib. Asst.	Salary	Clerk	FTE
Palos Verdes District	*		59,040	39,936	27,888	25,092	34.70			
Whittier City	83,376		59,100	41,988	*	27,372	44.76			
Cerritos City	79,308		58,968	49,560	38,820	36,288	38.50			
Placentia District	77,220		62,928	39,420	33,336	24,804	13.50			
Downey City	73,032		46,920	39,960	29,688	26,688	28.20			
Alla Dona District	57,744		52,392	39,120	29,064	27,000	20.60			





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**PLACENTIA LIBRARY DISTRICT BOARD OF TRUSTEES**

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**TO:** Library Board of Trustees  
**FROM:** Elizabeth D. Minter, Library Director *EDM*  
**SUBJECT:** Re-Scheduling Strategic Planning Worksessions  
**DATE:** September 15, 1999

**BACKGROUND**

The Strategic Planning Worksessions scheduled for August were canceled because of the illness of one of the participants.

**RECOMMENDATION**

Select dates for Strategic Planning Worksessions

*Set Jan 18*

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**PLACENTIA LIBRARY DISTRICT BOARD OF TRUSTEES**

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**TO:** Library Board of Trustees

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

**SUBJECT:** Travel/training authorization for California Special Districts Association Annual Conference, the National Association of Fund Raising Executives Fund Raising Day, and the National Conference on Planned Giving Annual Conference

**DATE:** September 15, 1999

**BACKGROUND**

1. The California Special Districts Association (CSDA) Annual Conference will be held in San Diego, September 22 – 24, 1999. It is recommended that Library Director Minter attend on September 22 and 23. The Registration was paid at the discounted early rate.

Registration	\$275.00
Local Transportation	80.00
<u>Hotel</u>	<u>131.50</u>
<b>TOTAL</b>	<b>\$486.50</b>

2. The National Society of Fund Raising Executives (NSFRE) Fund Raising Day will be held in Pasadena on September 28, 1999. It is recommended that Trustee Wood and Library Director Minter attend.

Registration	\$ 415.00
Parking	10.00
<u>Local Transportation</u>	<u>26.00</u>
<b>TOTAL</b>	<b>\$ 451.00</b>



3. The National Committee on Planned Giving Conference will be held in Anaheim on October 13-16, 1999. It is recommended that Library Director Minter attend.

Registration (including meals)	\$ 550.00
Parking	50.00
<u>Local Transportation</u>	<u>35.00</u>
TOTAL	\$ 635.00

**RECOMMENDATION**

*Director  
Minter / Lab*

1. Authorize Library Director Minter to attend the California Special Districts Association (CSDA) Annual Conference in San Diego, September 22 and 23, 1999, at a cost not to exceed \$486.50 to be paid from Fund 707; and

*No  
second*

*Lab / Director*

2. Authorize Trustee Wood and Library Director Minter to attend the National Society of Fund Raising Executives (NSFRE) Fund Raising Day in Pasadena, September 28, 1999, at a cost not to exceed \$451.00 with the registration to be paid from the SLS Staff Development Account, and the parking and local transportation to be paid from Fund 707; and

*No  
second*

*Re: 880 / Lab*

3. Authorize Library Director Minter to attend the National Committee on Planned Giving Conference in Anaheim, October 13-16, 1999, at a cost not to exceed \$635.00 with the registration to be paid from the SLS Staff Development Account, and the parking and local transportation to be paid from Fund 707.

*NO  
second*



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**PLACENTIA LIBRARY DISTRICT BOARD OF TRUSTEES**

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**TO:** Library Board of Trustees

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

**SUBJECT:** Furniture Upholstery Authorization, Furniture Purchase, and Excess Property Declaration

**DATE:** September 15, 1999

**BACKGROUND**

Trustee Wood and Library Director Minter prepared a survey of the District's upholstered furniture. The Survey is Attachment A.

In addition to the items identified in Attachment A the District needs to replace 26 chairs at computer workstation or other areas that need adjustable chairs, plus an additional 20 office desk chairs, for a total of 46 adjustable chairs. This includes the four chairs for the new Gates Library Initiative workstations.

**RECOMMENDATIONS**

- Red / Peggy*  
1. That the Board declare the five (5) 3-seat couches as excess property, and the Library Director instructed to give them to a local charitable organization or to Goodwill Industries.
- Red / Cass*  
*Red / Peggy*  
2. That the Board declare the fourteen (14) Board Room chairs as excess property, and the Library Director instructed to give them to a local charitable organization or to Goodwill Industries as soon as replacement chairs are available.
- Red / Peggy*  
3. That the Board authorize the Library Director to seek bids on the re-upholstery of the items indicated in the Upholstered Furniture Survey of September 8, 1999, for work to begin in January 2000.
- Red / Peggy*  
4. That the Board authorize the Library Director to seek bids for the purchase of fifty (50) adjustable chairs for delivery in January 2000.

(

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10/1/34

10/1/34

10/1/34

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Placentia Library District  
Upholstered Furniture Survey  
September 8, 1999

Item	#	Condition	Recommendatin
Couch - 3 seats	5	Dingy	Discard immediately
Wooden arm chairs, children's	27	Good	Keep
Chaise chairs	6	Dingy	Keep in Children's
Pedestal stools at children's slant tables	12	Dingy	Replace 2nd priority
Tall-back easy chairs on rollers	3	Dingy	Replace 2nd priority
Office chairs with wooden arms	5	Poor	Replace 3rd priority
Board Room Chairs	14	Poor	<del>Replace immediately</del>
Wooden upholstered table chairs, armless	100	Frames ok	Re-upholster
Arm chairs, solid side, wooden arm, low to floor	4	Dingy	Re-upholster
Arm chairs, open side, wooden arm	10	Dingy	Re-upholster
Arm chairs, solid side, higher	2	Dingy	Re-upholster
Chairs with metal legs	12	Dingy	Re-upholster
Wooden low stools	6	Dingy	Re-upholster
Wooden tall stools	3	Dingy	Re-upholster
4-seat stool units	4	Dingy	Re-upholster

*re-upholster  
chairs*

*These items to be re-upholstered.*

*The Board Room service  
chairs also need new bases -  
ones ~~with~~ 5 feet instead of the  
present 4 - they are very  
unstable.*

(

1.  $\frac{1}{x^2} = x^{-2}$   
 $\frac{d}{dx} x^{-2} = -2x^{-3} = -\frac{2}{x^3}$

2.  $\frac{d}{dx} \ln x = \frac{1}{x}$

(

3.  $\frac{d}{dx} e^x = e^x$   
 $\frac{d}{dx} \sin x = \cos x$   
 $\frac{d}{dx} \cos x = -\sin x$   
 $\frac{d}{dx} \tan x = \sec^2 x$   
 $\frac{d}{dx} \cot x = -\operatorname{csc}^2 x$   
 $\frac{d}{dx} \sec x = \sec x \tan x$   
 $\frac{d}{dx} \operatorname{csc} x = -\operatorname{csc} x \cot x$

(

TO: Elizabeth Minter, Library Director  
FROM: Suad Ammar, Principal Librarian <sup>AA</sup>  
DATE: September 15, 1999  
SUBJECT: **Heritage Day Parade**

**BACKGROUND:**

Over the years the Library has participated in the town's activities during the Heritage Day celebration by attending the breakfast, having a Literacy booth in the Kraemer Park and riding antique cars or marching in the Parade. This participation reflected the Library's involvement with, and its interest in the Placentia community and allowed for the visibility that libraries, in general, strive to maintain.

The Library entry won the Second Place Award for Novelty in 1993, as the Children Book characters captured the hearts of little children along the Parade route. Volunteers from the Valencia High School Interact Club have, year after year, carried the Placentia Library banner and enthusiastically become the Cat in the Hat, Winnie the Pooh, Curious George, Madeline, and the Prairie Girls from the Gold Rush era. The Friends of the Library have donated the cost of the costumes to add a character or two to the cast every year.

Dorothy, of the Wizard of Oz, is the intended addition this year and Cyrise Smith, the Children's Librarian, will supervise the activities before, during and after the parade.

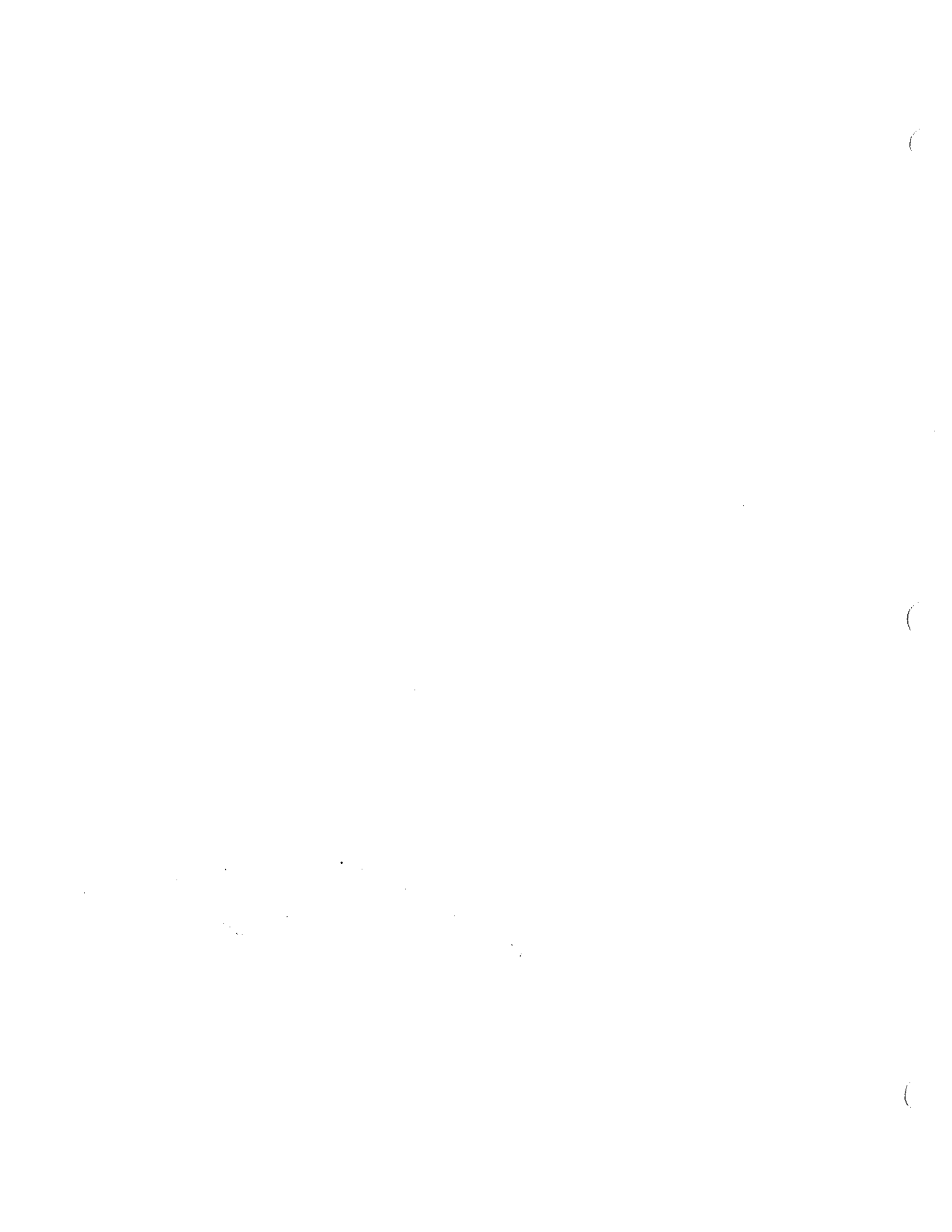
Attempts will be made to secure at least one antique car for the traditional Library Staff and/or the Friends of the Library ride in the parade.

**RECOMMENDATION:**

Give direction for future action

*ride in parade.*

*Pat Deak  
Suad +*



TO: Elizabeth Minter, Library Director  
FROM: Suad Ammar, Principal Librarian ~~AA~~  
DATE: September 15, 1999  
SUBJECT: **Placentia Library Web Site Development Report for the Month of August**

While a few pages of the Library site are still "under construction" and others need minor revisions, efforts are being made to complete the job as efficiently and as fast as possible.

The Principal Librarian is working very closely with the Cosmoslink staff to insure the accuracy of the information, the neatness and appeal of the pages without sacrificing quality for meeting a strict dead line.



TO: Elizabeth Minter, Library Director

FROM: Suad Ammar, Principal Librarian *SA*


DATE: September 15, 1999

SUBJECT: Program Committee Report for the Month of August 1999

	DEPARTMENT	AUGUST	
<b>Literacy Services</b>		Number Of Programs	Number of Attendees
Total			
<b>YTD Total</b>			
<b>Children's Services</b>			
Way Out Wednesdays		2	146
SRP Registration			24
SRP School Visits			
Class Visits to the Library		7	36
Story Times 3-6		8	127
Group Visits to the Library (Brownie)		N/A	N/A
Scavenger Hunt		N/A	N/A
Lapsits		4	142
MusicTime		5	79
		N/A	N/A
Total		26	554
<b>YTD Total</b>		<b>52</b>	<b>1692</b>





To: Elizabeth Minter, Library Director  
From: Cyrise Smith, Children's Librarian   
Date: September 15, 1998  
Subject: August Activities in the Children's Department

**Programming-** Programming ended in August. There were 8 storytimes and 4 lapsits. The newly introduced program, MusicTime, continued this month.

TYPE OF PROGRAM	NUMER OF PROGRAMS	TOTAL ATTENDANCE
Lapsits 2 years and under	4	70 children / 72 adults
Storytimes (a.m.) 3 - 6 year olds	4	55 children / 26 adults
Storytimes (p.m.) 3 - 6 year olds	4	29 children / 17 adults
MusicTime 3 - 6 year olds	4	45 children / 34 adults
<b>TOTALS</b>	<b>12</b>	<b>199 children / 149 adults</b>

**Way Out Wednesdays-** There were two Way Out Wednesday programs this month with 146 people attending. The total attendance for the entire three month program run was 809 people. The programs this year were very well received.

**Class Visits-** Two preschool classes visited during the month of August with a total of 36 kids learning about the library and attending storytimes.

**Summer Reading Program-** August 31<sup>st</sup> saw the closing of this year's Summer Reading Program. By the end of the program we had registered approximately 653 children. Of those 653 approximately 343 children participated at least one week in the program. 165 children finished all eight weeks of the program (reading over 3300 hours in the process) and received their certificates of achievement and their meal coupons from the HomeTown Buffet and the Whole Enchilada Restaurant.

**Teen Volunteers-** Teen volunteers have been very important in keeping the Summer Reading Program running smoothly. They have been responsible for signing children up for the program, stamping the children's logs and handing out prizes, and have been working on cleaning and relabeling all the children's picture books. Teen volunteers contributed 190.25 hours to the Summer Reading Program in the month of August and a summer total of 498 hours.

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**PLACENTIA LIBRARY DISTRICT BOARD OF TRUSTEES**

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**TO:** Library Board of Trustees  
**FROM:** Elizabeth D. Minter, Library Director *edm*  
**SUBJECT:** **Publicity Materials Produced for August 1999**  
**DATE:** September 15, 1999

The Publicity Materials Produced for August 1999 Report is prepared by Cheryl Willauer who is absent on sick leave. The Publicity Materials Produced for August 1999 Report will be presented at the October Board Meeting.



TO: Elizabeth Minter, Library Director  
FROM: Katie Matas, Literacy Coordinator *Kum*  
DATE: September 15, 1999  
SUBJECT: **Placentia Library Literacy Services Report for the month of August**

**Program Statistics**

Active tutors: 40

Active students: 43

Students waiting to be matched: 24

Percentage of tutors reporting (August hours): 73%

Tutoring hours reported: 174

Other volunteer hours reported: 28

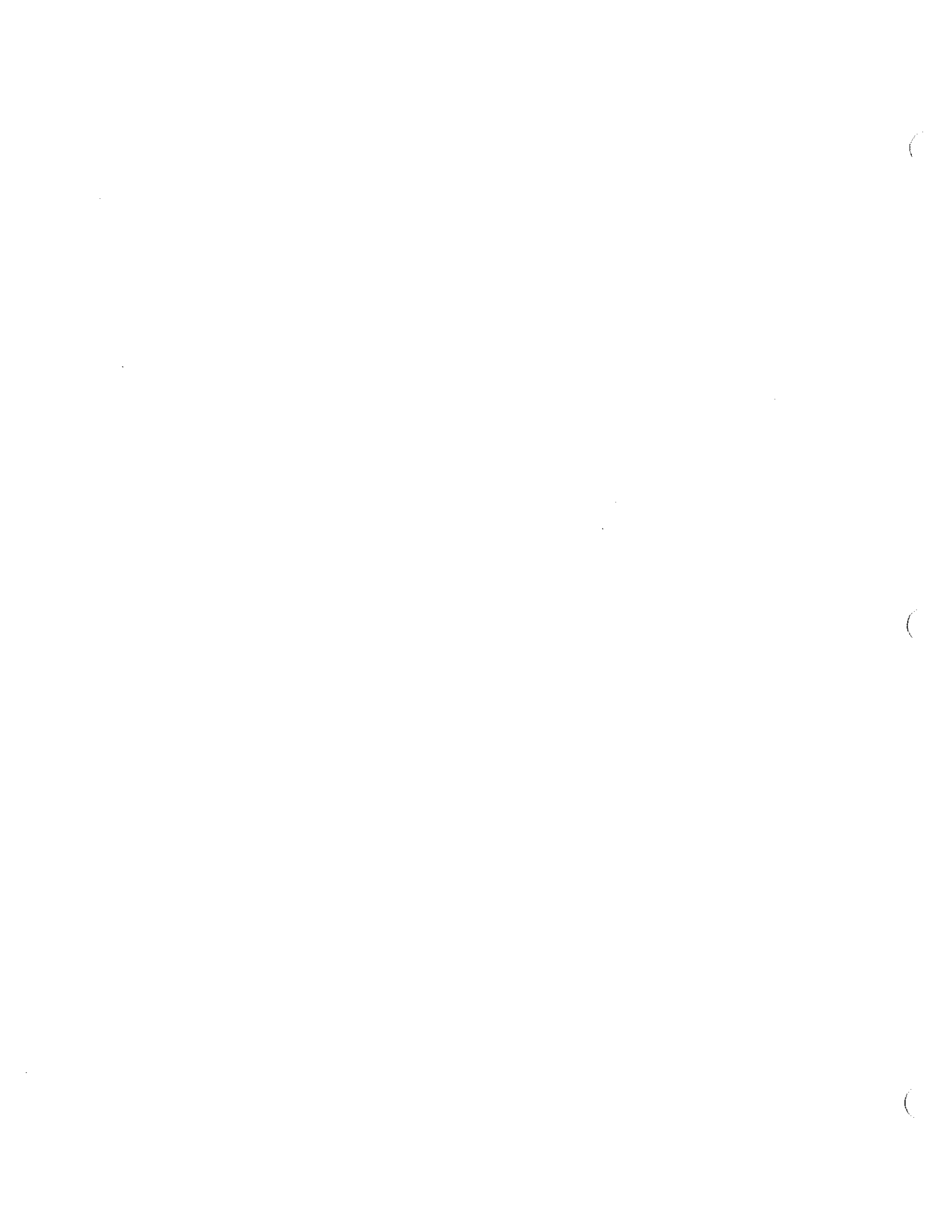
Total volunteer hours: 202

**Tutor Training.** The next tutor training workshop will begin on Monday, September 27, 1999. Interested volunteers are already beginning to register.



TO: Elizabeth Minter, Library Director  
FROM: Katie Matas, Literacy Coordinator *Kum*  
DATE: September 15, 1999  
SUBJECT: **Safety Committee report for August**

There was no safety committee meeting in August. The next meeting is scheduled for Wednesday, September 29, 1999 at 11:30 A.M.





TO: Library Board of Trustees

FROM: Julie Shook and Wendy Goodson, Staff

DATE: September 15, 1999

SUBJECT: Report on Y2K Preparations for August, 1999

Project – Julie Shook	Status/Scheduled
LAN Management System/Software	Consultation scheduled for July 99
LAN Workstations	Checked BIOS –waiting for MS disk
XCP Program	Not yet scheduled
XCP Equipment	Not yet scheduled
Ameritech System	Coordinating with Anaheim Public Library
Internet Service Provider	Not yet scheduled
ISDN Service Provider	Not yet scheduled

Project – Wendy Goodson	Status/Scheduled
Banks	First Security Bank/Aug 99, Bank of America – Compliant
Payroll Contractor/Software	Compliant
Utilities	Sent Y2K letter – awaiting response
Fire Alarm System	D&S Systems completed annual alarm check.
Ventura	Coordinate with Minter & Willauer
Office 97	Sent Y2K letter – awaiting response
Telephone System	Compliant
Voicemail System	Sent Y2K letter – awaiting response
Emergency Planning	Coordinate with EOC in September

Prepared by: Wendy Goodson



# Board & Administrator

FOR BOARD MEMBERS

September 1999 Vol. 16, No. 1

Editor: Jeff Stratton

## 5 special events for your board and nonprofit!

### Fund raising ideas

If your board would like to get itself more involved in fund raising for the nonprofit, or if you're just looking for some new ideas for special events, here are some successful special event ideas. They've worked well for other nonprofits.

1) **Bartending Board Members.** The owner of a country western bar invites board members to set up their own bar at his establishment. All proceeds from the board's bar go directly to the nonprofit. Board members also sell raffle tickets for inexpensive prizes like T-shirts, CDs and mugs. It's an easy event to get fund-raising shy board members involved. This event nets \$2-3,000.

Source: *Community Action Against Rape (Las Vegas, NV).*

2) **Showcase of Desserts.** Board members persuade local restaurant owners to sell their desserts, but donate the proceeds to the nonprofit. It's a great event, as patrons are educated about the nonprofit's mission, and have an opportunity to support it simply by eating dessert! The event makes \$10,000.

Source: *Athens Community Council on Aging (Athens, GA).*

3) **Board Breakfast with Donors.** Board members host a breakfast at which they educate the organization's supporters about how their contributions help the nonprofit and its programs. One board member sits at each breakfast table. At the end of

the event, all attendees (including board members) are asked to make an on-the-spot donation. Net proceeds are \$20,000.

Source: *Girl Scouts Totem Council (Seattle, WA).*

4) **Corporate Bowl-a-Thon.** Board members contact a corporation and ask it to sponsor an employee Bowl-a-Thon. Participating employees solicit pledges, and all funds from the event go to the nonprofit's programs and services. Company members and their families form teams of three to four players.

Pledges are either a flat donation or based on a per-pin score. A prize is awarded to both the person and team raising the most pledges. The event nets about \$7,500.

Source: *Hospice Caring, Inc. (Gaithersburg, MD).*

5) **Office Olympics.** This special event involves competitive sport activities using office equipment! Board members recruit teams from businesses who pay \$175 a team to enter, raise pledges and compete. Teams are five members. Competitions include a computer diskette toss and swivel chair relay. The event creates camaraderie among the employees of the participating companies and nets the nonprofit \$23,000.

Source: *Easter Seal Society (Reading, PA).* ■

# Nonprofit board members are held responsible

**Board members can't afford to not pay attention**

The 1996 taxpayer's bill of rights has created greater liability for board members. The crux of the matter is that nonprofits are prohibited from engaging in transactions that benefit private individuals.

The IRS can impose steep penalties for violations: A nonprofit board member or executive who receives a payment ruled excessive is subject to an excise tax of 25% of the excess benefit. If it's not corrected, the penalty increases to 200% of the excess benefit.

The IRS can also impose penalties equal to 10% of an excess benefit, up to \$10,000, on those who knowingly participated in creating the excess benefit, even if they did not benefit personally.

What this means is that board members can not afford to not pay attention.

- It's why they should prepare for and attend meetings, review meeting minutes for accuracy, evaluate the

performance of the executive director, and give thought to all board decisions.

- While a board can and should delegate work to its committees, remember that board members are still responsible for the work of the committees and should review and evaluate their work.
- Minutes that accurately reflect board actions should be kept of all board meetings.
- Nonprofit board members should require a regular audit of the nonprofit's books and records by an independent CPA.
- Nonprofit boards should have policies on conflict of interest and enforce them. Nonprofit business should only go to board members or their families through a competitive process.
- Pay attention to what happens at the nonprofit and in its relationship with vendors. ■

# Ensure your board's committees have direction

To be effective, board committees must have a purpose and focus.

Here's a handy exercise your board can use to evaluate committees' past performance and focus on future goals and objectives.

**Instructions:** Each board committee

should evaluate their goals and objectives from the previous year. After completing this, please follow the same procedure and set goals and objectives for the coming year. While working through this exercise, please keep in mind your nonprofit's mission. ■

## Past Year

Immediate goals and objectives (1 year): \_\_\_\_\_

Intermediate goals and objectives (2-4 years): \_\_\_\_\_

Long-term goals and objectives (5 plus years): \_\_\_\_\_

## This Year

Immediate goals and objectives (1 year): \_\_\_\_\_

Intermediate goals and objectives (2-4 years): \_\_\_\_\_

Long-term goals and objectives (5 plus years): \_\_\_\_\_

# Fax Cover Sheet



## PLACENTIA LIBRARY DISTRICT

411 East Chapman Avenue • Placentia, CA 92870

Fax # 714-528-8236 • Phone # 714-528-1925 Ext. 203

To: Shirley Thiele  
D'Ann Lutesis

Fax #: 870-1266

From: Elizabeth D. Minter  
Library Director

Date: Nov 1, 1999

Time: 2:30 pm

Subject: Re-upholstery of library furniture.

Number of pages transmitted including this page: 2

### Comments/Special instructions:

I apologize for taking so long to get this list to you.

I hope that you will be able to work with us to develop the specifications for an RFP for the items to be re-upholstered.

Thank you,  
Elizabeth.



Keith Coolidge - ISDOC  
Legislation Analyst Staff of  
Assemblyman Korenstein Office.  
Wed Nov 10

CLB - Sat Nov 13

Gates Workshop - Mon Nov 15  
Reading - workshop.  
Mullin

HVAC -

SmartStart Seeds Return < Patented grant

Mullin

CDBG Grant - still under  
consideration - check over eligibility -  
state & County objectives.

## Report

**TO: Placentia Library District Board of Trustees**  
**FROM: Friends of Placentia Library**  
**RE: Agenda dated 9/13/99**

I am a very last-minute replacement for Barbara Hemmerling at this meeting, and the rookie on the Friends Board, so my readiness for your meeting is questionable. I will just try to summarize our actions briefly.

Discussion of the treasurer's report and reconciliation report was held.

Action was approved and implemented for a Paperback Sale to be held October 3 (during library hours) and 4 (in the evening), 1999, with set-up activities to be done by volunteers on September 30, 10 a.m. to 2 p.m. The idea was received enthusiastically and will hopefully reduce our great numbers of paperbacks in addition to raising funds.

The Silent Auction display in the foyer will be chaired by Ruth Cain and has proved to be a successful interest maker in addition to raising funds.

It is our firm goal to staff the Friends Bookstore 39 hours per week

Barbara Hemmerling and Jan Schwartzkopf will co-chair the Author's Luncheon to be held Mar. 4, 2000. Many details are already in place.

Other items of discussion were the Super Sale Committee, National Library Week plans in April, (an eBay study report was postponed due to the absence of Ted Farkas), the Director's report and our Website.

Respectfully submitted, Jan Schwartzkopf