



BERKELEY PUBLIC LIBRARY BOARD OF LIBRARY TRUSTEES

REGULAR MEETING
JANUARY 12, 2011

AGENDA
6:30 PM

SOUTH BRANCH
1901 RUSSELL STREET

The Board of Library Trustees may act on any item on this agenda.

I. PRELIMINARY MATTERS

- A. Call to Order
- B. Public Comments (6:30 – 7:00 PM)
(Proposed 30-minute time limit, with speakers allowed 3 minutes each)
- C. Report from library employees and unions, discussion of staff issues
Comments / responses to reports and issues addressed in packet.
- D. Report from Board of Library Trustees
- E. Approval of Agenda

II. CONSENT CALENDAR

The Board will consider removal and addition of items to the Consent Calendar prior to voting on the Consent Calendar. All items remaining on the Consent Calendar will be approved in one motion.

Click on dashed links to view the item documents.

- A. **Approve Minutes of December 8, 2010 Regular Meeting**
Recommendation: Approve the minutes of the December 8, 2010 regular meeting of the Board of Library Trustees.
- B. **Resolution of Gratitude to Kathy E. Souza**
Recommendation: Adopt a resolution expressing gratitude to Kathy E. Souza, who served as library assistant and library specialist for the Berkeley Public Library from March 1987 to December 2010.
- C. **Closure of the Tool Lending Library for Annual Tool Maintenance From February 13 Through February 20, 2011**
Recommendation: Adopt the attached resolution authorizing the closure of the Tool Lending Library from February 13 through February 20, 2011 and reopening on February 22, 2011.

III. ACTION CALENDAR

- A. **Authorization to Accept Recommendation of Selection Panel and Execute Contract for Measure FF Funded Public Art for Claremont and North Branch Libraries**
Recommendation: Adopt a Resolution authorizing the Library director to execute a contract with the selected artist for the Claremont Branch public art project and with the selected artist for the North Branch public art project, in an amount not to exceed \$29,000 and \$38,000 respectively, for the period January 26, 2011 through July 30, 2012.
- B. **Board of Library Trustee Budget Update and Establishing Priorities for FY 2011 & 2012**
Recommendation: Adopt a resolution approving priorities for the fiscal year 2011 and 2012 Library budget development.

IV. INFORMATION REPORTS

- A. **Update on the Branch Bond Program**
Discussion of staff report on status of implementation of the Measure FF branch improvement program, to include update on Request for Proposals, schedule, and budget.

- B. **Recruitment Process to Fill Vacancy on Board of Library Trustees Created by Trustee Kupfer's Term End Effective May 13, 2011**
- C. **January 2011 Monthly Report from Library Director**
 - i. Library Development
 - ii. Professional Activities
 - iii. Programs, Services and Collections
 - iv. Personnel
- D. **Library events:** Calendar of events and press releases for various Library programs are posted at <http://www.berkeleypubliclibrary.org>

V. AGENDA BUILDING

The next meeting will be a Regular Meeting held at 6:30 PM on Wednesday, February 9, 2011 at the **South Branch Library, 1901 Russell Street, Berkeley.**

VI. ADJOURNMENT

Written materials may be viewed in advance of the meeting at the Central Library Reference Desk (2090 Kittredge Street), or any of the branches, during regular library hours.



Wheelchair accessible. To request a sign language interpreter, real-time captioning, materials in large print or Braille, or other accommodations for this event, please call (510) 981-6107 (voice) or (510) 548-1240 (TTY); at least three working days will help ensure availability.

Please refrain from wearing scented products to public programs.

I hereby certify that the agenda for this regular meeting of the Board of Library Trustees of the City of Berkeley was posted in the display cases located at 2134 Martin Luther King, Jr. Way and in front of the Central Public Library at 2090 Kittredge Street, as well as on the Berkeley Public Library's website on January 5, 2011.

//s//

Donna Corbeil, Director of Library Services
Serving as Secretary to the Board of Library Trustees

For further information, please call (510) 981-6195.

COMMUNICATIONS

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.

Berkeley Public Library
Board of Library Trustees

II Consent, Item A

Regular Meeting
December 8, 2010

MINUTES
6:30 p.m.

South Branch
1901 Russell Street

I. PRELIMINARY MATTERS

*A copy of the agenda packet and a digital recording of this meeting is accessible at
http://www.berkeleypubliclibrary.org/about_the_library/bolt/bolt.php*

A. Call to Order

The Regular meeting of December 8, 2010 was called to order by Chair Kupfer at 6:34 PM.

Present: Trustees Winston Burton, Abigail Franklin, Carolyn Henry-Golphin, Susan Kupfer and Darryl Moore.

Trustee Moore arrived at 6:37 PM and left at 7:42 PM.

Trustee Henry-Golphin arrived at 7:00 PM.

Absent: None.

Also present: Donna Corbeil, Director of Library Services; Douglas Smith, Deputy Director; Dennis Dang, Library Admin Manager; Eve Franklin, Administrative Secretary.

B. Public Comments

1. Elizabeth Watson – Spoke regarding the lawsuit around Measure FF.
2. Peter Warfield, Library Users Association – Spoke regarding the minutes of the November 10, 2010 BOLT meeting.
3. David Snyder, Library Foundation – Reported the Library Foundation has joined the City of Berkeley in fighting the lawsuit.

C. Report from Library employees and Unions, Discussion of Staff Issues – None.

D. Report from Board of Library Trustees – None.

E. Approval of Agenda

R10-087 Moved by Trustee Burton, seconded by Trustee Moore, to approve the agenda as presented. Motion passed. Trustees Burton, Franklin, Kupfer and Moore in favor. Trustee Henry-Golphin absent.

II. CONSENT CALENDAR

R10-088 Moved by Trustee Burton, seconded by Trustee Franklin, to approve Consent Calendar as presented. Motion passed unanimously.

A. Approve minutes of November 10, 2010 Regular Meeting

Correction - Change "Library Users Group" to "Library Users Association" in Public Comments 4 and 10.

R10-089 Moved by Trustee Burton, seconded by Trustee Franklin, to approve the minutes of the November 10, 2010 regular meeting of the Board of Library Trustees as amended. Motion passed unanimously.

B. 2011 Annual Authors Dinner Event

R10-090 Moved by Trustee Burton, seconded by Trustee Franklin, to approve the resolution approving the arrangements in preparation for the ninth Annual Authors Dinner to be held on Saturday, February 12, 2011 at the Central Library. Motion passed unanimously.

C. Measure FF bond proceeds and other miscellaneous appropriations to the FY 11 revised budget

R10-091 Moved by Trustee Burton, seconded by Trustee Franklin, to adopt a resolution to appropriate into the FY11 Revised Budget \$16,000,000 of bond proceeds for Measure FF program expenditures and other

miscellaneous appropriations as specified herein, including the acceptance of gift funds. Motion passed unanimously.

III. ACTION CALENDAR

A. Confirmation and Direction on the Annual Personnel Evaluation for the Director of Library Services

Trustees Burton and Franklin to serve on sub-committee to conduct evaluation, will report on progress to date at the January 13 BOLT meeting and determine date of evaluation (late January or early February.)

R10-092 Moved by Trustee Kupfer, seconded by Trustee Moore, to adopt a resolution approving a process and scheduling a date for a Closed Session discussion of the Director of Library Services' annual personnel evaluation. Motion passed unanimously.

B. Authorization to Sign Downtown PBID Petition and Ballot on Behalf of the Library

John Caner, Executive director of Downtown Berkeley Association and Michael Caplan, Manager of the City's Office of Economic Development spoke about the proposed Property-Based Business Improvement District (PBID) which would finance services to improve the downtown area.

R10-093 Moved by Trustee Moore, seconded by Trustee Franklin, to adopt a resolution authorizing the City Manager to approve and sign the "Preliminary Petition to Form the Downtown Berkeley Property-Based Business Improvement District" document on behalf of the Library, located in the proposed Downtown PBID area; and in the event the petition is successful in triggering a ballot process to establish a Downtown PBID, authorizing the City Manager to vote YES on any ballots on behalf of the Library. Motion passed unanimously.

IV. DISCUSSION CALENDAR

A. Biennial Budget Development – FY12 & FY13

Dennis Dang provided an update on the development of the biennial library budget for fiscal years 2012 and 2013; and draft budget priorities for the upcoming fiscal cycle. Provided copy of previous Library Projects FY2010 & 2011 (Attachment #1) and three versions of Library Tax fund (301) 5-year analysis. (Attachment #2) Board asked staff to prepare proposed priorities for January Action Calendar.

V. INFORMATION REPORTS

A. Update on the Branch Bond Program – No discussion.

B. December 2010 Monthly Report from Library Director – No discussion.

C. Library events: Calendar of events and press releases for various Library programs are posted at <http://www.berkeleypubliclibrary.org>

I. AGENDA BUILDING

A. The next meeting will be a Regular Meeting held at 6:30 PM on Wednesday, January 12, 2011 at the South Branch Library, 1901 Russell Street, Berkeley.

1. Possible topics for the agenda
 - Budget priorities
 - Date for Directors evaluation
 - Trustee recruitment
 - Public Art for Claremont and North

- EIR progress report

II. ADJOURNMENT

R10-094 Moved by Trustee Franklin, seconded by Trustee Golphin, to adjourn the regular meeting of the board at 7:46 PM. Motion passed. Trustees Burton, Franklin, Henry-Golphin and Kupfer in favor. Trustee Moore absent.

COMMUNICATIONS

1. David G. Snyder - Supporters of South and West Branch Libraries and Library Foundation responses for the First Amended Answer to Reverse Validation Action.

LIBRARY PROJECTS FY 2010 & 2011 (REV 5/10)

Project Title	Priority	Lead	Budget	Timeline
1 Implement Library Strategic Plan (2009-2012)	CI	Doug Smith	Included in operational budget	Quarterly reports on BOLT agenda, last report given on 12/09/2009
2 Implement branch library improvement program	CI	D. Corbeil, S. Olawski, D. Dang	\$26M	Ongoing - Updates given monthly in board packets
3 Research and report on evolving self-check and other technologies	CI	A. Abramson & J. Dickinson	TBD	RFP released – staff researching vendors
4 Consider establishing a library reserve fund	CI	D. Dang & D. Corbeil	3-5% of library operations budget	Include in FY 2012- 2014 biennial budget process
5 Confirm the stability of the operating budget and plan for what is on the horizon operationally, to include establishing / maintaining a balanced budget	CI	D. Dang & D. Corbeil	TBD	Submit Revised FY 2011 budget on 5/25/10
6 Central Library Layout & Service Improvement Project	DP	Doug Smith	Gift Funds budgeted	Status report at 5/ 25/2010 BOLT meeting
7 Staff Development / Training Plan	DP	J. Shurson, A. Abramson, & S. Olawski	TBD	Ongoing as planned – partially funded by Friends of the Library grant
8 Circulation Workflow Project	DP	J. Dickinson	TBD	Complete - Investigate automated materials handling
9 Website	DP	A. Abramson	Software and staff to manage web budgeted	Encore launched February 2010 ;Ongoing -User interface improvements and respond to public feedback

CI = Critical Initiative

SP = Special (Board initiated) Project

DP = Department (Staff initiated) Project

BERKELEY PUBLIC LIBRARY LIBRARY TAX FUND (301): 5-YEAR FUND ANALYSIS

	FY 2009 FINAL	FY 2010 FINAL	FY 2011 ADOPTED	FY 2011 REVISED	FY 2011 PROJECTED	FY 2012 Baseline	FY 2013 Baseline	FY 2014 Projected
Beginning Fund Balance	\$ 807,072	\$ 1,102,151	\$ 1,461,883	\$ 1,461,883	\$ 1,461,883	\$ 984,739	\$ 325,616	\$ -
Revenues								
Library Services Tax	\$ 13,651,761	\$ 13,844,489	\$ 13,904,789	\$ 13,904,789	\$ 13,904,789	\$ 14,361,469	\$ 14,648,699	\$ 14,941,672
Fines/Fees	275,241	293,254	252,000	252,000	300,000	300,000	300,000	300,000
Donations/Private Contributions	181							
Misc. Revenue / Interest / Refunds	29,844	14,532	10,500	10,500	10,500	2,000	2,000	2,000
TOTAL REVENUE:	\$ 13,957,027	\$ 14,152,275	\$ 14,167,289	\$ 14,167,289	\$ 14,215,289	\$ 14,663,469	\$ 14,950,699	\$ 15,243,672
Expenditures								
Operations								
Salaries, Wages, Benefits	\$ 11,241,902		\$ 11,649,948	\$ 11,649,948	\$ 11,649,948	\$ 12,667,688	\$ 12,927,144	\$ 12,927,144
less: Labor Vacancy Savings			116,499	116,499	116,499	116,499	116,499	116,499
Personnel	\$ 11,241,902	\$ 11,645,544	\$ 11,533,449	\$ 11,533,449	\$ 11,533,449	\$ 12,557,189	\$ 12,810,645	\$ 12,810,645
Non-Personnel	1,409,625	1,256,591	1,716,406	1,807,563	1,805,754	1,716,406	1,716,406	1,716,406
Library Materials (incl Tool Lndng)	819,881	823,068	900,000	900,000	900,000	900,000	900,000	900,000
RFID Loan Repayment	111,392							
Computer & Software Purchase	49,177	31,013	55,000	55,000	55,000	55,000	55,000	55,000
CIP	17,214	12,539	75,000	75,000	375,390	75,000	75,000	75,000
ADD EXPENSE								
Charges From Other Depts								
Finance - Billing (3601)	\$ 7,409	\$ 12,685	\$ 11,267	\$ 11,267	\$ 11,267	\$ 12,849	\$ 13,118	\$ 13,118
Facilities - Admn (5401) +Txcs (5403)	5,348	11,103	11,512	11,574	11,574	12,148	12,297	12,297
Interfund Transfers								
Subtotal:	\$ 12,757	\$ 23,788	\$ 22,779	\$ 22,841	\$ 22,841	\$ 24,997	\$ 25,415	\$ 25,415
TOTAL EXPENDITURES:	\$ 13,661,948	\$ 13,792,543	\$ 14,302,634	\$ 14,393,853	\$ 14,692,433	\$ 15,322,592	\$ 15,582,466	\$ 15,582,466
Projected Surplus/(Shortfall)	\$ 295,079	\$ 359,732	\$ (135,345)	\$ (226,564)	\$ (477,144)	\$ (659,123)	\$ (631,767)	\$ (338,794)
GROSS FUND BALANCE								
{Bal + Rev - Exp}	\$ 1,102,151	\$ 1,461,883	\$ 1,326,538	\$ 1,235,319	\$ 984,739	\$ 325,616	\$ (306,152)	\$ (338,794)

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8-Dec-10

Baseline w/Revenue @ 2.0%

+ \$51,500 Millennium
+ \$127,896 Sif-Chk
+ \$86,250 VoIP
+ \$14,527 PBID
- \$28,080 Nrth Br
- \$25,650 Clmt Br
+ \$51,500 Millennium
+ \$38,892 Sif-Chk
+ \$86,250 VoIP
+ \$15,000 PBID
- \$28,080 Nrth Br
- \$25,650 Clmt Br
+ \$51,500 Millennium X
+ \$38,892 Sif-Chk
+ \$15,500 Millennium X
+ \$15,500 PBID
- \$24,600 Sth Br
- \$25,950 Wst Br
\$226,443 Add EXP
\$87,362 Add EXP
\$16,450 Add EXP

BERKELEY PUBLIC LIBRARY LIBRARY TAX FUND (301): 5-YEAR FUND ANALYSIS

	FY 2009 FINAL	FY 2010 FINAL	FY 2011 ADOPTED	FY 2011 REVISED	FY 2011 PROJECTED	FY 2012 Baseline	FY 2013 Baseline	FY 2014 Projected
Beginning Fund Balance	\$ 807,072	\$ 1,102,151	\$ 1,461,883	\$ 1,461,883	\$ 1,461,883	\$ 984,739	\$ 255,217	\$ -
Revenues								
Library Services Tax	\$ 13,651,761	\$ 13,844,489	\$ 13,904,789	\$ 13,904,789	\$ 13,904,789	\$ 14,291,070	\$ 14,505,436	\$ 14,723,018
Fines/Fees	275,241	293,254	252,000	252,000	300,000	300,000	300,000	300,000
Donations/Private Contributions	181		0		0	0	0	0
Misc. Revenue / Interest / Refunds	29,844	14,532	10,500	10,500	10,500	2,000	2,000	2,000
TOTAL REVENUE:	\$ 13,957,027	\$ 14,152,275	\$ 14,167,289	\$ 14,167,289	\$ 14,215,289	\$ 14,593,070	\$ 14,807,436	\$ 15,025,018
Expenditures								
Operations								
Salaries, Wages, Benefits	\$ 11,241,902		\$ 11,649,948	\$ 11,649,948	\$ 11,649,948	\$ 12,667,688	\$ 12,927,144	\$ 12,927,144
less: Labor Vacancy Savings			116,499	116,499	116,499	116,499	116,499	116,499
Personnel	\$ 11,241,902	\$ 11,645,544	\$ 11,533,449	\$ 11,533,449	\$ 11,533,449	\$ 12,551,189	\$ 12,810,645	\$ 12,810,645
Non-Personnel	1,409,625	1,256,591	1,716,406	1,807,563	1,805,754	1,716,406	1,716,406	1,716,406
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RFID Loan Repayment	111,392							
Computer & Software Purchase	49,177	31,013	55,000	55,000	55,000	55,000	55,000	55,000
CIP	17,214	12,539	75,000	75,000	375,390	75,000	75,000	75,000
ADD EXPENSE								
Charges From Other Depts								
Finance - Billing (3601)	\$ 7,409	\$ 12,685	\$ 11,267	\$ 11,267	\$ 11,267	\$ 12,849	\$ 13,118	\$ 13,118
Facilities - Admn (5401) +Txcs (5403)	5,348	11,103	11,512	11,574	11,574	12,148	12,297	12,297
Interfund Transfers					0			
Subtotal:	\$ 12,757	\$ 23,788	\$ 22,779	\$ 22,841	\$ 22,841	\$ 24,997	\$ 25,415	\$ 25,415
TOTAL EXPENDITURES:	\$ 13,661,948	\$ 13,792,543	\$ 14,302,634	\$ 14,393,853	\$ 14,692,433	\$ 15,322,592	\$ 15,582,466	\$ 15,582,466
Projected Surplus/(Shortfall)								
{Rev - Exp}	\$ 295,079	\$ 359,732	\$ (135,345)	\$ (226,564)	\$ (477,144)	\$ (729,522)	\$ (775,030)	\$ (557,448)
GROSS FUND BALANCE								
{Bal + Rev - Exp}	\$ 1,102,151	\$ 1,461,883	\$ 1,326,538	\$ 1,235,319	\$ 984,739	\$ 255,217	\$ (519,813)	\$ (557,448)

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8-Dec-10

Baseline w/Revenue @ 1.5%

+\$51,500 Millenium
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Revenues								
Library Services Tax	\$ 13,651,761	\$ 13,844,489	\$ 13,904,789	\$ 13,904,789	\$ 13,904,789	\$ 14,291,070	\$ 14,505,436	\$ 14,723,018
Fines/Fees	275,241	293,254	252,000	252,000	300,000	300,000	300,000	300,000
Donations/Private Contributions	181		0		0	0	0	0
Misc. Revenue / Interest / Refunds	29,844	14,532	10,500	10,500	10,500	2,000	2,000	2,000
TOTAL REVENUE:	\$ 13,957,027	\$ 14,152,275	\$ 14,167,289	\$ 14,167,289	\$ 14,215,289	\$ 14,593,070	\$ 14,807,436	\$ 15,025,018
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CIP	17,214	12,539	75,000	75,000	375,390	75,000	75,000	75,000
ADD EXPENSE						226,443	87,362	16,450
Charges From Other Depts								
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Interfund Transfers				0	0			
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TOTAL EXPENDITURES:	\$ 13,661,948	\$ 13,792,543	\$ 14,302,634	\$ 14,393,853	\$ 14,692,433	\$ 15,549,035	\$ 15,669,828	\$ 15,598,916
Projected Surplus/(Shortfall)	\$ 295,079	\$ 359,732	\$ (135,345)	\$ (226,564)	\$ (477,144)	\$ (955,965)	\$ (862,392)	\$ (573,898)
GROSS FUND BALANCE								
{Bal + Rev - Exp}	\$ 1,102,151	\$ 1,461,883	\$ 1,326,538	\$ 1,235,319	\$ 984,739	\$ 28,774	\$ (833,618)	\$ (573,898)

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Baseline w/Revenue @ 1.5% and ADD EXPENSE

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+\$86,250 VoIP +\$86,250 VoIP
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-\$28,080 Nrth Br -\$28,080 Nrth Br
-\$25,650 Clmt Br -\$25,650 Clmt Br
-\$24,600 Sth Br -\$24,600 Sth Br
-\$25,950 Wst Br -\$25,950 Wst Br
\$226,443 Add EXP \$87,362 Add EXP \$16,450 Add EXP



**BERKELEY PUBLIC LIBRARY
BOARD OF LIBRARY TRUSTEES**

RESOLUTION NO.: 11-___

**THE BOARD OF LIBRARY TRUSTEES EXPRESSES ITS GRATITUDE TO KATHY E. SOUZA, WHO SERVED AS
LIBRARY ASSISTANT AND LIBRARY SPECIALIST FOR THE BERKELEY PUBLIC LIBRARY FROM MARCH
1987 TO DECEMBER 2010.**

WHEREAS, nearly 24 years ago in March 1987 Ms. Souza began working at the Berkeley Public Library as a Library Assistant; and

WHEREAS, in 2006 Ms. Souza was awarded a permanent promotion to Library Specialist II in the Central Library's Children's division; and

WHEREAS, Ms. Souza's supervisors have consistently remarked on the calm, can-do attitude and excellent problem-solving skills that she has brought to the job; and

WHEREAS, Ms. Souza devoted great energy to the flow of many thousands of incoming new children's materials—books, videos, musical recordings, and kits—into the collections of the Berkeley Public Library, ensuring their timely availability to Library patrons; and

WHEREAS, Ms. Souza ably represented Children's Services staff on the system wide Safety Committee, helping to ensure safe work practices for all in her division; and

WHEREAS, during the course of her career, Ms. Souza has quickly adapted to the dramatic changes in the ways Libraries provides service to young people and the new technologies that accompanied those changes; and

WHEREAS, countless children and their adults got to know Ms. Souza to be a warm, friendly, and approachable presence in the Central Library during her many years there and rejoiced to see her smiling face each time they visited; and

WHEREAS, many of those children are now parents with their own children who have been welcomed and helped by Ms. Souza; and

WHEREAS, Ms. Souza will be greatly missed by those who work with her.

NOW, THEREFORE, BE IT RESOLVED that the Board of Library Trustees of the City of Berkeley expresses its gratitude to Kathy E. Souza for her service to the Berkeley community and the Berkeley Public Library.

ADOPTED by the Board of Library Trustees of the City of Berkeley at a regular meeting held on January 12, 2011.

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Susan Kupfer, Chairperson

Donna Corbeil, Director of Library Services
Serving as Secretary to the Board of Library Trustees



BERKELEY PUBLIC LIBRARY

CONSENT CALENDAR

January 12, 2011

TO: Board of Library Trustees

FROM: Donna Corbeil, Director of Library Services

SUBJECT: CLOSURE OF THE TOOL LENDING LIBRARY FOR ANNUAL TOOL MAINTENANCE FROM FEBRUARY 13 THROUGH FEBRUARY 20, 2011

RECOMMENDATION

Adopt the attached resolution authorizing the closure of the Tool Lending Library from February 13 through February 20, 2011 and reopening on February 22, 2011.

FISCAL IMPACT

This report will have no fiscal impacts.

BACKGROUND

In January 1997, the Board of Library Trustees began to authorize, on an annual basis a two-week closure of the Tool Lending Library for maintenance and repairs. The staff members use this time to repair damaged tools, maintain the facility, check the inventory, and get ready for the sharp increase in patronage and tool usage during the spring and summer months.

CURRENT SITUATION AND ITS EFFECTS

It is being requested that a one-week closure occur beginning February 13 through February 20, 2011. The Tool Lending Library will reopen on February 22, 2011. Press releases and flyers will announce the closure of the Tool Lending Library.

FUTURE ACTION

No future action is needed.

Attachments:

1. Resolution



RESOLUTION NO.: 11-__

**AUTHORIZATION TO CLOSE THE TOOL LENDING LIBRARY FOR ANNUAL TOOL MAINTENANCE FROM
FEBRUARY 13 THROUGH FEBRUARY 20, 2011 AND REOPENING ON FEBRUARY 22, 2011**

WHEREAS, in January 1997 the Board of Library Trustees authorized a one-week closure of the Tool Lending Library for maintenance and repairs; and

WHEREAS, the closure must take place prior to the busy spring and summer months.

NOW, THEREFORE, BE IT RESOVLED that the Board of Library Trustees of the City of Berkeley authorizes the closure of the Tool Lending Library from February 13 through February 20, 2011, with reopening occurring on February 22, 2011.

ADOPTED by the Board of Library Trustees of the City of Berkeley at a regular meeting held on January 12, 2011.

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Susan Kupfer, Chairperson

Donna Corbeil, Director of Library Services
Serving as Secretary to the Board of Library Trustees



BERKELEY PUBLIC LIBRARY

ACTION CALENDAR

January 12, 2011

TO: Board of Library Trustees
FROM: Donna Corbeil, Director of Library Services
SUBJECT: CONTRACT: PUBLIC ART FOR CLAREMONT BRANCH AND NORTH BRANCH

RECOMMENDATION

Adopt a resolution authorizing the Director of Library Services to execute a contract and any amendments with the artist selected for North Branch and the artist selected for Claremont Branch for the provision of art commissioning, production and services related to design and installation of selected art for a term of 18 months in an amount not to exceed \$38,000 for the North project and \$29,000 for the Claremont branch for the period from January 26, 2011 through July 30, 2012.

FISCAL IMPACTS

Funds to pay for artistic services will be allocated from the Measure FF Bond Fund (308) through budget code 308-9301-450.30-38 11LB27 for Claremont Branch and budget code 308-9301-450.30-38 11LB24 for North Branch.

City Resolution No. 60,048-N.S. ("1999 Percent for Art Resolution") adopted by the City Council on May 25, 1999 sets an amount equal to one percent (1%) for each eligible capital project for the development and installation of art integrated into the completed project; as well as an amount equal to one half percent (0.5%) for administrative costs. Those projects, for which the funding is use-restricted by either its source or an applicable law or regulation, are exempt from the aforementioned Resolution.

Due to its funding source the Branch Libraries Improvement Program, effectively approved in November 2008 by passage of Measure FF, is exempt from the requirements of the 1999 Percent for Art Resolution. Nonetheless, in accordance with the spirit of the Resolution, the Library has elected to include the suggested 1.0% civic art set-aside in the project hard cost budgets of each of the four branch projects as well as the one half percent (0.5%) amount to cover administrative costs. The 0.5% administrative portion has been allocated to cover art selection and commissioning related tasks, and activities and expenses, such as advertisement, postage, special announcements, honoraria for selected artists to refine proposals and other miscellaneous costs.

BACKGROUND

City of Berkeley Resolution 60,048-N.S established a program to fund the development of visual art in public places, including art developed in conjunction with city construction projects. In 1999, as part of Berkeley Measure S downtown public art project, \$300,000 in bond funding was designated for art, of this \$20,000 was allocated for art in the central library renovation project. Under the aegis of the City's



Civic Arts Commission, a selection process was undertaken for the Local History Room gates located on the second floor of the Central Library.

More recently, for Measure FF, the Branch Renovation Program, outside bond council has advised that the City cannot use bond proceeds for furnishings or fixtures under State law, but instead the bond funds can only be used if the art can be considered permanently attached to the structure and treated as real property. As Measure FF funds relate to the city's civic art ordinance, Resolution 60,048, it is not a given that the branch renovations would be designated as eligible capital projects.

The board discussed the addition of public art into the four branch projects at the September 9, 2009 and December 9, 2009 meetings. Following the board's discussion, staff contacted the Civic Arts Coordinator. In March 2010, it was clarified that public art could be incorporated into the Measure FF projects and the options for doing so. Consequently, the issue was placed on the Civic Arts Commission Agenda for discussion in April and May and unanimously voted on in June of 2010. At the June 9, 2010 regular meeting of the board a contract with a Consultant for services related to the management of the process required to complete these two projects over the next year was approved. Subsequently the board appointed Trustees Burton and Franklin as the BOLT representatives.

CURRENT SITUATION AND ITS EFFECTS

The Consultant convened a selection panel consisting of stakeholders from the Board of Library Trustees, Civic Arts Commission, Landmarks Preservation Commission, project architects, library staff and community representatives; managed the call for artists from Alameda and Contra Costa Counties; developed promotional material; held informational meetings; gave tours of the sites and managed community meetings as well as the selection process.

Sixteen artists responded to the panel's invitation to submit letters of interest and qualifications for the North Branch and Claremont Branch public art projects. The Arts Panel met on Tuesday, October 26, 2010 to review the artists' submissions, discuss their general qualifications and the appropriateness of their work, to compile total ranking scores for each artist and to select the three finalists for each branch.

The six finalists selected for North Branch are Marion Coleman www.marioncoleman.com, John Wehrle www.troutinhand.com, and Lena Wolff www.lenawolff.com and for Claremont Branch are Eric Powell www.ericpowell.com, David Ruth www.davidruth.com, and Nina Zurier and Pat Bruning www.ninazurier.com and www.bruningdesign.com.

Final presentation materials that accurately represent the finished work that each Finalist is proposing for the public art projects were on public view inside the North and Claremont Branch Libraries from December 20 through December 30, providing an opportunity for the public to comment on the individual proposals. A press release and flyers advertising the viewing period and process were prepared and made available prior to the December date. Comments will be collated and delivered to the Selection Panel for their consideration at their January 6, 2011 meeting at which each Finalist will be make a presentation to the Panel and respond to questions from the Panel and provide clarifications. Presentation will be followed by a Panel discussion and final decisions to recommend to the Library board.



RATIONALE FOR RECOMMENDATION

Staff recommends that a contract be executed with the artist(s) selected by the panel for each branch project in the recommended amount as described by the city council resolution. The recommendation is in conformance with city practices and the intent of the civic art provision in public buildings. Delay in the selection process and award of a contract could adversely affect the ability of the design team to include information on the art installation in bid day documents. The approval by the board to execute the contracts will complete the selection process as outlined in a timely manner within the budget amounts allocated. Delays could negatively impact the construction schedule and budget.

Next steps will include an informational presentation to the Berkeley Civic Arts Commission and Landmarks Preservation Commission by those Commissioners participating in the selection process. The Library Director will report on the status of the library art projects to the City Council in the near future.

FUTURE ACTION

None.

Attachments:

1. Resolution



RESOLUTION NO.: R11-__

CONTRACT: PUBLIC ART FOR CLAREMONT BRANCH AND NORTH BRANCH

WHEREAS, the Branch Library Improvement Program is funded by Measure FF bond funds approved by the voters to finance the renovation, expansion, and make seismic and access improvements at the four neighborhood branch libraries; and

WHEREAS, the selection, commissioning and production of a public art piece are included in the estimated soft costs for the bond funded program; and

WHEREAS, the board has expressed a strong interest in including a public art component in the branch library building projects to enrich both the architectural and cultural environment of the City and its neighborhoods; and

WHEREAS, a contract with a consultant for services related to the management of the process required to complete these two art projects over the next year was approved; and

WHEREAS, a selection panel consisting of stakeholders from the Board of Library Trustees, Civic Arts Commission, Landmarks Preservation Commission, project architects, library staff and community representatives was convened; and

WHEREAS, a call for artists from Alameda and Contra Costa Counties resulted in three finalists each for the North Branch and Claremont Branch public art projects ; and

WHEREAS, the Board of Library Trustees is responsible for making decisions relating to the improvements at the four branch libraries, including but not limited to contracts for design, engineering, construction management and construction.

NOW, THEREFORE, BE IT RESOLVED that the Board of Library Trustees of the City of Berkeley adopt a resolution authorizing the Director of Library Services to execute a contract and any amendments with _____ for North Branch and _____ for Claremont Branch for the provision of art commissioning, production and services related to design and installation of selected art for a term of 18 months in an amount not to exceed \$38,000 for the North project and \$29,000 for the Claremont branch for the period from January 26, 2011 through July 30, 2012.

ADOPTED by the Board of Library Trustees of the City of Berkeley during a regular meeting held on January 12, 2011 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTENTIONS:

Susan Kupfer, Chairperson

Donna Corbeil, Director of Library Services
Secretary of the Board of Library Trustees



BERKELEY PUBLIC LIBRARY

ACTION CALENDAR

January 12, 2011

TO: Board of Library Trustees

FROM: Donna Corbeil, Director of Library Services

SUBJECT: Review and Possible Action on Library Budget priorities for FY 2012/2013

Recommendation

Adopt a resolution adopting budget priorities to be used in development of the Library's biennial budget cycle, FY 2012 and 2013.

INTRODUCTION

The purpose of this report is to review and update budget priorities for the Library, which will be used in budget development and integrated into the annual Library work plan.

FISCAL IMPACT

There is no direct fiscal impact from this report though priorities will have budget implications.

BACKGROUND

On an annual basis, the Board develops and approves budget priorities. As part of a report on the development of the budget for the upcoming 2-year fiscal cycle, the Board's priorities for fiscal years 2010 and 2011 were brought to the December 8, 2010 Board meeting for discussion and to assist with the development of priorities for the coming two-year budget cycle. The 2010 and 2011 priorities were:

1. Confirm stability of operating budget and plan for future operational needs -- including establishing / maintaining a balanced budget
2. Implement renovation program (Measure FF)
3. Implement strategic plan – maximize effectiveness of services
4. Research and report on evolving self-check technologies
5. Pursue establishment of a reserve fund

CURRENT SITUATION AND ITS EFFECTS



At the December 8, 2010 meeting the board discussed possible goals and asked that a resolution approving priorities for the fiscal year 2012 and 2013 Library budget be included on the January calendar. At that meeting, Trustee Moore suggested revising the list of priorities and made the following suggestions:

- Keep - Confirm stability of operating budget and plan for future operational needs -- including establishing / maintaining a balanced budget.
- Change - ~~Implement renovation program~~ to Monitor and manage bond funds (Measure FF)
- Change - ~~Implement~~ Monitor strategic plan – maximize effectiveness of services
- Delete - ~~Research and report on evolving self-check technologies~~
- Keep - Pursue establishment of a reserve fund

The City Manager's budget development instructions for the next two-year budget include the following directives:

- 1-time revenue for 1-time expenses
- Long-term fiscal health, by doing 5-year planning and 2-year budgets
- Building a prudent reserve
- Control labor costs while minimizing layoffs
- Manage unfunded liabilities
- No new programs without new revenues or expenditure cuts. Specifically, the City's targets are 1) General Fund target reductions of 3% each fiscal year and 2) employ balancing measures in other reserve funds whereby expenditures not exceed revenue.

FUTURE ACTION

No action is recommended.

Attachments:

1. Resolution



**BERKELEY PUBLIC LIBRARY
BOARD OF LIBRARY TRUSTEES**

RESOLUTION NO.: R11-__

**APPROVAL OF THE BOARD OF LIBRARY TRUSTEES
FY 2012 and 2013 LIBRARY BUDGET PRIORITIES**

WHEREAS, at their January 14, 2009 regular meeting, the Board of Library Trustees adopted priorities for fiscal year 2010-2011; and

WHEREAS, on an annual basis, the Board develops and approves budget priorities; and

WHEREAS, since the FY2012-2013 Biennial Budget process is underway, a review of the priorities is recommended to ensure proposed budget changes and Board priorities are coordinated.

WHEREAS, at the December 8, 2010 meeting the board discussed possible goals and asked that a resolution approving priorities for the fiscal year 2012 and 2013 Library budget be included on the January calendar; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Library Trustees of the City of Berkeley to approve the FY2010/11 Library Budget priorities as discussed:

- _____
- _____
- _____
- _____
- _____

ADOPTED by the Board of Library Trustees of the City of Berkeley at a regular meeting held on January 12, 2011.

AYES:
NOES:
ABSENT:
ABSTENTIONS:

Susan Kupfer, Chairperson

Donna Corbeil, Director of Library Services
Serving as Secretary to the Board of Library Trustees



BERKELEY PUBLIC LIBRARY

INFORMATION CALENDAR

January 12, 2011

TO: Board of Library Trustees

FROM: Donna Corbeil, Director of Library Services

SUBJECT: JANUARY 2011 MONTHLY BRANCH IMPROVEMENT PROJECT REPORT FROM LIBRARY DIRECTOR

INTRODUCTION

Every month the Library Director gives the Board a report on branch improvement activities and updates from the previous month.

FISCAL IMPACT

This report will have no fiscal impacts.

SUMMARY OF WORK

Meetings held during this reporting period include:

- Weekly project meetings facilitated by the KCEM project manager, Steve Dewan or Bob Fusilier
- Meeting with City's Planning Department and architects as needed

COMMUNICATION

Staff continues to update the Library website with FAQs, announcements of meetings etc. as needed: http://www.berkeleypubliclibrary.org/about_the_library/b-renovation.php. A display of the latest plans for that branch and the appropriate FAQ is posted for public review. Comments are being taken and suggestions received are posted.

FISCAL

None.

OTHER CITY AGENCIES, BOARDS AND BODIES

CoB City Council

Use Permits for the Claremont and North branch projects granted by the Zoning Adjustment Board (ZAB) in July were appealed, the hearing was set to be heard by the City Council at the regular meeting of Tuesday, December 14, 2010. At the meeting the City Manager announced



the appeals were withdrawn and the items were subsequently pulled from the agenda. Communications submitted to the Council on the ZAB appeals agenda items numbered 79, with all but 2 in favor of the projects. These can be viewed by contacting the City Clerk's office.

Following this action on December 17, 2010, the Planning Department filed an Environmental Declaration for a Notice of Categorical Exemption for both projects with the County of Alameda County Clerk's office. The declaration, under State of California CEQA guidelines for a categorical exemption, was based on the findings and conditions as approved by ZAB on July 22, 2010.

Also on December 14, 2010, the Council passed on the Consent Calendar the repeal of Ordinance N0. 7,148-N.S. and removing section 23C.04.076 from the Berkeley Municipal Code (first reading) pending the substantial completion of the EIR currently underway. This is an Ordinance that would, "allow existing public libraries, whether conforming or non-conforming, to be changed, expanded, or demolished and a new public library constructed, and allow modification of any zoning ordinance requirement applicable to such projects with a use permit, rather than a variance".

Planning and Development

The draft EIR was released on December 15, 2010 by the Planning Department: *DEIR for the Proposed Zoning Ordinance Amendment for Public Libraries and the South and West Branch Libraries Project*. On the City's website at:

<http://www.ci.berkeley.ca.us/ContentDisplay.aspx?id=362>

The Library has posted notices in all five branches and on the library's website. Public comment is open for 45 days, from December 14, 2010 to January 31, 2011. During the review period several public meetings are planned, as follows:

- LPC on Thursday, January 6, 2011 @ 7 PM
- ZAB on Thursday, January 13, 2011 @ 7 PM
- Planning Commission on Thursday, January 19, 2011 @ 7 PM

The Planning Department is responsible for conducting this process.

PROJECT UPDATES

Preparation for the closure, moving out and storage of materials and furnishings of the North and Claremont branch libraries are underway.

In December the Library solicited written quotes from moving firms to provide packing and moving services related to the anticipated closures for construction at North and Claremont in the first quarter of 2011. Funding for these activities and contracts are included in the Measure FF budget. The Library is also in discussions with the city regarding the lease of space at the Telegraph / Channing Mall (Sather Gate) complex, in an amount well within the anticipated budget. Lastly, the staff is in the process of finalizing a handout with information on the branch temporary closures, alternative service locations and book van services, this will be distributed once the closure date for service is set.

The Branch Van has been received and 'wrapped' with colorful graphics in anticipation of usage. The staff will identify opportunities to promote the service in advance of the closures so that the public is well aware of the temporary service.



North Branch

The plans are currently under review by the City Building Department. The final set of plans with revisions of the building permit application / drawings will constitute the bid set. This review process is expected to be completed mid-January 2011. Permit approval and bid advertisement is expected to occur in the first quarter of 2011. Contract execution activities (including bid advertisement, pre-bid meeting, addendums, bid opening and review, award of bid and notice to proceed) will be completed by end of April 2011. A closure and move out date will be set later in the process to minimize the length of closure.

Claremont Branch

The plans are currently under review by the City Building Department. The final set of plans with revisions of the building permit application / drawings will constitute the bid set. This review process is expected to be completed mid-January 2011. Permit approval and bid advertisement is expected to occur in the first quarter of 2011. Contract execution activities (including bid advertisement, pre-bid meeting, addendums, bid opening and review, award of bid and notice to proceed) are expected to be completed before the end of April 2011. A closure and move out date will be set later in the process to minimize the length of closure.

Other

The West Branch and South Branch projects are on hold pending completion of the EIR process.



BERKELEY PUBLIC LIBRARY

INFORMATION CALENDAR

January 12, 2011

TO: Board of Library Trustees

FROM: Donna Corbeil, Director of Library Services

SUBJECT: REPORT ON RECRUITMENT PROCESS TO FILL VACANCY ON BOARD OF LIBRARY TRUSTEES CREATED BY TRUSTEE KUPFER'S TERM END EFFECTIVE MAY 13, 2011

INTRODUCTION

Review Timeline for Process to Recruit for Vacancy on Board of Library Trustees created by Trustee Susan Kupfer's second term end effective May 13, 2011.

FISCAL IMPACT

This report has no fiscal impact.

BACKGROUND

Trustee Kupfer's second four-year term will end May 13, 2011. In order to ensure a replacement is selected and confirmed by the City Council prior to this date, the process to fill this vacancy began in January. The proposed timeline is in conformance with the process established by the Board for past Trustee appointments and allows adequate time for all steps as outlined below.

CURRENT SITUATION AND ITS EFFECTS

The process and criteria related to the search for a replacement will begin in January to ensure an appointment is made prior to May 13, 2011. The following timeline reflects the process used during the last appointment.

<u>DATE</u>	<u>ACTIVITY</u>
January 12, 2011	Timeline for recruitment effort reviewed
January 1- March 31	Recruitment open, Advertisement in media and in library branches; open house planned for February & Application Review; staff reports to Board on recruitment efforts and gives update on process set to close in early April 2011
February 1, 2011	Open House @ Central 6:30PM
April 13, 2011	BOLT regular meeting - Interviews and Recommendation



May 03, 2011	City Council meeting consent item to approve appointing the recommended candidate
May 13, 2011	Trustee Kupfer's term ends / new Trustee term begins
June 8, 2011	New Trustee's first regular meeting as a Board member

RECRUITMENT

The current boards and commission page of the city's website gives general information on commission vacancies and specific information for the Board of Library Trustees, including BOLT Application, Supplemental Questionnaire, meeting times, minutes and a link to the Library's website. In addition, the Board's mission and the following charter citations are listed with full text.

Chapter 3.04 BOARD OF LIBRARY TRUSTEES (see Charter § 30)

- Section 3.04.010 Composition--Term of office.
- Section 3.04.040 Organization of board.
- Section 3.04.050 Control and management authority--Meetings--Library defined.
- Section 3.04.060 Tax levy for library expenditures.
- Section 3.04.070 Library fund--Created--Disposition.
- Section 3.04.080 Library property to vest in City when.
- Section 3.04.090 Powers and duties.
- Section 3.04.100 Reports required.

The three documents most relevant to the recruitment process: Application for Appointment to Berkeley Boards and Commissions, Supplemental Questionnaire for the Berkeley Board of Library Trustees, and Responsibilities of the Berkeley Public Library Board of Library Trustees are included for the Board's information. These are the same documents used in the most recent recruitment effort.

At the November regular meeting of the Board it was discussed and agreed that Trustee Franklin would review and possibly revise the interview questions prior to the candidate interviews to be held at a regular meeting of the Board.

FUTURE ACTION

No future action is necessary.

Attachments:

1. Application for Appointment to Berkeley Boards and Commissions
2. Supplemental Questionnaire for the Berkeley Board of Library Trustees
3. 05/09/07 Responsibilities of the Library Trustees

APPLICATION FOR APPOINTMENT TO BERKELEY
BOARDS AND COMMISSIONS

NAME: _____

RESIDENCE ADDRESS: _____
Street City Zip

BUSINESS NAME/ADDRESS: _____
Street City Zip

OCCUPATION/PROFESSION: _____

BUSINESS PHONE: _____ HOME PHONE: _____

I have been a resident of Berkeley since: _____

(Response optional) Sex: _____ Race (circle one) White Black Hispanic Asian
Native American

I am interested in being considered for appointment to the following Berkeley
board(s)/commission(s):

(Name of board or commission)

(Name of board or commission)

List any qualifications (work experience, education, attributes and training) which you feel would
provide positive input to the work of the commission and the reason why you are interested in being
appointed: _____

Please use another sheet of paper, if necessary.

The following individuals are qualified to comment on my capabilities:

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE NO.</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Signature: _____ Date: _____

Please return this form to the Office of the City Clerk

**SUPPLEMENTAL QUESTIONNAIRE
FOR THE
BERKELEY BOARD OF LIBRARY TRUSTEES**

In addition to filling out the application form, candidates are requested to provide additional information to assist the Board of Library Trustees in their process to recommend names to the City Council.

- 1. Please explain why you are interested in becoming a Library Trustee.**

- 2. What do you think the Library's most important roles are for the community?**

- 3. Please list former and current activities and accomplishments in the community – school groups, neighborhood events, service clubs, other boards and commissions.**

- 4. What experience or skills do you bring to the Board, and to a building and renovation project?**

- 5. What are some of the problems and challenges facing libraries?**

Responsibilities of the Berkeley Public Library Board of Library Trustees

“There is not such a cradle of democracy upon the earth as the Free Public Library, this republic of letters, where neither rank, office, nor wealth receives the slightest consideration.” – Andrew Carnegie

Overview

The Berkeley Public Library Board of Trustees provides a liaison between the general public and the library. The Library Board has the legal authority and responsibility to see that the library is well-managed, and that it operates in accordance with the Berkeley City Charter (Article VII, Section 30) as well as with policies established by the Board itself.

Legal Authorities and Responsibilities

Appointment of the Library Director: Trustees select and appoint the Director of the Library. They delegate to the Director the authority needed to ensure effective planning and managing of the day-to-day operations.

Policy formulation: The Director and appropriate staff assist the Trustees in developing policies to ensure that the organization is sound and can respond to the needs of the public. This includes determining fines and fees, setting or changing hours of service, approving and affirming principles used to guide collection development, and making final decisions regarding personnel actions involving grievances or the Skelly process.

Planning and Budget Review: The Trustees are involved in both short- and long-range planning; they are the managing agents of the Library Fund and are participants in the annual budget review and approval process.

Role as liaison between the general public and the Library

It is the responsibility of the Library Board to represent the Berkeley community to the library by mixing with many segments and interests in the community and attending meetings of other groups; to serve as library advocates, bringing library awareness to the citizens; to explain the library and its usefulness to individuals, groups and to the political structure; to respond to questions and comments positively, accurately, and convincingly; to organize support for the library, its plans, its programs, and its growth.

General Qualifications

- Demonstrated interest in and enthusiasm for the library (preferably a regular library user)
- Readiness to devote time and effort
- An open mind coupled with respect for the opinion of others and, a steadfast belief in intellectual freedom and privacy.
- Ability to plan creatively.
- Courage to withstand pressures and resist influences based on prejudice
- Ability to analyze the business and administrative procedures, and to be part of the accountability process to the public and provide oversight.
- Possession of common sense
- Reflects the diversity of the Berkeley community.
- Experience with books and libraries
- Willing and able to work with management, staff and the union.

Practical background and/or direct experience in one or more of these areas is desirable:

- Involvement in community organizations
- An understanding of local government operations, of public boards, and commissions
- An interest in long-range planning
- Personal experience in one or more of these areas:

- ✓ Education
- ✓ Architecture/Construction
- ✓ Accounting/Finance
- ✓ Business
- ✓ Personnel management
- ✓ Technology
- ✓ Law/Government
- ✓ Humanities
- ✓ The Arts
- Availability and openness to the public.



BERKELEY PUBLIC LIBRARY

INFORMATION CALENDAR

January 12, 2011

TO: Board of Library Trustees
FROM: Donna Corbeil, Director of Library Services
SUBJECT: JANUARY 2011 MONTHLY REPORT FROM LIBRARY DIRECTOR

INTRODUCTION

Every month the Library Director gives the Board a report on Library activities and updates from the previous month.

FISCAL IMPACT

This report will have no fiscal impacts.

PROFESSIONAL ACTIVITIES

The annual American Library Association conference is scheduled to take place June 23-28, 2011 in New Orleans, registration and hotel accommodations are now open for early bird registration at: <http://www.alaannual.org/>.

PROGRAMS, SERVICES AND COLLECTIONS

Adult Services

Electronic books continue to be in the news, with the release of the new eBooks portal by Google: <http://www.marketwatch.com/story/google-throws-down-gauntlet-with-ebooks-2010-12-06>.

Programming

Berkeley Public Library's Series Local Places...Sacred Spaces, latest program is an exhibit by Edwin Bernbaum, the Heights of Inspiration: Sacred Mountains of the World, at the Central Library, first floor exhibit space. Mr. Bernbaum, is an author, lecturer, mountaineer, and scholar of comparative religion and mythology, working on the relationship between culture and the environment. His book *Sacred Mountains of the World* (University of California Press) won the Commonwealth Club's gold medal for

best work of nonfiction and an Italian award for literature of mountaineering, exploration, and the environment. A photographic exhibit of his based on the book has been at the Smithsonian Institution and the American Museum of Natural History.

Central Library reference staff has put together a wonderful training session series on the library's online resources, focused on conduct job and business Research from home. The library has it and you can find it and use it from home! Want to learn more about the free online tools you can access with your Berkeley Public Library card to give you an edge in these challenging times via the library's website. The sessions held in person at the Berkeley Public Central Library, 3rd floor Electronic Classroom, 2090 Kittredge (at Shattuck) are free and open to all:
Business Resources Workshop @ Central - Saturday February 5th, 2:00 p.m. & Tuesday February 8th, 6:00 p.m.

Job Resources Workshop @ Central - Saturday February 19th, 2:00 p.m. & Tuesday February 22th, 6:00 p.m.

Coming this Spring 2011, the Berkeley *Pathwanderers* will make a presentation on local paths (berkeleypaths.org/) along with local parks activist, philosopher, and Environmental & Sustainability Planner John Steere talking about local sacred spaces.

FACILITIES/ OPERATIONS & PERSONNEL

PERSONNEL

Recruitment

Recruitment closed for the Supervising Librarian vacancy in the Central Library, Art & Music Section and the Youth Services Division Manager vacancy. Interviews will be scheduled in December and January.

Classifications

At the December 7, 2010 city council meeting two resolutions were approved related to the Administrative and Fiscal Services Manager classification, which effects one position in the Library, the Library Administrative manager classification was abolished and folded into the new classification. The Unrepresented Employee Manual was amended to specially designate the Administrative & Fiscal Services Manager position in the Library and treat it as a separate classification for the purposes of administering the layoff procedure.

ATTACHMENT:

1. None

Wednesday
December 01, 2010



Page One

Flash: Concerned Library Users and City of Berkeley Reach Partial Agreement in Library Demolition Lawsuit

By Becky O'Malley
Wednesday December 01, 2010

Susan Brandt Hawley, attorney for Concerned Library Users, has informed the Planet that a tentative settlement has been reached between her clients and the City of Berkeley regarding one part of a lawsuit filed in September which challenged some aspects of the city's plans to demolish and rebuild two of the city's four branch libraries

SHARE   

The proposed settlement affects plaintiffs' contention that the City amended the municipal code to allow demolition of libraries with a use permit instead of a variance, without carrying out the environmental study required by the California Environmental Quality Act because the changed language would enable significant environmental impacts

Details of the settlement will not be revealed, Hawley said, until the Berkeley City Council has the opportunity to approve them in closed session before its December 13 meeting

Still unresolved is plaintiffs' second major claim, that funds from Berkeley Measure FF, which authorized the issuance of up to \$26 million in general obligation bonds to fund projects to improve branch libraries, cannot legally be used to fund a project which involves demolition as well as rehabilitation. CLU seeks a permanent injunction "enjoining the City from issuing bonds pursuant to Measure FF and from spending bond funds for any library projects that entail demolition and are thereby beyond Measure FF's prescribed scope to 'renovate, expand, and make seismic and access improvements' "

Concerned Library Users is described in the pleadings as "an unincorporated association formed in the public interest in August 2010, after the City's approval of the library ordinance." Members say they support adaptive reuse of the City's historic libraries rather than demolition and new construction. They support the use of Measure FF bond funds only for the uses authorized by Berkeley voters by the specific language of the ballot measure.

Wednesday
December 01, 2010



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Reader Commentaries

New: [Another View on the Library's Plans](#)

By Jane Scantlebury

Thursday December 02, 2010

As a librarian recently retired from the Berkeley Public Library, I want to respond to Peter Warfield's recent commentary in the Planet on the lawsuit against the Library's plans to replace South and West branches with new buildings rather than renovating and expanding the existing structures.



Warfield attributes the lawsuit to a group called Concerned Library Users (CLU), which is actually just another manifestation of the Library Users Association, Warfield's pocket organization that has opposed the introduction of new circulation technology and construction of new library buildings first in San Francisco and now Berkeley. As a San Francisco resident, however, Warfield has no standing to litigate his claim that demolition and replacement of South and West branches is not a legitimate use of funds from Measure FF.

The CLU lawsuit contends that Measure FF provided only for renovation and expansion, not replacement of library branches. The technical and legal merits of this will be settled in court. What I do know is that the architects and engineers hired to evaluate both branches, working with interested community participants, found that constructing new structures would be far more cost-effective than renovating and expanding the existing buildings.

This wasn't an arbitrary decision by library management or the Board of Library Trustees (BOLT), but the result of a year-long public process that considered both alternatives. Since I live two blocks from South Branch (and occasionally work there as a substitute librarian), I participated in the public workshops pertaining to South Branch. Most participants were concerned with the basic issue of how a limited budget could be used to achieve the most safe and efficient building to deliver library services.

Warfield and a couple of his allies attended the first workshop and denounced the library for even considering a major addition to the existing South Branch, let alone replacing it. The rest of us stuck around and learned about the problems with the existing 1961-vintage building:

- South Branch is built of concrete cinder blocks that do not contain rebar; it is unsafe in the event of a major earthquake.
- South Branch is built on a concrete slab that doesn't allow underfloor wiring and that floods on one side of the building every time there's a major rainstorm.
- South Branch's roof is not connected to the building structure.

Despite these problems with the existing structure, the architects from Field-Paoli did preliminary designs to retrofit South and add a second story. What they and participants in the public workshops found was that working with the existing structure did not lead to nearly as high-quality and cost-effective a result as designing a completely new South Branch library. When this became apparent, the Library Board voted to build a new South Branch.

Unlike South Branch, West Branch had been designated a "Structure of Merit" by the City. The designation, however, concerned an original building that had subsequently undergone extensive changes in the 1970s. The West Branch community found that preserving what remained of the original structure just wasn't worth it when compared to the value of building a new, expanded library on the site.

The Board of Library Trustees is to be commended for recognizing that the relatively low-income populations of South and West Berkeley are not adequately served by the existing branches. After considering alternatives, they found that new structures provided the best and most cost-effective way of delivering the exemplary library services that every Berkeley resident deserves. Warfield and his allies misguidedly believe that saving existing inefficient, unsafe buildings should always take precedence over library services needed by the public.

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Berkeley Library Lawsuit Approaches Settlement



SHIRIN GHAFFARY/PHOTO

The West Branch of the Berkeley Public Library was intended to be demolished but has been a point of contention in a recent lawsuit.

By RACHEL BANNING-LOVER
CONTRIBUTING WRITER
Friday, December 3, 2010
Category: News > City

After three months of negotiations over the Berkeley Public Library's contentious renovation plans - which do not currently require Environmental Impact Reports - the city of Berkeley and the Concerned Library Users are on the verge of a settlement, though its validity has yet to be determined.

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The settlement, which was announced Tuesday, would reconcile debate over the classification of the library's zoning. In the lawsuit filed Aug. 30, the association challenged the city in its adoption of a new law permitting the library to obtain a use permit, rather than a variance - which would require the Zoning Adjustments Board to complete an EIR for the renovations - in order to proceed with any future construction projects.

The Berkeley City Council is scheduled to either confirm or deny the proposed settlement in a closed session on Dec. 13, according to city spokesperson Mary Kay Clunies-Ross, though the details of the settlement will remain confidential until after the meeting.

"I don't see how you can anticipate what environmental effects there might be in the future and that's why they needed an EIR," said Judith Epstein, spokesperson for the Concerned Library Users. "One outcome we were hoping for (with the lawsuit) was an EIR."

The library has been working on renovation plans for the North, Claremont, South and West branches since voters passed Measure FF in 2008, giving the library \$26 million in bonds to renovate its facilities. The measure's language has been questioned by several community members because demolition of branches was never clearly specified, only renovation and expansion, according to Peter Warfield, executive director of the Library Users Association.

The unsettled part of the lawsuit objected to the use of the measure funds for the demolition of two existing library branches - the South and West branches - with significant impact on historical resources.

"People may not have voted for Measure FF if it had said that two libraries would be destroyed and rebuilt," Epstein said in an e-mail. "People care about things like that, and they should have had a choice, based on the facts."

However, Donna Corbeil, director of library services, said the library has received "really positive feedback on the demolition" of the two branches and added that the lawsuit is a serious concern and poses a threat to the construction process.

"'Construction' involves demolition, renovation, building," she said. "It never felt ambiguous to me."

In addition to necessary seismic retrofits, the renovations would make both branches ADA accessible and implement the installation of fire sprinklers, according to Linda Schacht Gage, chair of the Neighborhood Library Campaign.

"The outcome of the lawsuit could be that the South and West branches may never get done which is my mind is not acceptable," Gage said.

Tags: BERKELEY CITY COUNCIL, CONCERNED LIBRARY USERS, BERKELEY PUBLIC LIBRARY

Contact Rachel Banning-Lover at rlover@dailycal.org.

Comments (4) »

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Echo 4 Items

Admin



Guest

Judith Epstein: you assert that the potential environmental damage cannot be assessed, but then you immediately call for an EIR - which of course is an assessment of the potential environmental damage.

It's absurd.

Berkeley is crippled by this kind of squabbling.

2 days ago, 12:24:40 PM – Like – Reply

Liked by  Guest



Library Friend

And how much will the city be paying Judith Epstein's lawyer in this settlement? I say not a cent of the taxpayer's money for a woman who made her millions in LA, lives on a vineyard in Sonoma, and lives off victimized municipalities all over the state where she files lawsuits and then makes off with the settlement money when it doesn't work out for her clients. Something she probably knew from the beginning. This happens over and over and over again.

In the meantime, it costs money, time is wasted, and in this case, the libraries we want don't get fixed and rebuilt. Enough!

2 days ago, 9:30:52 AM – Like – Reply

Liked by  palaeologos  Guest



guest

Unfortunately, the Daily Cal is once again misinforming the public on this issue. The City of Berkeley is preparing an EIR on the West and South Branches. It's been in the works for months and will be soon be completed.

As for Mr. Warfield, he lives in San Francisco and runs his very small Library Users Association from there. The Daily Cal would have you believe he lives in Berkeley and is trying to influence the progress of a library in his hometown. Not true. He is a San Franciscan...and why should he be telling people in Berkeley what to do? In San Francisco, he has been repeatedly repudiated by the City, the Supervisors and the neighborhood groups trying to improve their libraries. Who the hell does he think he is? Democracy...yeah, yeah, yeah...but at some point it's a question of social justice for the West and South neighborhoods that need new libraries and the rule of the majority (in this case, vast majority) that want new libraries in Berkeley. Give it up, lady!

2 days ago, 9:26:56 AM – Like – Reply

Liked by  palaeologos



Socrates

THE LIBRARY: Cause of adverse environmental impacts!!!

Be very afraid! Do absolutely nothing, anywhere, at any time! Don't even leave the fucking house!

When will these people ever learn, or at least be liquidated so that their fats, tissues, and bodily fluids could be put to a productive use for once?

Piece o' shat library that fails seismic is an eyesore, yet these morons would rather it be post-apocalypse hollowed-out tree style falling down with 1973 carpet and overhead lighting, and even then they would still oppose any renovations. They just want to control how the money is spent, and maybe tie up more of the money for their library when it was supposed to benefit all of the libraries. NEWS FLASH: No one elected you, OKAY? "They should have had a choice" yeah yeah and they should have had ancient Athenian-style democracy as well, with a consensus requirement thrown in just to make it even more of a clusterfuck (Could you imagine, Berkeley, as a system where the population had to reach consensus to do anything? Perhaps the upshot would be that all the mental tensions of "civilization" would pour out leading to massive killing fields. Yeah, you're bitching about the library renovations now, but let's just see who's willing to die for Platinum LEED certification, eh?). The only thing everyone would agree on would be to spend more money for their pet bullshit, and modern Greece is showing us how well that works out.

3 days ago, 2:28:33 PM – Like – Reply

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East Bay Express

ARTS & CULTURE BOOKS

December 08, 2010

Pointing and Shooting with Marcia Stein

She turns snapshots into quilts.

By Anneli Rufus

They look like photographs. A red truck parked against a biscuit-brown adobe house. A woman's legs walking away in old-fashioned seamed stockings. Two lawn chairs — one turquoise, one violet — half-sunk in an emerald lawn. Vivid colors, rich textures, oblong compositions — but they measure four feet by five feet. They're quilts.

Each part of each image is cut out of different-colored cloth and sewn together via a process known as machine appliqué. San Francisco-based textile artist **Marcia Stein** creates these quilts and sells them for as much as \$5,200 each. She shows home crafters how to do it in her new book ***Picture This!***

"Like many people, I used to sew all my own clothes, but sometimes you reach a point where it's a nice change to create something that doesn't need to fit you when you're done, especially if you've managed to gain a few pounds while you were working on it," said Stein, who will launch her book with a potluck party at the **Berkeley Public Library's North Branch** (1170 The Alameda, Berkeley) on Thursday, December 9.

"When I took the photos in Santa Fe and France in the early 1990s that inspired me to make quilts of this kind, I had just taken a beginning quilting class." Viewing those photos after returning home, she imagined them as quilt designs — and found a way to make that happen.

"I cut out shapes of material to represent particular parts of the photo, sew them together with other pieces, and then sew those pieces down onto a background to complete the finished picture," said Stein, whose work has been exhibited all over the country and has garnered numerous awards. "But first I need to enlarge the photo to make a master drawing the size of the finished quilt. To do this, I project a transparency of the photo onto paper with an overhead projector. I then trace the projected image onto the paper with a pencil, making changes as necessary. I

work from this master drawing to create the necessary fabric shapes."

Picture This! includes tips on taking quilt-friendly photographs: Get up close to your subject; check the corners of your viewfinder; use a tripod. Elements can be added or subtracted to images during the appliqué process, but no drawing skills are required.

Some of Stein's newer quilts depict empty cafe tables, window-shopping tourists, and Venetian gondoliers. "Ladies in Waiting" is a striking rear view of four women sharing a park bench. The viewer can easily imagine his or her own relatives, friends, or neighbors among the quartet.

"While the quilts represent what I saw when I took my photos, I like it best when they also remind viewers of their own experiences," Stein said.

Those first pictures she took in the 1990s were just random travel snaps. "Now, though, I almost always think, 'Quilt' when I look through the lens." 6:30 p.m., free (bring a snack to share). BerkeleyPublicLibrary.org

Related Events

[Marcia Stein](#) @ Berkeley Public Library, North Branch
Thu., Dec. 9, 6:30 p.m.

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Wednesday
December 15, 2010



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News

Press Release: Concerned Library Users (CLU) Group Prevails in Library Suit

*From Concerned Library Users
Wednesday December 15, 2010*

The City of Berkeley has agreed to settle part of the lawsuit brought by Concerned Library Users (CLU) regarding inadequate environmental review of an ordinance facilitating public library demolitions.



In July, the City adopted an ordinance providing that a use permit rather than the currently-required variance would suffice to alter or demolish any of its public libraries. The pending CLU lawsuit challenges the City's refusal to conduct environmental review as requested before adopting the ordinance. Removal of the Variance requirement makes it easier to demolish historic library buildings, and CLU pointed out that state law requires the environmental impacts of such action to be studied in an environmental impact report.

The City Council has agreed to repeal the ordinance and has made a commitment to prepare an EIR before reconsidering it. This is exactly what was sought in the CLU lawsuit.

The settlement acknowledges "that environmental review as requested in the first cause of action will be beneficial, because it will analyze the potential environmental effects and alternatives to an ordinance that would allow demolition of a City library on the basis of a use permit rather than a variance. The City intends to fully consider any such ordinance only after being informed by the results of said review."

The City's repeal of the variance ordinance affects its consideration of the proposed demolitions of the West and South branch libraries. The City will fully study the environmental impacts of the ordinance in an EIR before reconsidering it. CLU has in turn agreed that the City may allow pending rehabilitation plans for the Claremont and North branch libraries to proceed, although their passage was also dependent on the ordinance in question.

"The members of CLU care about the future of our libraries and their programs. We appreciate the City Council's acknowledgement of the merit of our > legal action and believe that the City's upcoming compliance with environmental laws will benefit all residents," said CLU spokesperson Dr. Judith Epstein.

A second part of the lawsuit, involving the City's plan to divert Measure FF funds (earmarked for the rehabilitation of its libraries) for projects involving demolition of the West and South branches, remains pending, but settlement discussions continue.

Wednesday
December 15, 2010




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Reader Commentaries

Measure FF and Branch Library Demolitions

By Steven Finacom
Monday December 13, 2010

A community group, “Concerned Library Users”, recently sued the City of Berkeley to, in part, stop the illegal use of bond funds for the demolition of two branch libraries. 

Although the lawsuit has been excoriated and ridiculed by some public officials and community members it is, in my view, a justifiable and important effort to restrain the City from improperly changing the voter-approved use of bond money.

Let me state first that I am not a member of “Concerned Library Users”, nor am I a party to the lawsuit. My concerns about the bond arose separately, and well before the suit was filed. But they are directly relevant to some of the issues in the lawsuit.

There is one—just one—central point here.

Is it legal for a City to solicit bond funds from the voters with a specific set of written promises, then later change the use of the money to do something the ballot measure specifically did NOT fund?

In 2008 Berkeley voters approved Measure FF, which provided 26 million dollars to renovate and expand Berkeley’s four branch public libraries. The exact wording of the ballot language is worth remembering.

“Shall the City of Berkeley issue general obligation bonds not exceeding \$26,000,000 to renovate, expand, and make seismic and access improvements at four neighborhood branch libraries, but not the Central Library, with annual reporting by the Library Board to the City Council?” Vote Yes or No.

Subsequent to voter approval of the bonds, the Library continued a planning and design process and hired a design team for each branch.

By early 2010 the direction of the detailed planning was clear. The Board of Library Trustees intended to renovate and build a rear addition on the North Branch, renovate the Claremont Branch without significant expansion, and demolish and completely rebuild the West and South branches.

The bond allows two of those proposed activities—renovation and expansion. One of them—demolition—is not allowed.

By proceeding down a path that will result in the demolition of the two branches, the City of Berkeley and Board of Library Trustees are directly violating the will of the voters.

Is this important? Indeed it is. If the City can establish that the explicit conditions of voter-approved bonds can be altered or ignored after the fact, then no funding earmarked for a specific purpose is safe.

There would be no point in detailed bond language or conditions at all. Instead, each ballot statement might as well read, “*Do you, Berkeley voters, approve giving X million dollars above and beyond your regular taxes to the City of Berkeley to spend as it wishes? Yes or No.*”

Does this matter to you? It should. What if, for instance, the School District put up a bond measure promising to renovate your neighborhood school, and you worked hard to get it passed. Then, after the election, the School Board said, “Hey, sorry, we thought all along that money would be better spent closing your school and renovating another. Sorry.”

Or what if the City Council asked voters to approve a special tax devoted solely to increase police services then, after it passed, decided that the money should go to sewer repairs instead? All for good reason, of course.

Wouldn’t you object on principle? Shouldn’t you?

So why didn’t anyone object to the proposed demolition of the South and West branches earlier than the middle of this year, when the plans were far advanced?

People did object earlier. I was one of them. No objections had any effect.

Consider the minutes of the October, 2009, Board of Library Trustees meeting. The Board met to discuss the South Branch project and take public testimony.

I attended that meeting and spoke specifically to the issue of the intent of Measure FF. Here's how the minutes recorded my comments. They don't exactly repeat my words, but the summary is reasonably accurate.

"Demolition vs. renovation he has reviewed all of the public documents on the library bond through the annual report. He believes library represented to the community that would renovate and expand the branch, in his analysis given the wording of the bond measure and election analysis the library is foreclosed from a teardown of any branch, legal risk of violation, can not be easily dismissed."

Remember, this is in October 2009, well over a year ago and before the Board of Library Trustees had stated its choice of a demolition / rebuild scheme for the South and West Branches.

What did the Board say in response to my comments?

Here's a comment from Darryl Moore, as reported in the minutes. *"In response to questions raised he suggested staff consult with the City Attorney's Office if needed."*

That's dry language, but it makes the point. I recall Councilmember Moore said something along the lines of "We've been put on notice" and asked the staff to get legal advice on whether the bond language would allow the demolitions.

Then there's this highly revealing comment. Remember, this is not my wording; it's from the official minutes of the Board.

"Trustee Kupfer agreed with the positive comments regarding Scheme 2. To address a concern expressed during comments about the library's ability to build new, she does not believe it is not allowed. The process leading up to the bond measure included a community process, public discussion by the board and a vote by BOLT, a new library scheme was discussed as an option throughout the process."

Again, dry official minutes language. I remember that Trustee Kupfer seemed genuinely mystified that anyone would think the bond funds couldn't be used for demolition. After all, they had demolition on the table all along, she argued. Everyone knew it was being considered.

Did they? Did we? Did the Trustees really intend, from before the 2008 election, that any planning for the South and West Branch Libraries put demolition seriously on the table?

If so, they had a strange way of communicating that intention to the voters.

There was indeed a consultant report before the election that considered demolition. But in the critical months leading up to the bond election itself, public library documents and campaign literature fell strangely and selectively silent on the possibility of the demolition.

For example, here's part of the text of the ballot argument in favor of Measure FF signed by, among others, Councilmember Moore, then Vice-Chair of the Board of Library Trustees.

"The branches are old and out of date and must be improved in order to support the over 800,000 visits during the year... This measure will bring the buildings up to current code standards, meet seismic requirements, make all of the branches fully accessible to Berkeley's diverse population."

No word about "demolition" there, or elsewhere in the ballot arguments. In fact, the rebuttal to the ballot argument against Measure FF emphasized, "Help **save and restore** our neighborhood branch libraries by voting YES on Measure FF!" (emphasis added).

And it wasn't only the official ballot arguments. Here's what "Save Our Branch Libraries: Yes on Measure FF" said on its Facebook page. *"Measure FF is a \$26 million bond to renovate, expand, and make seismic and access improvements at four of Berkeley's neighborhood branch libraries..."*

And here's a fact sheet issued on Library stationery for the election.

"The revenue from the bond will bring the buildings up to current code standards... What are the plans for each of the Branch Libraries?... North Branch, receive a small addition... West Branch have it's 1974 addition replaced to address structural issues; restore original 1923 branch façade... South Branch... expanded to incorporate the Tool Library program into the branch with substantial increase in space... net space increase of 3,160 sq. feet... Claremont Branch receive a small lobby expansion... refurbished/restored historic features..."

And here's part of a Daily Planet opinion piece by three prominent Library supporters, less than two months before the election. *"It is critical that we renovate all our branches to ensure they are safe, modern, buildings that will serve our community..."*

Consider all that language. *"Bring the buildings up to current code standards... must be improved... save and restore our neighborhood branch libraries... be expanded... receive an addition... restore original... refurbish... restore... renovate all our branches..."*

If arguments like those constituted a clear request to the voters to allow demolition of half the branch libraries, the Library must be using a different dictionary than the rest of us.

Councilmember Max Anderson recently told the [San Francisco Chronicle](#), "The people voted for these libraries to be fixed up – they didn't vote to put restrictions on what can and can't be done with them."

Councilmember Anderson is well intentioned, but completely wrong. The people DID indeed vote for restrictions, restrictions crafted by the promoters of Measure FF.

If Measure FF had simply been a mandate to “fix up” and/or completely rebuild the branches without precondition, then it would not have included the “renovate, expand and make seismic and access improvements” wording.

It would have simply said something like this: “*Do you approve of appropriating 26 million dollars from special property taxes that the Board of Library Trustees may then use for making the four branch libraries better, in whatever way the Board deems best?*”

Or perhaps it would have said, “*renovate, expand, demolish / rebuild, and make seismic and access improvements...*”

There’s a good reason, I suspect, that language like that did NOT go on the ballot. I believe that those who prepared the wording of Measure FF were afraid that if the measure seemed to open the door to demolition, enough voters would say “No” to sink the bonds.

In particular, voters in politically influential north and southeast Berkeley might have been afraid the Library would demolish either the North or the Claremont Branches. It wouldn’t be the first time in Berkeley that a public institution asked for bond funds to upgrade facilities, then demolished and rebuilt them instead.

If the ballot measure wording had been specific—or had specifically mentioned demolition—it is quite likely the measure would have been defeated and there would be no money to do anything with any of the branch libraries at this time.

I know I would have voted against it for that reason, and I know many others who probably would have, too. And it would have made a critical difference.

Measure FF passed with 68.01 percent of the votes. It needed a two-thirds majority, 66.6 percent.

That two-thirds majority would have required 37,223 votes out of those cast. The Measure received 37,973. Thus, it has a margin of victory of about 750 votes.

Would 750 “Yes” voters—out of more than 55,000 casting votes on the Measure—have decided against Measure FF if the ballot language and campaign had given them reason to be concerned about demolition of any or all of the branch libraries instead of renovation?

I think any reasonable person familiar with Berkeley would agree that’s quite possible, especially if the Board of Library Trustees had made honestly made demolition a part of their case and campaign for the branch funding.

So foreclosing the possibility of demolition was, in my view, a direct reason the Measure achieved the two-thirds threshold.

In essence, the trustees chose to opt for a “safe” bond measure that would not include demolition. Now that they have the money they shouldn’t go back and change its use.

They had free will in this. They chose the wording of the bond measure. They advocated for “*renovate, expand, and make seismic and access improvements...*” They entered into a compact with Berkeley voters and taxpayers on terms they established.

That seems to me to be an essential point of the lawsuit. And perhaps there’s a little tacit agreement, even on the City side.

In June, City Attorney Zach Cowan apparently advised the City Council that Measure FF money could not be used to demolish the South and West Branches.

There’s simply no reason he would have advised that if he didn’t believe a legal challenge to the Measure on the demolition issue would have a chance in court.

That advice may not, however, have extended the same prohibition to use of the Measure FF funds to construct entirely new buildings. So the City and the Board of Library Trustees and their legal staff might be working on a back-up strategy.

Find funds elsewhere, outside the bonds—probably on the order of hundreds of thousands—to tear down the two branches. That would cause the City some financial pain, but would not be impossible.

Then claim that, with the old buildings gone, entirely new buildings can be constructed with the Measure FF funds to satisfy the bond intent of providing safe, accessible, expanded branch libraries.

If that indeed is the City’s strategy it is important that it be vigorously opposed. Making the branch buildings go away with some other funds then rebuilding them with Measure FF funds would be, in my view, as clear a violation of voter intent as doing it all with the bond money.

It would be a bit of legal sophistry, not clear justice. And it would open the door just as fully to official amnesia about voter intentions in the future on any other ballot measure. That would be very bad for Berkeley.

(I fully understand many readers are now wondering what I would propose for the libraries instead of what the City is currently trying to do?)

If all my arguments went to their logical conclusion, the City would have no bond funds available to pursue the preferred plan of demolishing the South and West branches. Surely I don’t believe they should just sit there in poor condition?

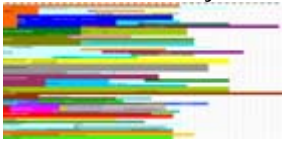
No, I don't. I would be happy to write another opinion piece explaining—again, going back to 2009—what approach I think the Library could have followed and why they can still follow it and achieve the goal of good, updated, branch libraries.

But the arguments for or against other alternatives should not detract from the primary argument I've made in this commentary—that regardless of benefits or harm to the Library's projects, it is bad public policy, and probably illegal, to change the use of bond monies from what voters explicitly approved.)

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[Press Release: Bibliotheca RFID Library Systems \[December 20, 2010\]](#)

Berkeley Public Library selects Bibliotheca RFID Solutions

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Summary Bibliotheca announced that Berkeley Public Library (California) will be outfitting its five branches with RFID tags, staff stations and security gates. The library will be phasing in the Bibliotheca RFID project in concert with its Branch Improvement Program. Implementation is estimated to take six to eight months. Additional plans include installation of automated material handling solutions in 2011.

HUNTSVILLE, Ala. - December 20, 2010 - Bibliotheca Inc., open RFID solutions partner of choice to over 1,000 library locations worldwide, announced that Berkeley Public Library (California) will be outfitting its five branches with RFID tags, staff stations and security gates. The library will be phasing in the Bibliotheca RFID project in concert with its Branch Improvement Program. Implementation is estimated to take six to eight months. Additional plans include installation of automated material handling solutions in 2011.

A 31 percent increase in circulation over the last few years as well as a 49 percent increase in the number of items reserved and received in the two years - without an increase in staff - prompted the library to seek a more efficient materials management solution.

Berkeley Public Library will be replacing its current proprietary RFID tags, which are not compatible with current industry standards, with Bibliotheca BiblioChip RFID labels. Based on the Open Danish Data Model, the standards based technology will give the library opportunities to upgrade technologies as needed. Also, the BiblioChip tag's ability to detect items missing in a media pack was an important factor due to the library's high-volume circulation of media (40 percent). Berkeley will be creating its own self-check solutions using Bibliotheca shielded pads, readers and BiblioChip software, which will seamlessly integrate with the library's Millennium Express Lane self-check software. Bibliotheca's latest security solution, the BiblioGate VII, will also be installed to provide optimal 3D detection.

The library selected Bibliotheca as its RFID vendor after visiting neighboring Bibliotheca public library customers in Sunnyvale and Santa Clara, where Bibliotheca's open standards RFID products interoperate with the libraries' Millennium integrated library systems and provide high levels of patron self-service.

[About Berkeley Public Library](#)

Berkeley Public Library serves a population of 107,178 and has an annual circulation of 2 million, making it among the top 20 libraries in California in circulation per capita. The Library sponsors a host of fascinating cultural, literary, and artistic events programs, and serves as a valuable resource for weathering the tough economy by providing numerous online resources and access to computers to the public.

[About Bibliotheca Inc.](#)

With global headquarters in Switzerland and operations in the Americas and Asia-Pacific, Bibliotheca Inc. is the second-largest global provider of practical, scalable RFID solutions. Based on renowned BiblioChip technology, our RFID solutions offer unparalleled integration with integrated library systems for optimal staff efficiency as well as easy-to-use, intuitive user interfaces for both patrons and staff - all with the backing of an international company that

IV Information, Item D

Attachment #7

Library Technology Guides 12/20/2010

offers true global customer service and support. Call 1-800-892-5971 or visit www.bibliotheca-rfid.com for more details.

Publication Year: 2010

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Wednesday
December 22, 2010



Arts & Entertainment

Review: Under Milk Wood at the Library

By Dorothy Snodgrass
Tuesday December 21, 2010

Once again, the Berkeley Main Public Library is due lavish praise for the many excellent programs it offers its patrons week after week. Debbie Carton, Librarian and Head of the Art and Music Department deserves much credit for these stimulating programs. Her "Playreading for Adults" is a popular, ever expanding class meeting each Wednesday from 12 noon to 1 p.m. for a reading of plays which are acted out by members of the class. But this past Tuesday evening, Debbie outdid herself with an unforgettable production of Dylan Thomas' play, "Under Milk Wood". Thirteen adult members and five children of the play reading group sat at long tables and did a staged reading of this classic play for voices, beautifully directed by Libby Vega.



"Under Milk Wood" is a 1954 play for radio by Dylan Thomas, later adapted for the stage. When Thomas was staying in New Quay, Wales one winter, he went out early one morning into the still sleeping town, Llareggub, and verses came to his mind about the inhabitants. He wrote the account of this as "Quite Early One Morning," recorded for BBC Wales on December 14, 1944. An all-seeing narrator invites the audience to listen to the dreams and innermost thoughts of the inhabitants of an imaginary small Welsh village. His characters include Mrs. Ogmores-Pritchard, relentlessly bossing her two dead husbands; Captain Cap, reliving his seafaring times; Organ Morgan, obsessed with his music; and Polly Garter, pining for her dead lover. Later, the town wakes and, aware now of how their feelings affect whatever they do, we watch them go about their daily business. The fictional name Llareggub resembles other Welsh place names, which often begin with "Llan" meaning church. Writing to his wife, Caitlin, in 1953, Thomas remarked, "I've finished that infernally, eternally unfinished Play and have done it in New York with actors." He is reported to have commented that "Under Milk Wood" was developed in response to the atomic bombing of Hiroshima, as a way of reasserting the evidence of beauty in the world.

The 1972 film adaptation, with Richard Burton reprising his role, also featured Elizabeth Taylor, Peter O'Toole, Glynis Johns and other well-known actors; in 1988 Anthony Hopkins also played a role.

Needless to say, Thomas' play has wonderful characters, all of which were sensitively portrayed by the Playreading actors performing dual roles -- i.e., Organ Morgan, Mr. & Mrs. Willy Nilly, Bessie Bighead and Gossamer Beynon. The appreciative audience who braved wind and rain to view this ambitious program Tuesday evening all agreed that it was a remarkably professional production, theatre at its absolute finest. Courtesy of the Berkeley Public Library, we should add.

East Bay Express

NEWS » NEWS

December 22, 2010

Berkeley Settles Library Fight

The city council has agreed to a partial deal that will allow the remodel of two branch libraries. But it could still allow the demolition and rebuild of two others.

By Judith Scherr

For months, Berkeley's four branch libraries have been at the center of a battle pitting preservationists against those who say seismic and accessibility upgrades can't be done without tearing down two of the library buildings and starting from scratch. But then last week, the **Berkeley City Council** approved a partial settlement of a lawsuit brought by a preservationist group known as the **Concerned Library Users**. The settlement allows remodeling of the **Claremont** and **North Branch** libraries to move forward, but puts on hold the demolition and rebuilding of the **South** and **West** branches.

"I think it's tragic that they're stopping community libraries in predominantly minority communities," said Councilmember **Darryl Moore**, who sits as a trustee on the library board. "I hope they reach [complete] agreement."

Judith Epstein, spokesperson for the preservationist group, says it's possible to both save historic features of the libraries and satisfy mandates to make the libraries completely accessible to disabled people and earthquake safe. "It doesn't have to be one or the other," she said.

The preservationists' lawsuit against the city, filed in September, challenges a law passed by the city council in July that makes it easier to demolish the South and West branch libraries by requiring a use permit rather than a more stringent one known as a "variance." The lawsuit argues that before the council passed the ordinance, the city should have conducted an environmental impact review of the law itself — not just of the library projects. The settlement between the preservationists and the city addresses this question and allows remodeling at the North and Claremont branch libraries to go forward, while requiring repeal of the law. The council rescinded the law last week.

Under the settlement agreement, an environmental impact report of the now withdrawn law will be conducted as part of the EIR on remodeling the Claremont and North branch libraries, neither of which require demolition. Then once the EIR is conducted, the council can reinstate the law that facilitates library demolition — if it chooses to do so. "Now citizens have a chance to participate," Epstein said, referring to the EIR process that requires citizen involvement.

But the piece of the lawsuit that remains unsettled is the question of whether funds for

library demolition and rebuilding can come from **Measure FF**, approved by voters in November 2008. The lawsuit quotes from the measure, stating that the bonds can only "renovate, expand, and make seismic and access improvements" to the libraries. The suit argues that these funds cannot be used for demolition.

The city and the preservationist group continue in confidential discussions around the use of Measure FF funds for demolition — and the question of whether demolition and reconstruction is the best choice for renovating the South and West branch libraries.



Tips to get fit in 2011 from a health and wellness coach



Lotus founder may yet build his new Berkeley home



January 24: Berkeleyside's first Local Business Forum



Kids

How to keep toddlers (and you) happy over the holidays

December 24, 2010 9:30 am by [Guest contributor](#)

By **Belinda Lyons-Newman**

This time of year presents the opportunity and challenge of finding fun creative things to do with little ones who may be home from preschool or other childcare during the holidays. What better place to be for the holidays than right here in our wonderful city? If you are looking for some fun Berkeley activities with your toddler between now and the end of the year read on for my top picks:

Lawrence Hall of Science



Bring your toddler to explore the [various exhibits](#) at LHS. The pin wall in the entrance is a fun interactive exhibit for toddlers. Throughout the museum there are buttons to push, balls to roll, crawl areas, a tunnel to walk through, blocks and shapes to stack and more. If weather permits, your toddler will love to play on the giant whale in front of the building. **Tip:** On weekdays bring cash for parking machines.

Lawrence Hall of Science, 1 Centennial Drive, Berkeley, CA 94720. Tel: 642-5132. Open Daily 10:00 a.m.–5:00 p.m. Closing at 3:00 p.m. on Friday, December 24. Closed on Saturday, December 25.

Tilden Park



Every time I visit Tilden Park I reflect in wonder and appreciation at this spectacular park we Berkeleyans have right in our backyard. Toddler friendly activities in the coming week at Tilden include:

Merry-Go-Round: Tilden's antique merry-go-round with painted wooden carousel animals to ride is open Price: Under \$10 (\$2 a ride or 7 rides for \$10.) Open 11:00 am – 05:00 pm. Closed December 24,25,31 and January 1. Tel#: 524-6773

Little Farm: Bring your lettuce or celery for your little one to feed the goats. This adorable farm never fails to bring joy and wonder as well as space for running around outdoors. Open daily from 8:30-4 p.m. Little Farm Tel: 544-2233

Steam Train: Toddlers never tire of riding the delightful Tilden Steam Train.

Tilden Park. Wildcat Canyon Road and Grizzly Peak Boulevard, Berkeley, CA 94708. Tel: 544-2747 Hours: Open weekends 11:00 a.m. – 6:00 p.m. or dusk, weather permitting. Open Christmas Eve day, day after Christmas, New Year's Day. Closed Christmas Day. \$2.00 per ride , \$8.00 for 5 rides. Free: Under 2 years.

Berkeley Public Library



The Berkeley Public Library branches are holding a variety of events for kids on weekdays. Events include the weekly delightful Story Time including music and puppets on Tuesday December 28, 2010, 11 – 11:30am at for kids ages 12-36 months. The program is followed by open playtime in the same room. Libraries are closed December 24 & 25 and December 31 & January 1. Here is [a calendar of all the library events](#).

Berkeley Public Library, 2090 Kittredge at Shattuck, Berkeley, CA 94704 and other Berkeley locations. Tel: 981-6100.

Habitot Children's Museum



Visit Habitot during its regular open hours to play in the water area, art room, wiggle wall and other activities. My two year old, Ella, especially loves the rocketship exhibit now showing including a myriad of computer buttons to push and beautiful astronaut costumes. Regular hours are Monday 9:30-12:30pm Tuesday 9:30-12:30pm Wednesday 9:30-12:30pm Thursday 9:30-12:30pm Friday 9:30-4:30pm Saturday 9:30-4:30pm Sunday 9:30-4:30pm. Habitot will be closed December 24 & 25 and January 1.

In addition, for the holidays Habitot has [a winter camp](#) for kids 3-5 years old December 27-31 from 9:15 am- 1p.m for \$30 per day (call ahead to confirm spaces are still available).

Habitot Children's Museum, 2065 Kittredge Street, Berkeley, CA 94704. Tel: 647-1111.

Quiet Day at Home



What better opportunity than the holidays to slow down and spend some quiet time at home with family? Work on a craft project, make cookies, or go for a walk or stroller-ride in your favorite Berkeley neighborhood.

Last, if you find that holiday stress is taking its toll, consider these tips from Berkeley-based Greater Good Science Center's Raising Happiness blog on dealing with holiday stress ([click through to the center's website](#) for the full advice):

- Remember that it is not about you.

- Remember it is probably all about you.
- Take steps not to be a stress ball.
- Practice forgiveness, of yourself and others.
- Make New Year's Resolutions.

Belinda Lyons-Newman lives in the Berkeley Gourmet Ghetto with her husband and 2 year old daughter, Ella. She is a nonprofit consultant and a student in the Evening and Weekend MBA program at the Haas School of Business.

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LAND USE PLANNING

NOTICE OF AVAILABILITY OF THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED ZONING ORDINANCE AMENDMENT FOR PUBLIC LIBRARIES AND THE SOUTH AND WEST BRANCH LIBRARY PROJECTS

DATE: December 14, 2010

TO: Responsible and Trustee Agencies and Interested Parties

NOTICE IS HEREBY GIVEN that the City of Berkeley has completed a Draft Environmental Impact Report (EIR) for a proposed Zoning Ordinance Amendment (ZOA) to allow flexibility in the application of development standards at each of the City's existing Branch Libraries and the Central Library, and for proposed development projects at the South Branch Library and at the West Branch Library. The Draft EIR is available for public review and comment from **Tuesday, December 14, 2010 until 5 p.m. on Monday, January 31, 2011.** This notice is provided pursuant to Section 21092 of the State Public Resources Code and Section 15087 of the CEQA Guidelines.

PUBLIC MEETINGS ON EIR: The following meetings will be held to receive comments on the adequacy of the Draft EIR. No action will be taken on the proposed ZOA or projects at this time.

Landmarks Preservation Commission: Thursday, January 6, 2011, 7:00 p.m., North Berkeley Senior Center, 1901 Hearst Avenue

Zoning Adjustments Board: Thursday, January 13, 2011, 7:00 p.m., Maudelle Shirek Building (2nd floor Council chambers), 2134 Martin Luther King Jr. Way

Planning Commission: Thursday, January 19, 2011, 7:00 p.m., North Berkeley Senior Center, 1901 Hearst Avenue

PROJECT LOCATIONS:

Zoning Ordinance Amendment. Applies to the four existing Branch Libraries and the Central Library; see below for further information on these sites. The ZOA will not result in any significant impacts at the North and Claremont Branches because the City has already found the proposed renovation and addition projects at these sites to be categorically exempt from CEQA. Likewise, the ZOA will not result in any foreseeable physical changes at the Central Library because an extensive renovation and addition of the Central Library was already completed in 2002, and there is no need for further construction at the Central Library, nor is there any known funding source for further construction should the need arise.

South Branch. The project site is located at 1901 Russell Street in South Berkeley. The cross street is Martin Luther King Jr. Way. The project site is surrounded by one-story, two-story, single-family and multi-family residences; a three-story Thai Buddhist Temple; a vacant lot (belonging to the Buddhist Temple); and Grove Park. Assessor's Parcel Number (APN): 053-1679-016-01.

West Branch. The project site is located at 1125 University Avenue in West Berkeley. The nearest cross street is San Pablo Avenue. The project site is surrounded by retail, a hotel, multi-family residential, and new mixed-use developments. APN: 057-2085-011-00.

North Branch. The site is located at 1170 The Alameda, in a relatively low-density residential neighborhood in North Berkeley, at the northwest corner of The Alameda and Hopkins Street. Other than a gas station located at the southeast corner of The Alameda and Hopkins Street, the site is surrounded by single-family residences dating mainly from the 1920s and 1930s. APN: 061-2605-035-00.

Claremont Branch. The site is located at 2940 Benvenue Avenue, at the southwest corner of Ashby and Benvenue Avenues in the Elmwood neighborhood, a predominantly residential neighborhood with a small-scale commercial district along Ashby and College Avenues with structures dating mainly from 1906 to 1930. The site is adjoined on the west and south by a dental office and single-family residences. APN: 052-1573-016-00.

Central Library. The site is located at 2090 Kittredge Street, in the heart of downtown Berkeley, at the intersection of Kittredge Street and Shattuck Avenue, near the Downtown Berkeley BART station and numerous bus lines, diverse shopping and services, the University of California campus, and high density residential development. APN: 057-2028-017-01.

None of these sites is located on any list pursuant to Government Code Section 65962.5.

PROJECT DESCRIPTION:

Zoning Ordinance Amendment: The proposed amendment to the City's Zoning Ordinance (Berkeley Municipal Code Title 23) would allow modification with a Use Permit of any zoning requirement applicable to a change, expansion, or reconstruction of an existing public library, where a Variance is currently required for most such modifications. The ZOA would not affect existing requirements for Use Permits, and would not apply to libraries built on new sites. The ZOA is as follows:

Notwithstanding any other provision of this Title, any conforming or lawful non-conforming public library existing as of May 1, 2010 may be (1) changed, (2) expanded, or (3) demolished and a new public library constructed on the same site, subject to issuance of a Use Permit, unless such change, expansion or new library is otherwise allowed by this Title. The Board may modify any requirement of this Title applicable to such change, expansion or new library as part of the Use Permit.

The main purpose of the ZOA is to facilitate the approval of improvements authorized under Measure FF, a bond measure approved by Berkeley voters in November 2008 to “renovate, expand, and make seismic and access improvements at four neighborhood branch libraries.” The ZOA would also allow modification of zoning requirements applicable to future, as yet unknown, improvements that may be necessary at existing library sites. The ZOA would not allow modification of zoning standards for any newly constructed building on a site other than the five currently existing library sites.

South Branch: The new library would be an 8,656-square-foot, single-story building, which would serve the same functions and same number of patrons as the existing library. The overall structure would house 7,480 square feet of Main Library space and 1,176 square feet for the Tool Lending Library. There is no substantial expansion of the book collection, or existing services or programs. Most of the space being added to the building is devoted to providing a more efficient and less cluttered floor plan, adequate staff work areas, additional patron seating, compliance with accessibility requirements (e.g., wider hallways and larger bathrooms), and upgraded technology such as additional computers and self-check-out stations. Overall, the program will be improved, with the addition of dedicated teen space, a quiet study area, a larger meeting space, improved layout with better adjacencies and isolation of functions by noise level, a minimum ten-percent increase in book shelving, and adequate space to manage check-in and deliveries related to circulation. As with the existing library, the main entrance to the new library would be located on Russell Street with a second entrance to the Tool Lending Library on Martin Luther King Jr. Way. Two short-term loading/unloading spaces are provided on-site, as for the current library.

West Branch: The proposed project involves demolition of the existing Berkeley West Branch Library and construction of a new library at the same location. The proposed new library would be a primarily one-story building with a small second story devoted to mechanical space. The building would have a total floor area of 9,600 gross square feet and a building footprint of 8,900 square feet. This building would perform the same functions and is expected to serve the same number of patrons as the existing library. With this exception of a larger meeting room to address existing overcrowding, there are no plans to expand existing services or programs, only to better accommodate the existing demand.

SIGNIFICANT IMPACTS: Demolition of the South and West Branch Libraries would have significant, project-specific impacts on cultural resources. Mitigation can reduce the severity of these impacts somewhat, but they would remain significant and unavoidable. No other significant impacts, including cumulative impacts, were found in the Draft EIR.

LOCATIONS WHERE DRAFT EIR AND PROJECT DOCUMENTS ARE AVAILABLE FOR REVIEW:

On the City's website at: <http://www.ci.berkeley.ca.us/ContentDisplay.aspx?id=362> (EIR only)

Planning & Development Department (all documents)
Zoning Counter
2120 Milvia Street, Berkeley

Central Library (EIR only)
Attn: Reference Desk
2090 Kittredge Street, Berkeley

South Berkeley Library Branch (EIR only)
Attn: Reference Desk
1901 Russell Street, Berkeley

West Berkeley Library Branch (EIR only)
Attn: Reference Desk
1125 University Avenue, Berkeley

WRITTEN COMMENTS should be directed to:

Aaron Sage
Land Use Planning Division
2120 Milvia Street
Berkeley, CA 94704

Phone: 510-981-7425
Fax: 510-981-7420
E-mail: asage@cityofberkeley.info