



MEMORANDUM

TO: Lincoln City Council

FROM: Jim Estep, City Manager

PREPARED BY: Darla Wegener, Director of Library Services

REVIEWED BY: Anna J Jatczak, Assistant City Manager/
Chief Financial Officer

DATE: July 12, 2011

ITEM: Adopt a resolution, authorizing the City Manager to execute a Memorandum of Understanding with the Friends of the Lincoln Public Library

RESOLUTION(s): Yes

ORDINANCE(s): None

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution authorizing the City Manager to execute a Memorandum of Understanding (MOU) with the Friends of the Lincoln Public Library.

BACKGROUND/ANALYSIS:

The City of Lincoln, the Lincoln Public Library, the Lincoln Public Library Advisory Board, and the Library Advisory Committee recognize the important value of the Friends of the Lincoln Public Library, a nonprofit 501(c)(3) corporation, to the ongoing operations of the Library. The purpose of this MOU is to establish a cooperative agreement between the Friends and the City in regards to the operations of the Friends and the Library.

The Friends worked with the Director, Board, and Committee to determine the details of this MOU. This includes details guiding the ongoing relationship, support and supplies, finances and fundraising, and advocacy efforts between the Friends and the City of Lincoln's Library. The City and the Friends are two separate and distinct organizations that share the common goal of supporting and enriching the Library. This MOU is to ensure the ongoing, positive and cooperative relationship between the City and the Friends.

6.3A



OPTIONS: The City Council may take the following action:

1. Adopt the attached resolution authorizing the City Manager to execute the Memorandum of Understanding with the Friends of the Lincoln Library.
2. Provide staff with additional direction

FISCAL IMPACT: None

RELATED ACTION(s): None

RESOLUTION NO. 2011 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINCOLN APPROVING
A MEMORANDUM OF UNDERSTANDING WITH THE FRIENDS OF
THE LINCOLN PUBLIC LIBRARY.

WHEREAS, the Friends of the Lincoln Public Library ("Friends") exists as a nonprofit corporation under Section 501(c)(3) of the US Treasury Code of Regulations, and

WHEREAS, the City Council recognizes the Friends as an organization dedicated to assisting the City in providing support to the City of Lincoln Public Library's programs, events, services and special projects.; and

WHEREAS, the City and the Friends mutually desire to enter into a Memorandum of Understanding ("MOU") to establish a cooperative agreement between the Friends and the City in regards to the operations of the Friends and the Library; and

WHEREAS, the City and the Friends believe that the MOU will help to provide public library services for the benefit of the citizens of Lincoln; and

WHEREAS, the City and the Friends desire to enter into this MOU to work cooperatively to support the Lincoln Public Library on the terms and conditions set forth

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LINCOLN DOES HEREBY RESOLVE AS FOLLOWS:

Section 1 The City Council of the City of Lincoln hereby approves the Memorandum of Understanding and authorizes the City Manager to execute the Memorandum of Understanding with the Friends of the Lincoln Library, in substantially the form attached hereto as Exhibit A and by this reference incorporated herein.

PASSED AND ADOPTED this 12th day of July, 2011, by the following roll call vote.

AYES. COUNCILMEMBERS:

NOES. COUNCILMEMBERS

ABSENT COUNCILMEMBERS

Paul Joiner, Mayor

ATTEST:

Patricia Avila, City Clerk

Exhibit A
**Memorandum of Understanding
Between
The City of Lincoln and the Friends of the Lincoln Library**

The City of Lincoln (City), the Lincoln Public Library (Library), the Lincoln Public Library Advisory Board (Board), and the Library Advisory Committee (Committee) recognize the important value of the Friends of the Lincoln Public Library (Friends) to the ongoing operations of the Library. The purpose of this Memorandum of Understanding is to establish a cooperative agreement between the Friends and the City in regards to the operations of the Friends and the Library.

The City and the Friends are two separate and distinct organizations that share the common goal of supporting and enriching the Library and literacy services provided within the Lincoln Public Library system. Neither speaks nor acts on behalf of any other unless mutually agreed. However, both pledge a spirit of cooperation in the pursuit of the best interests of the Library as a whole. Both hold the desire that the public confidence be maintained to the highest levels. Both are valuable resources toward the common goal.

The Friends

Established in 1986, the Friends exist as a nonprofit corporation under Section 501(c)(3) of the US Treasury Code of Regulations. Registration with the California Secretary of State has given this organization the status of a California corporation, and through its registration with the California Attorney General's office, it is recognized as a California nonprofit. These registrations qualify the Friends as a tax-exempt organization. This will ensure that cash and in-kind donations to the Friends are tax deductible.

Mission of the Friends of the Lincoln Public Library

The mission of the Friends of the Lincoln Library is to support the Lincoln Public Libraries and the community by promoting library services and needs through advocacy, fundraising, and cultural enrichment.

Purposes of this organization shall be

- To maintain an association of persons interested in books and libraries
- To promote literacy
- To focus public attention on library services, facilities, and needs
- To stimulate gifts of services, books, subscriptions, desirable collections, endowments, and bequests
- To provide community enrichment programs

The Library

The City of Lincoln established the Lincoln Public Library in 1906. The first Board action was to send an application to Andrew Carnegie for funding of a new library. The funding was granted and the Carnegie Library opened 1909.

Exhibit A

In 2007, the Twelve Bridges Library was opened as a collaborative City joint-use facility with Sierra College and Western Placer Unified School District. This partnership took action and received a Proposition 14 grant that provided a substantial portion of construction costs.

The Mission of the Library

The Lincoln Public Library provides to all area citizens access to information that assists their educational, recreational, and cultural pursuits. The Library selects, organizes, and makes available materials in a variety of formats to meet information needs, supplement school curricula, and further lifelong learning opportunities. The Library promotes courteous service, effective practices, and cooperation among libraries to meet the needs of the citizens.

Meetings

In order to ensure that policies, programs and other pertinent information is shared, a designated representative of the Friends will attend meetings of the Board and the Committee. The Friends' representative and the Friends' President will receive Board and Committee notices and information. These are public meetings.

In addition, to meet this goal, the Director of Library Services (Director) or a designated Library representative may attend meetings of the Friends and present a Library report. In addition, the Director will receive advance notice of the agenda for the Board of Directors and General Membership meetings. Members of the Board or Committee are invited to attend all meetings of the Friends.

Membership

All members of the Board, Committee, and City Council are encouraged to be members of the Friends. The Director and other library staff are also encouraged to be members of the Friends but shall not hold office nor serve on the Friends Board while they serve as Library paid staff.

The Friends of the Lincoln Library shall share their membership list with the Library if requested by the Library Director.

Support and Supplies

The Library provides a Friends' office space, as well as space for storage, sorting, and sale of books. In addition, the Library provides public library space for Friends' membership brochures and promotional materials. The Library will also allow Friends to use meeting rooms in the libraries for Friends' meetings and supported programs at no cost. The Director will review library operational needs to determine the availability of space and meeting rooms for the Friends.

Exhibit A

The Library will allow the Friends to use the photocopy machine for Friends' business. The Friends agree to provide their own paper for use with the photocopier. In addition, the City will supply and maintain a computer with internet access, printer, and barcode scanner for the Friends' use.

The Friends will provide all clerical support for their activities, including but not limited to, mailing agenda and minutes, processing membership applications, and maintaining files.

The Friends will provide their own office supplies including copy paper and other paper goods, postage, and other items as required to operate the business side of the Friends organization.

Finance/Fundraising

All funds of the Friends shall be deposited in a Friends designated account and shall be disbursed by the Friends according to its bylaws and budget.

The Library agrees to provide the Friends with requests for funding in a timely manner including establishing an annual list that indicates the anticipated Library needs for Friends support.

The Friends agree that monies raised through its membership fees, book sales, and fundraising efforts, including grants, will be spent for Library programs, services, and other Library defined needs (i.e. publicity), as well as community enrichment programs, unless otherwise agreed to by both the Friends Board of Directors and the Library Director.

The fundraising efforts of the Friends are primarily focused on keeping our libraries open and operating at a level that meets the community's needs.

The Friends agree the Twelve Bridges Encumbered fund account for designated monies donated to the Library through the Friends is to be spent at the Library Director's initiative working cooperatively with the Friends. However funds in that account which are designated for specific items (e.g. children's books, audio/DVD, etc) shall only be spent for those specified purposes.

The Library agrees to include a representative of the Friends in its long term planning process and strategic initiatives development to ensure the Friends are aware of the goals and direction of the Library and how the Friends' resources and support might help forward these plans and initiatives.

Advocacy

The Friends actively and publicly support the adopted goals, policies, and budget requests of the Library.

Exhibit A

The Library actively and publicly promotes the Friends fundraising, membership drives, and programs.

The City acknowledges that they do not supervise the activities of the Friends. However, they reserve the right not to participate in and/or to disavow any projects or events believed not to serve the best interests of the Library.

Miscellaneous

Nothing in this Memorandum of Understanding shall be construed or interpreted to conflict with any provision in the bylaws of the Friends, the Board, or the Committee. These entities may propose changes, additions, or deletions to this Memorandum of Understanding at any time. Such changes, additions, or deletions will be presented to the Director for inclusion on the agenda at the next Library Advisory Board meeting. If the Board approves the proposed amendment to the Memorandum of Understanding, the Director will submit said proposed amendment to the Friends for their approval. If both entities agree, the proposed amendment will be submitted to the City Council by the Library Director for Council approval.

The Friends' Board of Directors or the City of Lincoln City Council may terminate this MOU upon providing the other with 90 days written notice.

This Memorandum of Understanding is agreed to on the dates signed by the authorized officials below and will be effective as of the last date signed.

Reviewed and accepted by the Friends of the Lincoln Library by:

Karen L. Jarrell, President

Date

Reviewed and accepted by the Lincoln Library Advisory Board by:

Carri Werve, Chair

Date

Reviewed and accepted by the Lincoln Library Advisory Committee by:

Karen Roberts, Chair

Date

Reviewed and accepted by the Lincoln City Council by:

Paul Joiner, Mayor

Date

Resolution Number:

Date: