

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



ITEM: 3.26
(ID # 14856)

MEETING DATE:

Tuesday, June 08, 2021

FROM : OFFICE OF ECONOMIC DEVELOPMENT:

SUBJECT: OFFICE OF ECONOMIC DEVELOPMENT: Approval of Third Amendment to the Memorandum of Understanding with the City of La Quinta for Management of the Library and Museum, Extending through June 30, 2022. District 4, [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Third Amendment to the Memorandum of Understanding with the City of La Quinta for management of the La Quinta Library and the La Quinta Museum, extending through June 30, 2022; and
2. Authorize the Chair of the Board of Supervisors to execute this Third Amendment on behalf of the County.

ACTION:

Suzanne Holland
Suzanne Holland, Director of EDA 5/3/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez, and Hewitt
Nays: None
Absent: None
Date: June 8, 2021
xc: OED

Kecia R. Harper
Clerk of the Board

By: *[Signature]*
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$0	\$0	\$0	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: City of La Quinta Library Fund			Budget Adjustment: No	
			For Fiscal Year: 21/22	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On August 18, 2015 (Agenda Item 3.26), the Board of Supervisors approved a Memorandum of Understanding (MOU) with the City of La Quinta (City) that was negotiated by the Riverside County Library System (RCLS) and City staff to delineate the level of library and museum services the City will receive from RCLS at the La Quinta Library and Museum. On May 8, 2018 (Agenda Item 3.7), the Board of Supervisors approved the First Amendment to the MOU, which added makerspace management services to the MOU for enhanced services until June 30, 2020. The services under the MOU are currently provided by Library Systems & Services (LS&S) with oversight by RCLS.

On June 30, 2020 (Agenda Item 3.9), the Second Amendment was approved to extend the MOU until June 30, 2021 and have RCLS and the City work together towards safely reopening and operating the La Quinta Library, Museum, and Makerspace in light of the COVID-19 pandemic.

This Third Amendment will extend the MOU for an additional year until June 30, 2022. RCLS and the City will continue to work together towards safely reopening and operating the La Quinta Library, Museum, and Makerspace due to the COVID-19 pandemic.

County Counsel has approved the Third Amendment as to legal form.

Impact on Citizens and Businesses

This MOU provides library, makerspace, and museum services to the residents of the City of La Quinta and the surrounding community.

Attachments:

Third Amendment One Year Extension_2021- 2022

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


Scott Bruckner 6/1/2021

**THIRD AMENDMENT
TO THE MEMORANDUM OF UNDERSTANDING (MOU)
TERMS AND CONDITIONS TO PROVIDE MANAGEMENT
OF THE LA QUINTA BRANCH LIBRARY
AND THE LA QUINTA MUSEUM**

This Third Amendment to the Memorandum of Understanding ("Third Amendment") is made and entered into this 8th day of June, 2021 ("Effective Date") by and between the COUNTY OF RIVERSIDE ("COUNTY"), a political subdivision of the State of California, and the CITY OF LA QUINTA ("CITY"), a California municipal corporation.

WHEREAS, the COUNTY and CITY entered into that certain Memorandum of Understanding ("MOU") dated August 18, 2015 setting forth the terms and conditions for the COUNTY to provide management of the La Quinta Library and La Quinta Museum; and

WHEREAS, the COUNTY and CITY entered into that certain First Amendment to the Memorandum of Understanding dated May 8, 2018 setting forth the terms and conditions for the COUNTY to provide management of the La Quinta Makerspace; and

WHEREAS, the COUNTY and CITY entered into that certain Second Amendment to the Memorandum of Understanding dated June 30, 2020 setting for the terms and conditions to extend the MOU for one (1) year; and

WHEREAS, both parties have reached an agreement that they wish to extend the MOU for one (1) year as set forth in writing in the form of this Third Amendment.

NOW THEREFORE, for good and valuable consideration the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

1. TERM. Section 1 of the MOU is hereby amended by the following:

The term of the MOU shall be extended for one (1) year, commencing on July 1, 2021 and expiring on June 30, 2022 ("Extension Term"). The terms and conditions related to Makerspace Management shall remain in effect through and including June 30, 2022. CITY shall have one (1) option to extend the term of the MOU for one (1) year by written amendment to the MOU ("Extension Option"). In order to exercise the Extension Option, CITY must provide written

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1 notice to COUNTY of its desire to exercise said option at least thirty (30) days prior to the end of
2 the Extension Term.

3 2. CAPITALIZED TERMS/THIRD AMENDMENT TO PREVAIL. Unless defined
4 herein or the context requires otherwise, all capitalized terms herein shall have the meaning
5 defined in the MOU, as heretofore amended. The provisions of this Third Amendment shall prevail
6 over any inconsistency or conflicting provisions of the MOU, as heretofore amended, and shall
7 supplement the remaining provisions thereof.

8 3. MISCELLANEOUS. Except as amended or modified herein, all the terms of the
9 MOU shall remain in full force and effect and shall apply with the same force and effect. Time is
10 of the essence in this Third Amendment and the MOU and each and all of their respective
11 provisions. Subject to the provisions of the MOU as to assignment, the agreements, conditions
12 and provisions herein contained shall apply to and bind the heirs, executors, administrators,
13 successors and assigns of the parties hereto. If any provisions of this Third Amendment or the
14 MOU shall be determined to be illegal or unenforceable, such determination shall not affect any
15 other provision of the MOU and all such other provisions shall remain in full force and effect. The
16 language in all parts of the MOU shall be construed according to its normal and usual meaning
17 and not strictly for or against either COUNTY or CITY.

18 4. EFFECTIVE DATE. This Third Amendment shall not be binding or consummated
19 until its approval by the Riverside County Board of Supervisors and fully executed by the Parties.
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21 [Signatures on following page]
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1 IN WITNESS WHEREOF, COUNTY and CITY have caused this Third Amendment to be duly
2 executed this 8th day of June, 2021.

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4 COUNTY OF RIVERSIDE, a political
subdivision of the State of California

CITY OF LA QUINTA, a California municipal
corporation

5
6 By: Karen S. Spiegel
7 Karen Spiegel, Chairman
Board of Supervisors

By: [Signature]
Jon McMillen, City Manager

8
9 ATTEST:
Kecia R. Harper
10 Clerk of the Board

ATTEST:
Monika Radeva
City Clerk

11 By: [Signature]
12 Deputy

By: [Signature]
Clerk

13
14 APPROVED AS TO FORM:
Gregory P. Priamos, County Counsel

APPROVED AS TO FORM:

15
16 By: [Signature]
17 Ryan Yabko
Deputy County Counsel

By: [Signature]
William H. Ihrke, City Attorney

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City of La Quinta

CITY COUNCIL MEETING: May 4, 2021

STAFF REPORT

AGENDA TITLE: APPROVE THIRD AMENDMENT TO MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF RIVERSIDE FOR A ONE-YEAR EXTENSION FOR LIBRARY, MUSEUM AND MAKERSPACE MANAGEMENT

RECOMMENDATION

Approve the Third Amendment to the Memorandum of Understanding with the County of Riverside for a one-year extension for the Library, Museum and Makerspace management; authorize the City Manager to execute the amendment.

EXECUTIVE SUMMARY

- The City has a Memorandum of Understanding (MOU) with the County of Riverside (County) to manage the La Quinta Library, Museum, and Makerspace.
- All programs and services continue to be assessed, and new processes implemented due to the COVID-19 pandemic.
- The MOU will expire on June 30, 2021 and this Third Amendment to the MOU (Amendment) (Attachment 1) will extend the agreement to June 30, 2022.

FISCAL IMPACT

The 2021/22 Library and Museum Fund budget incorporates funding for contract services in the amount of \$1,360,190.

BACKGROUND/ANALYSIS

The County collects \$2.7 million annually in library tax credits for the Library, Museum, and the Makerspace. Since 2004, the City has contracted with the County to manage the La Quinta Library. The MOU was amended and extended in previous years to include the management of the Museum and Makerspace. This MOU provides for the County to contract these services to LS&S. The total cost for these services is \$1,360,190 and the breakdown is as follows:

- Library management of \$700,000;
- Books and purchase of materials of \$100,000;
- Museum management of \$195,000;
- Makerspace management of \$165,190; and
- County technical and administration services of \$200,000 a year.

The current MOU is set to expire on June 30, 2021. This extension will continue to allow the City to work with the County on current and post COVID-19 guidelines, compliance processes, facility improvements, and implement new service delivery as services fully reopen. The City will also work with the County on a multi-year agreement to begin fiscal year 2022-23. The Amendment is scheduled for the Riverside County Board of Supervisors review on June 8, 2021.

Due to the specialized services and experience required for the Library, Museum, and Makerspace staff recommends extending the agreement with the County to continue providing these services to the community.

ALTERNATIVES

Council may modify and/or deny the extension of the MOU with the County.

Prepared by: Christina Calderon, Community Resources Manager
Approved by: Chris Escobedo, Director of Community Resources

Attachment: 1. Third Amendment to the Memorandum of Understanding

MEMORANDUM



DATE: June 3, 2021

TO: Jon McMillen, City Manager

FROM: Lisa Chaudhry, Administrative Technician

RE: Memorandum of Understanding (MOU) Amendment No. 3 - County of Riverside for the Management of the La Quinta Library, Museum, & Creation Station

Please list the Contracting Party / Vendor Name, type of agreement to be executed, including any change orders or amendments, and the type of services to be provided. Make sure to list any related Project No. and Project Name.

Authority to execute this agreement is based upon:

- ☒ Approved by City Council on 05/04/2021 (Consent Item 13)
- ☐ City Manager's signing authority provided under the City's Purchasing Policy [Resolution No. 2019-021] for budget expenditures of \$50,000 or less.
- ☐ Department Director's or Manager's signing authority provided under the City's Purchasing Policy [Resolution No. 2019-021] for budget expenditures of \$15,000 and \$5,000, respectively, or less.

Procurement Method (one must apply):

- ☐ Bid ☐ RFP ☐ RFQ ☐ 3 written informal bids
- ☐ Sole Source ☐ Select Source ☐ Cooperative Procurement

Requesting department shall check and attach the items below as appropriate:

- ☒ Agreement payment will be charged to **Account No.:** 202-3006-60105 & 202-3009-60105
- ☒ Agreement term: Start Date 07/01/2021 End Date 06/30/2022
- ☒ Amount of Agreement, Amendment, Change Order, etc.: \$ 1,360,190

REMINDER: *Signing authorities listed above are applicable on the **aggregate** Agreement amount, not individual Amendments or Change Orders!*

- ☒ Insurance certificates as required by the Agreement for Risk Manager approval
Approved by: N/A - Nichole Romane Date: 6/3/2021
- ☐ Bonds **(originals)** as required by the Agreement (Performance, Payment, etc.)
- ☐ Conflict of Interest Form 700 Statement of Economic Interests from Consultant(s)

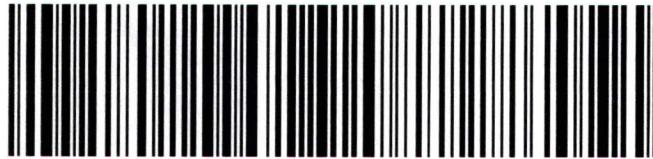
NOTE: *Review the "Form 700 Disclosure for Consultants" guidance to determine if a Form 700 is required pursuant FPPC regulation 18701(2)*

- ☒ Business License No. N/A - MR; Expires: _____
- ☐ Requisition for a Purchase Order has been prepared (Agreements over \$5,000)



City of La Quinta
78495 Calle Tampico
La Quinta CA 92253

USPS CERTIFIED MAIL



9214 8901 8804 0800 0364 87

RIVERSIDE COUNTY OFFICE OF ECONOMIC DEVELOPMENT
ATTN: KHYLIA CHAPIN
STE 400
3403 10TH ST
RIVERSIDE CA 92501-3658