

Can the city and county legally reduce our funding?

Initial question from librarian: We've learned that the City and County are rewriting their interlocal agreement for funding the Library. Both entities plan to reduce the number of mills that they give to Library funding. The City is currently giving 9.23 mills. The County reluctantly agreed to do 5.7 mills for this current FY while they iron out the new agreement. Now the agreement is on the fast track (due to be approved in early Sept.) and with that, starting next FY, the City is planning to only give 7 mills and the County 5. From reading over the document summarizing Attorney General opinions related to libraries, it sounded like a County (or City) had to give at least what they gave the year before. Am I reading that correctly? Is it legal for them to reduce their amount to us?

Response from Tracy Cook – July 21, 2011

The AG opinions on these aren't as cut and dried as I wish they were. In general they imply that the library should get what they got last year plus a small inflationary increase (if there has been an inflationary adjustment). However the AG has always given the county and city some wiggle room - particularly if their revenues have decreased. If the city and/or county has experienced a decrease in the amount of taxes/fees that they are receiving then they must balance the budget. If they are doing so fairly and across the various departments, the library might have a hard time winning an argument to maintain their current mill amounts. If the city and/or county are unfairly targeting the library, the board could argue that any funding cuts should be made across all departments.

If the city and/or county haven't been experiencing any decreases in funding then the board should probably take the AG opinions to each entity and argue for their current mills. It's always so hard to know what to advise in these circumstances. I think if the city and county are hurting and they are trying to be fair about spreading the pain around than the library board might be better off arguing for only a small percentage of the mills to be returned rather than asking for everything. If the city and/or county are targeting the library then I think it's a good idea to argue for the full level of funding.