

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

877



FROM: Economic Development Agency

SUBMITTAL DATE:
August 31, 2011

SUBJECT: Memorandum of Understanding between the County of Riverside and the City of Indian Wells in order to provide public library services for the residents of Indian Wells

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve and authorize the Chairman of the Board to sign the attached Memorandum of Understanding between the County of Riverside and the City of Indian Wells in order to provide public library services for the residents of Indian Wells; and

BACKGROUND: The City of Indian Wells has notified the County of Riverside of its desire to join the Riverside County Library System for the provision of public library services for the residents of Indian Wells.

(Continued)

Robert Field

Robert Field
Assistant County Executive Officer/EDA

| | | | | |
|-----------------------|-------------------------------|------|-------------------------|---------|
| 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: | 2011/12 |

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

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

C.E.O. RECOMMENDATION: APPROVE

BY: *Jennifer L. Sargent*

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Benoit and Ashley
 Nays: None
 Absent: Stone
 Date: September 13, 2011
 xc: EDA

Kecia Harper-Ihem
 Clerk of the Board
 By: *Kecia Harper-Ihem*
 Deputy

Prev. Agn. Ref.: N/A District: 4 Agenda Number: **3.43**

FORM APPROVED COUNTY COUNSEL BY: NEAL R. KIPNIS DATE: Departmental Concurrence

Economic Development Agency

Memorandum of Understanding between the County of Riverside and the City of Indian Wells in order to provide public library services for the residents of Indian Wells

August 4, 2011

Page 2

BACKGROUND: (Continued)

It is recommended that the City pay an amount equal to the amount County residents are taxed for library services, which is a 1.15% ad valorem property tax. The City's current total property tax amount is \$2,134,852. Accordingly, cost to the City under the terms of this MOU shall be \$24,551 for fiscal year 2011-2012. In addition, the City agrees to assign its Public Library Fund (PLF) revenue in its entirety to the County throughout the term of this MOU. Under the terms of this MOU the County will provide public library service to City residents equal to public library service provided to County residents. City residents shall be eligible to obtain a Riverside County Library System (RCLS) library card at any County library and become eligible to enjoy all services associated with said card. Annual tax increment factors shall be adjusted accordingly to reflect a reduction to the City and an increase to the County Library Fund.

TERM: Shall commence on August 16, 2011 and remain in effect until June 30, 2012.

RATE: \$24,551 per year.

The attached MOU for public library services has been reviewed and approved by the City of Indian Wells and by County Counsel as to legal form.

Attachment:
Memorandum of Understanding

Barton, Karen

From: Mahayni, Cheryl <CMahayni@rivcoeda.org>
Sent: Thursday, September 08, 2011 11:53 AM
To: Sargent, Jennifer
Cc: Brandl, Lisa; Katchadoorian, Donna; Harper-Ihem, Kecia; Hodge, Megan M.; Cline, Katrina M.; Diaz, Minnie; Wong, Samuel; Barton, Karen
Subject: MOU Indian Wells Agenda Item #

Dear Jennifer:

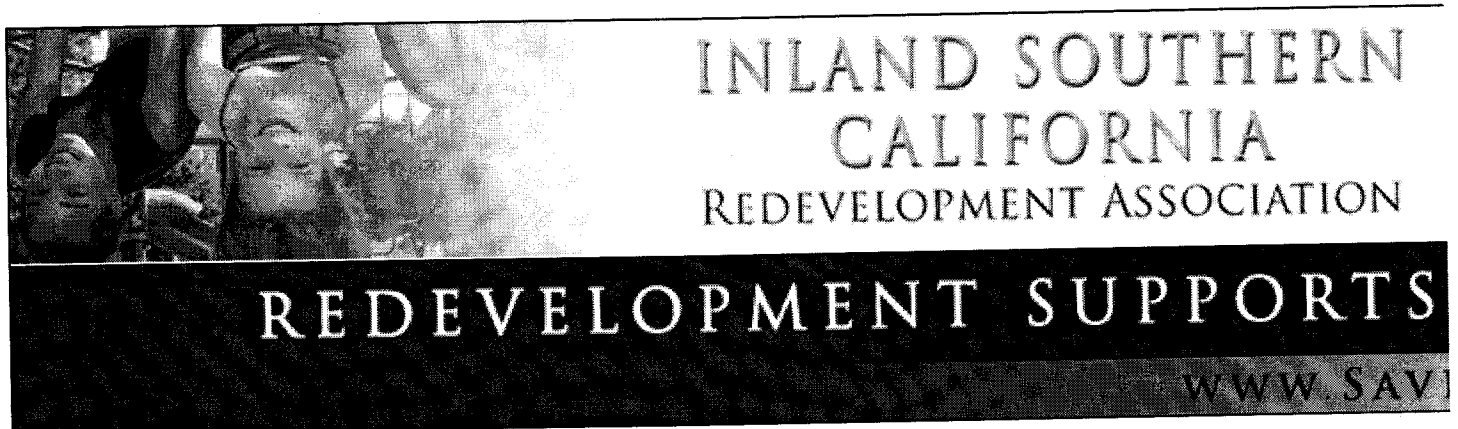
This is to advise that the item number below reflects on Motion #2 that there is a budget adjustment, however this is not the case. Sam had brought this to our attention earlier. Per Lisa Brandl's direction, we are removing motion #2 and clearing the box that is checked for the 4/5th vote.

3.43 ECONOMIC DEVELOPMENT AGENCY: Approval of the Memorandum of Understanding between the County of Riverside and the City of Indian Wells in order to provide public library services for the residents of Indian Wells; and Approval of a Budget Adjustment, 4th District. (4/5 vote required)

Joan is on her way to the Clerk of the Board to white out Motion #2 and to remove the 4/5ths vote.

Thank you.

Cheryl Mahayni, Secretary to
Assistant Director, Tim Miller
County of Riverside
Economic Development Agency
3403 Tenth Street, Suite 300
Riverside, CA 92501
(951) 955-6941 - direct
(951) 955-9117 - fax



As a cost savings measure, county facilities are closed every Friday

2 MEMORANDUM OF UNDERSTANDING
3 BETWEEN
4 THE COUNTY OF RIVERSIDE
5 AND
6 THE CITY OF INDIAN WELLS
7 (Fiscal Year 2011-2012)

8 This MEMORANDUM OF UNDERSTANDING (hereinafter referred to as "MOU") is
9 hereby made and entered into by and between the County of Riverside (hereinafter
10 referred to as "County") and the City of Indian Wells (hereinafter referred to as "City").

11 1. PURPOSE. The purpose of this MOU is to set forth the terms and understanding
12 between County and City. The intent of this MOU is to establish terms for providing
13 public library services for the residents of Indian Wells.

14 2. TERM. This agreement shall commence on August 16, 2011 and remain in effect
15 until June 30, 2012.

16
17 3. PAYMENT. The City of Indian Wells shall pay \$24,551 annually to the County of
18 Riverside for public library services. This MOU shall be reviewed at the end of the first
19 fiscal year. An agreement for library service for subsequent years shall then be planned
20 and negotiated.

21
22 4. PLF. Separate and apart from, and in addition to the payments made by the City of
23 Indian Wells pursuant to Section 2, the City of Indian Wells agrees to assign its Public
24 Library Fund (California Education Code 18024-18026) revenue to the County of
25 Riverside through the inclusion of this MOU.

26
27 5. PUBLIC LIBRARY SERVICE. County will provide public library service to City
28

1 residents equal to public library service provided to County residents. City residents
2 shall be eligible to obtain a Riverside County Library System (RCLS) library card at any
3 County library and become eligible to enjoy all services associated with said card.
4 Examples of services include borrowing RCLS materials and attending RCLS programs.
5 City residents shall be subject to the fines and fees approved by County.

6
7 **6. NOTICES.** All notices and other communication required under this MOU shall be in
8 writing and delivered by: (a) Certified mail, postage prepaid, return receipt requested in
9 the United States mail; or (b) by an overnight courier that provides written evidence of
10 delivery and addressed to the Party hereto to whom the same is directed at the
11 addresses set forth in Section 5 herein. Either Party hereto may from time to time
12 change its mailing address by written notice to the other Party.

13
14 **COUNTY**

CITY

15 County of Riverside

City of Indian Wells

16 Economic Development Agency

44-950 El Dorado Drive

17 Cultural Services

Indian Wells, CA 92210

18 3403 10th Street, Suite 300

19 Riverside, CA 92501

20
21 **7. OPTION TO TERMINATE.** Either County or City may terminate this MOU at any
22 time and for any reason with 90 days' notice. The party initiating cancellation shall
23 inform the other party in writing according to the terms set forth in Section 6 herein.

1 IN WITNESS WHEREOF, COUNTY and CITY have executed this MOU thereby
2 indicating they have read and understood the same, indicate their full and complete
3 consent to its terms, and caused this Agreement to be duly executed on
4 this 7th day of September, 2011.

5 CITY OF INDIAN WELLS

COUNTY OF RIVERSIDE

6
7
8 By


City Manager

By



Bob Buster, Chairman

Board of Supervisors

9
10
11 ATTEST:

City Clerk

ATTEST:

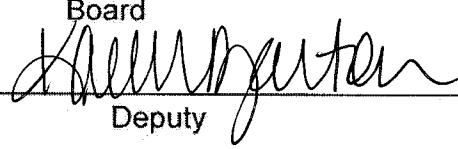
Kecia Harper-Ihem, Clerk of the

Board

12
13
14 By


Clerk

By



Deputy

15
16
17 APPROVED AS TO FORM

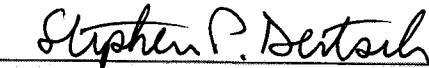
City Attorney

APPROVED AS TO FORM AND CONTENT:

Pamela J. Walls

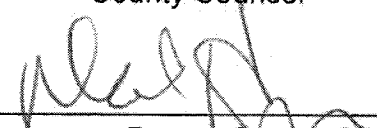
County Counsel

18
19
20
21 By



City Attorney

By



Deputy County Counsel