

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

252



FROM: County Library

SUBMITTAL DATE:
June 23, 2009

SUBJECT: Amendment to the Agreements with the City of Palm Desert for Additional Library Services

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve and authorize the Chairman to execute the Ninth Amendment to Agreement to Provide Library Services (Additional Staff) with the City of Palm Desert, for Fiscal Year 2009-2010 and 2011-2012; and,
2. Approve and authorize the Chairman to execute the Sixth Amendment to Agreement to provide Library Services (Additional Hours) with the City of Palm Desert, for the Fiscal Years 2009-2010 and 2011-2012.

BACKGROUND: In March 1998, the City of Palm Desert and Riverside County entered into an agreement for library services. Since that initial agreement, the City of Palm Desert has elected to fund additional library services through these two amended agreements to provide additional staff and additional hours of operation. Employees funded through the agreements are employed and supervised by LSSI, pursuant to LSSI's contract with the County to operate the County Library System.

(continued)

Nancy Johnson
Nancy Johnson, County Librarian

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2009-2012

SOURCE OF FUNDS: N/A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: *Gary M. Christmas*
Gary M. Christmas

County Executive Office Signature

FORM APPROVED BY COUNTY COUNSEL
 BY: *PATRICIA SMITH*
 DATE: 6/15/09
 Departmental Concurrence

Policy
 Policy
 Consent
 Consent

Dept's Recomm.:
 Per Exec. Ofc.:

BACKGROUND (continued): LSSI will continue to invoice the City of Palm Desert directly for the cost of these additional services. The County Librarian will oversee the agreements. These amended agreements with Palm Desert maintain County Library Services through June 30, 2012. The City of Palm Desert anticipates approval and execution of these Agreements at its Board meeting on July 23, 2009.

SIXTH AMENDMENT TO AGREEMENT TO PROVIDE LIBRARY SERVICES

(Additional Hours)

COUNTY OF RIVERSIDE - RIVERSIDE COUNTY LIBRARY SYSTEM

and the CITY OF PALM DESERT

(FY 2009-2010 and FY 2010-2011)

WHEREAS, the County of Riverside, Riverside County Library System ("County"), the City of Palm Desert ("City") and contract administrator for the County, Library Systems and Services, LLC, ("LSSI"), entered into an agreement effective March 3, 1998, to provide library services (additional hours) ("Agreement"), as amended. The parties wish to further amend the Agreement effective July 1, 2009.

NOW, THEREFORE, the parties agree as follows:

- A. Section 1.2 City Payment for Additional Hours is amended to read as follows: "City shall pay for the additional hours at the rate of \$236.50 per hour, at an amount not to exceed ninety thousand dollars (\$90,000.00)" for the term of the contract as set forth in section 4.2, as amended.
- B. Section 4.2 Term is amended to add the following paragraph to the end of the existing section, as amended.

"The term of this Agreement is extended, and shall include the time period from July 1, 2009 through June 30, 2011. City or County may terminate this Agreement, as amended, for no cause, on the giving of thirty (30) days written notice to the other party."

- C. All other terms and conditions of the Contract and prior amendments shall remain unchanged, and shall remain in full force and effect.

IN WITNESS WHEREOF, County and City have caused this Sixth Amendment to be duly executed.

CITY OF PALM DESERT

COUNTY OF RIVERSIDE

By: _____
Mayor, Richard Kelly

By: _____
Chair, Board of Supervisors

ATTEST:
City Clerk

ATTEST:
Clerk of the Board


By: _____
Clerk

By: _____
Deputy

APPROVED AS TO FORM AND CONTENT:
City Attorney

APPROVED AS TO FORM AND CONTENT:
PAMELA J. WALLS
County Counsel

By: _____
City Attorney

By:  _____
Deputy County Counsel

LIBRARY SYSTEMS AND SERVICES, LLC

By: _____
Mark Smith, Deputy Administrator

NINTH AMENDMENT TO AGREEMENT TO PROVIDE LIBRARY SERVICES
(Additional Staff)

COUNTY OF RIVERSIDE - RIVERSIDE COUNTY LIBRARY SYSTEM
and the CITY OF PALM DESERT
(Fiscal Year 2009-2010 and Fiscal Year 2010-2011)

WHEREAS, the County of Riverside, Riverside County Library System ("County") and the City of Palm Desert ("City") and contract administer for County, Library Systems and Services, LLC ("LSSI"), have entered into an agreement effective March 3, 1998 to provide library services (Additional Staff) ("Agreement"), as amended. The parties wish to further amend the Agreement effective July 1, 2009.

NOW THEREFORE, the parties agree as follows:

A. Section 1. RESPONSIBILITY OF THE PARTIES is amended as follows:

1. Sub-section 1.1 – Services Performed by County: is amended in the first sentence to read as follows:

"The County shall provide the following staff: one (1) Events/Volunteer Coordinator, one (1) part-time Computer Instructor/Lab Technician, one (1) Reference Librarian, one (1) Young Adult Librarian, and one (1) Receptionist / Library Assistant for the Palm Desert Library for the term of the contract as set forth in Section 4.2, as amended."

B. Section 4.2 Term is amended to add the following paragraph to the end of the existing section, as amended:

"The term of this Agreement is extended, and shall include the time period from July 1, 2009 through June 30, 2011. City or County may terminate this Agreement, as amended, for no cause, on the giving of thirty (30) days written notice to the other party."

C. All other terms and conditions of the Contract and prior amendments shall remain unchanged, and shall remain in full force and effect.

IN WITNESS WHEREOF, County and City have caused this Ninth Amendment to be duly executed by the parties hereto:

CITY OF PALM DESERT

COUNTY OF RIVERSIDE

By: _____
Mayor, Richard Kelly

By: _____
Chair, Board of Supervisors

ATTEST:
City Clerk

ATTEST:
Clerk of the Board


By: _____
Clerk

By: _____
Deputy

APPROVED AS TO FORM AND CONTENT:
City Attorney

APPROVED AS TO FORM AND CONTENT:
PAMELA J. WALLS
County Counsel

By: _____
City Attorney

By:  _____
Deputy County Counsel

LIBRARY SYSTEMS AND SERVICES, LLC

By: _____
Mark Smith, Deputy Administrator