

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** Supervisors John Tavaglione

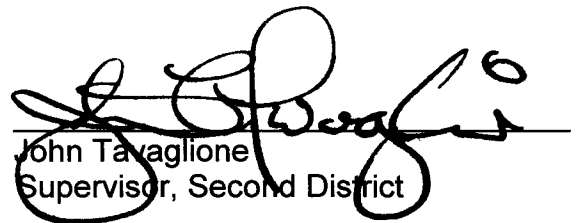
**SUBMITTAL DATE:** April 5, 2011

**SUBJECT:** Opposition of Assembly Bill 438 (AB 438)

**RECOMMENDED MOTION:** That the Board of Supervisors approve Resolution No. 2011-095 in opposition to Assembly Bill 438, which requires any city in California that is contemplating withdrawing from a county library system and planning to enter into a contract with a library service contractor to first seek approval of the voters by conducting an election.

**BACKGROUND:** AB 438 takes away local control from city councils with respect to contracting with private library service providers by requiring that such a decision be approved by the voters in that city. AB 438 limits options for cities facing budgetary restraints whose council members are seeking alternatives to reductions in hours of operation, reduced staffing or outright closure of libraries. This bill also forces cities to spend money on an election. Contracting with capable private companies is an important tool that local jurisdictions utilize on a daily basis for all types of services, ranging from waste and garbage collection to ambulance services. Without the ability to contract for library services, Riverside County's libraries would not be as good as they are and would certainly cost a lot more to operate.

Existing law provides that the county boards of supervisors may establish and maintain, within their respective counties, county free libraries pursuant to specified provisions of law. Existing law provides that the board of trustees, common council, or other legislative body of any city or the board of trustees of any library district may, on or before January 1<sup>st</sup> of any year, notify the board of supervisors that the city or library district no longer desires to be a part of the county free library system, as specified. This bill is yet another state incursion into a locally elected government's administrative authority.

  
John Tavaglione  
Supervisor, Second District

**COUNTY OF RIVERSIDE**

**RESOLUTION NO. 2011-095**

**A RESOLUTION OF THE COUNTY OF RIVERSIDE OPPOSING  
CALIFORNIA ASSEMBLY BILL 438**

**WHEREAS**, California Assembly Bill 438 (AB 438) proposes to take away a cities ability to withdraw from a County Library System and enter into a contract with a private company for library operations unless such an action is approved by the voters of the city ; and

**WHEREAS**, the County of Riverside has utilized a private contractor to run its libraries and all of its contract city libraries since 1997; and

**WHEREAS**, the County and its contract cities have realized substantial savings as a result; and

**WHEREAS**, Contracting with capable private companies is an important tool that local jurisdictions utilize on a daily basis for all types of services, ranging from waste and garbage collection to ambulance services; and

**WHEREAS**, the savings from using a private library operator may be used by cities to keep libraries open, provide improved library services and/or expand library hours of operation; and

**WHEREAS**, AB 438 if approved, forces cities to spend revenue on an election which can cost a substantial amount of money; and

**WHEREAS**, AB 438 is another state incursion into a locally elected government's administrative authority; and

**NOW THEREFORE, BE IT RESOLVED** that the Riverside County Board of Supervisors does hereby oppose AB 438 for the aforementioned reasons.

**ROLL CALL:**  
**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

County of Riverside

**ATTEST:**

**Clerk of the Board of Supervisors  
County of Riverside**