



**BERKELEY PUBLIC LIBRARY  
BOARD OF LIBRARY TRUSTEES**

SPECIAL MEETING AGENDA

AUGUST 1, 2007 AT 7:00 P.M.

**CENTRAL LIBRARY MEETING ROOM  
2090 KITTREDGE STREET**

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

**PRELIMINARY MATTERS**

- A. Call to Order**
- B. Public Comments (7:00 – 7:30 p.m.)**  
*(Proposed 30-minute time limit, with speakers allowed 3 minutes each)*
- C. Approval of Agenda**

**INTERVIEWS**

- A. Upcoming vacancy on the Board of Library Trustees beginning October 1, 2007**  
In preparation for making a recommendation to the City Council of the City of Berkeley on the preferred candidate, a recruitment and interview process is being conducted. Four candidates were interviewed during the special meeting on July 18, 2007 and three candidates will be interviewed during this meeting. Candidates to be interviewed at this meeting are:
  - 1. Mary Lukanuski
  - 2. Ann Chandler
  - 3. Abigail Franklin

**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.*

- A. Extension of Leave of Absence without pay for Library Specialist I from August 20, 2007 to November 20, 2007**  
Recommendation: Approve the extension of Leave of Absence without pay for Library Specialist for the period of August 20, 2007 through November 20, 2007.
- B. Closure of the West Branch Library for deferred maintenance for a period of approximately six to eight weeks beginning in September 2007**  
Recommendation: Adopt a resolution to authorize the Director of Library Services to close the West Branch of the Berkeley Public Library for deferred maintenance beginning in September 2007 and lasting approximately six to eight weeks.
- C. Teen fine forgiveness during Teen Read Week (October 14-20, 2007)**  
Recommendation: Adopt the resolution authorizing teen fine forgiveness, for an hour's worth of reading at the Library, during Teen Read Week (October 14-20, 2007).

**ACTION CALENDAR**

- A. Presentation from Noll & Tam Architects on the South Branch Library's possible move to the Ed Roberts Campus, scenarios and cost estimates**  
Recommendation: Discussion of consultant's report, possible next steps and direction to staff.

**B. Discussion and recommendation to City Council for trustee appointment effective October 1, 2007**

Recommendation: Discussion of candidates interviewed, vote by the Board on which one to recommend, and direct staff to send name of recommended candidate to the City Council for appointment.

**C. Purchasing Policy and Purchasing Manual (Administrative Rule 3.4)**

Recommendation: Adopt the resolution to approve Administrative Regulation 3.4, Purchasing Policy and Purchasing Manual, for the Berkeley Public Library and delegate the procedures and implementation to the Director of Library Services subject to the Board of Library Trustees' periodic review.

**D. 2006-2007 Alameda County Civil Grand Jury Final Report and approval of response letter**

Recommendation: Adopt the resolution authorizing the draft letter to the Alameda Grand Jury in response to the *2006-2007 Alameda County Civil Grand Jury Final Report*.

**INFORMATION REPORTS**

**A. Report from library employees and unions, discussion of staff issues**

1. Comments / responses to reports and issues addressed in packet.

**B. Status report from the ERC / Southwest Berkeley Library Needs Discussion Group on July 2007 activities**

**C. Report on Library activities in conjunction with National Library Card Sign-up Month**

**D. Library events:** Flyers and press releases for various Library programs

**AGENDA BUILDING**

Next regular meeting will be held at 7:00 p.m. on Wednesday, September 19, 2007 at the South Branch Library, 1901 Russell Street, Berkeley.

**A. Tracking Chart**

**ADJOURNMENT**

\*\*\*\*\*

**Please refrain from wearing scented products at public meetings.**

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.

To request a meeting agenda in large print, Braille, or on cassette, or to request a sign language interpreter, assistive-listening device or other accommodation for the meeting, please call (510) 981-6195 (voice) or (510) 548-1240 (TDD). Providing at least five (5) working days' notice prior to the meeting will help to ensure availability.

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 July 27, 2007.



//s//

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

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

APPLICATION FOR APPOINTMENT TO BERKELEY  
BOARDS AND COMMISSIONS

CITY OF BERKELEY  
CITY CLERK DEPT

07 JUN 29 PM 5: 01

NAME: Mary Lukanuski

RESIDENCE ADDRESS: 2251 Carleton Street Berkeley 94704  
Street City Zip

BUSINESS NAME/ADDRESS: As of July 23, 2007, SAP Labs U.S. 3475 Deer Creek Road  
Palo Alto 94304  
Street City Zip

OCCUPATION/PROFESSION: User Experience Designer

BUSINESS PHONE: \_\_\_\_\_ HOME PHONE: \_\_\_\_\_

I have been a resident of Berkeley since: 2001

(Response optional) Sex: F 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):

Board of Library Trustees  
(Name of board or commission)

\_\_\_\_\_  
(Name of board or commission)

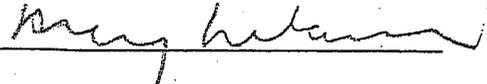
List any qualifications (work experience, education, attributes and training) which you feel would provide positive input to the work of the commission and the reason why you are interested in being appointed: I'm interested in being appointed to the Library Board because of personal and professional interests.

(continued in attached document)

*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> |
|-----------------------|----------------|------------------|
| <u>Michel Milano</u>  | _____          | _____            |
| <u>Meghan Starkey</u> | _____          | _____            |
| <u>Jeff Tidwell</u>   | _____          | _____            |
| <u>David Stein</u>    | _____          | _____            |

Signature:  Date: 6.29.07

*Please return this form to the Office of the City Clerk*

APPLICATION FOR APPOINTMENT TO BERKELEY BOARDS AND COMMISSIONS

MARY LUKANUSKI -- APPLICANT

Qualifications and Interest continued

I'm interested in being appointed to the Library Board because of personal and professional interest.

As for my professional interests, I have a MS in Library Service from Columbia University 1986 followed by ten years of academic research library experience, mostly as a cataloger. In 1995, I started to transition my career from librarianship to web development/web production and Information Architecture. When the Bay Area economy plummeted, I returned to librarianship and held a half time "Web Librarian" position at BPL. Since 2004, I have returned to Information Architecture and now design web based enterprise applications for an international software company.

As for my personal interest, I am a passionate patron of libraries: academic, research, special and public. While I've used academic and research libraries for my work, I've felt more kinship to the public libraries with their focus on the community. Unfortunately, public libraries can be relegated to a romantic sweet vision of leisurely novel reading in cozy quiet. While that's a delightful vision, it doesn't match my community's needs. I'm impressed how the Berkeley Public Library believes in its mission of public service, and strives to actively engage its community.

I'm interested in being appointed to the Library Board because I believe in the Berkeley Public Library's public service mission. I'm impressed with what the Library does and believe that there are many opportunities to further strength and enhance the Library's offerings. I believe my professional experience gives me insight into how Libraries operate and the particular challenges facing BPL. I believe my experience in creating and developing large scale, large budget projects gives me the patience and skill to successfully navigate complicated issues.

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

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

I believe in the mission of the Berkeley Public Library; service to its diverse and sometimes challenging community. I am offering my skills and experience to assist BPL in strengthening and furthering its offerings.

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

A Library's roles vary by the community it serves. BPL's community is broad – from Seniors receiving home service to literacy programs to Teen programs to Toddler story hours. The key factor is relevance: finding out and continuing to refine what is relevant.

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

Current activities – Member of Netivot Shalom – volunteered to several short term and ongoing activities, one being the creation of a new web site.

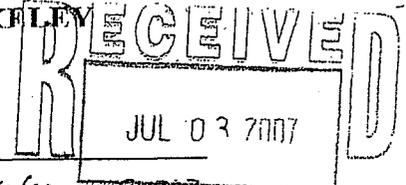
4. **What experience or skills do you bring to the Board, and to a building and renovation project?**

I bring seasoned project management experience in managing and working with large scale, long term, big budget projects. I know how a good project plan should be constructed, the hard questions to ask and the importance of an explicit contract.

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

I think one of the challenges facing BPL is making the library blatantly relevant to Berkeley tax payers. More than likely, the Library will need to appeal to the tax payers to fund any number of large projects: building and renovation projects being one. Campaigning once the measure is on the ballot isn't sufficient. The groundwork has to begin immediately, starting with investigating who this demographic is, followed by focusing on what the library can offer that is relevant, broadcasting an appealing honed message to the targeted audiences and finally following up on customer satisfaction.

APPLICATION FOR APPOINTMENT TO BERKELEY  
BOARDS AND COMMISSIONS



NAME: Ann Chandler  
 RESIDENCE ADDRESS: 1836 Cedar St Berkeley 94703  
Street City Zip  
 BUSINESS NAME/ADDRESS: \_\_\_\_\_  
Street City Zip  
 OCCUPATION/PROFESSION: retired  
 BUSINESS PHONE: \_\_\_\_\_ HOME PHONE: \_\_\_\_\_

I have been a resident of Berkeley since: 1976

(Response optional) Sex: F 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):

Board of Library Trustees  
 (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: As a member of the city council (1984-92) I was the

reason to the BOLT. I have a lifelong interest in the  
success and well being of the public library

Please use another sheet of paper, if necessary.

The following individuals are qualified to comment on my capabilities:

| NAME                  | ADDRESS              | PHONE NO. |
|-----------------------|----------------------|-----------|
| <u>Larry Hugo</u>     | <u>857 Neilson</u>   | _____     |
| <u>Pam Belchamber</u> | <u>1633 Grant St</u> | _____     |
| <u>Joanne Rogers</u>  | <u>1301 Masque</u>   | _____     |

Signature: Ann Chandler Date: June 30, 2007

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.**

*I have a lifelong interest in the success and necessity of public libraries.*

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

*The library exists to provide information and resources to the community.*

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

*member: City Budget Commission  
Zoning Board  
Board of Library Trustees  
City Council*

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

*Both in community and professionally I have participated in building + renovation projects from the funding, building community support, design + implementation of plan.*

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

*The changing technologies which added to communication resources is one of the biggest challenges. Making decisions about using resources to best serve the community is critical to the library's success.*

APPLICATION FOR APPOINTMENT TO BERKELEY  
BOARDS AND COMMISSIONS

CITY OF BERKELEY  
CITY CLERK DEPT

NAME: Abigail Franklin 07 JUL 23 PM 3:48

RESIDENCE ADDRESS: 2420 Woolsey Street, Berkeley 94705  
Street City Zip

BUSINESS NAME/ADDRESS: Goldman Sachs (through 2005)  
555 California Street San Francisco 94104  
Street City Zip

OCCUPATION/PROFESSION: retired investment banker (municipal finance)

BUSINESS PHONE: \_\_\_\_\_ HOME PHONE: \_\_\_\_\_

I have been a resident of Berkeley since: 1998

(Response optional) Sex: F 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):

Berkeley Board of Library Trustees  
(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 see attached

*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> |
|---|----------------|------------------|
| Bonnie Raetze (Director, Gay Austin School)                     |                |                  |
| Dawn Swanson (Children's Librarian)                             |                |                  |
| Brad Spielman (Vice President, Moody's Investors Service)       |                |                  |
| Kristina Sepetys (Senior Consultant, NERA Economic Consulting), |                |                  |

Signature: Abigail Franklin Date: 23 July 2007

Please return this form to the Office of the City Clerk

Abigail Franklin, Board of Library Trustees

***Qualifications***

From 1994 to 2005, I was a tax-exempt bond investment banker. (I spent most of my career at Goldman Sachs and Morgan Stanley.) Through that experience, I developed strong financial, public speaking, listening, consensus building, and public relations skills. I think that my professional experience provided me with the abilities that would be most useful to the Board of Library Trustees. Additionally, my educational background is relevant. I studied public policy as an undergraduate at Princeton University and as a graduate student at Harvard University. Thirdly, I am a devoted library user and have a keen interest in serving these institutions. Having retired from my time-consuming career in 2005, I now have the time necessary to devote to Library business.

Abigail Franklin, Board of Library Trustees

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

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

I have been convinced of the importance and value of libraries since I was a child. My father (Benjamin Franklin V) is a professor of English at the University of South Carolina, and he instilled in my family a love of books and also the power that libraries offer in terms of providing information on any topic imaginable. I had the privilege of receiving my undergraduate degree from Princeton University's Woodrow Wilson School of Public and International Affairs and my master's degree from Harvard University's Kennedy School of Government. In addition to studying public policy and the role of public institutions in society, I spent a good part of those six years in libraries and know their research, entertainment, and social value. As a parent of a 5-year old daughter, I have become even more convinced of the many ways that libraries serve our community. Ever since my daughter was an infant, I took her to the wonderful Baby Bounce program at the Claremont Branch. We visit the library at least three times a week and check out a large quantity of materials: books, music, movies, audiobooks. (I have borrowed over 3,300 items from the Berkeley Public Library.) We also frequent the many wonderful programs that the library offers: puppet shows, storytelling events, magic shows, etc.

I would be thrilled to become a Library Trustee because I am an avid user of libraries and genuinely interested in them; they are an important part of my and my family's everyday life. I think my educational background in public policy and 12-year municipal finance career would offer skills and perspectives that would benefit the Berkeley Public Library.

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

One of the most vibrant aspects of the Library is that it serves different roles for different people—it is a multifaceted, dynamic institution. For many families with young children (such as mine), the libraries through their books, other materials, and special programs help to instill in children a lifelong passion for research and learning, respect for others' property, and responsibility for returning items on time. For others, the Library offers opportunities to acquire critical skills such as literacy. I am proud to say that our former nanny, Lhamo Sopa, is a grateful recipient of such skills through the Berkeley Reads program. (Her accomplishments are cited in the Berkeley Library newsletter of February/March 2006.) For many housebound seniors, as I learned during my work with Meals on Wheels, Library materials provide much valued entertainment and stimulation. While individuals all have their own interests at the library, I think that the overall role of the Library is to provide everyone an opportunity to improve his/her life through the vast fountain of knowledge that it offers.

Abigail Franklin, Board of Library Trustees

**3. Please list former and current activities and accomplishments in the community.**

One of the reasons that I left my investment banking career in 2005 was to spend more time on community activities. Starting in the summer of 2006, my daughter and I began volunteering with Project Open Hand and delivering Meals on Wheels to seniors in North Berkeley each Friday. This has been a meaningful, fulfilling, and educational experience for us both.

I also am very proud of the work that I have done with the Gay Austin School. In particular, I worked with Bonnie Raetze (the school's director) for the past year to structure the financing of her recent purchase of the Gay Austin property, which allowed me to put my investment banking skills to good use on a more personal level. I am involved in the Princeton University alumni efforts in the Bay Area: Alumni Schools Committee (interview prospective students to the University), Princeton Club of Northern California, and charter member of Princeton Women's Network. Also, while I was still with Goldman Sachs, I was involved with Community Teamworks which was Goldman Sachs' service organization. Over the years, I did a number of meaningful projects at Lincoln Child Center in tandem with Rebuilding Together--Oakland.

On a professional level, I also am very happy to have structured tax-exempt bond financings and provided merger and acquisition advice to hospitals in our community (Alta Bates and Kaiser Permanente) as well as throughout California and the Western United States.

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

In addition to my strong interest in the Library, I think that my 12-year investment-banking career provided me with skills and experience that would be extremely relevant to the Library. As a municipal finance (tax-exempt bond) banker focusing on the healthcare sector, I developed strong financial skills. Issuing a successful bond issue, however, requires much more than sophisticated financial analysis. There is a tremendous amount of community relations work required---bond financings are sometimes viewed with great skepticism by communities and require intensive community outreach and education. There are a myriad of groups involved in the bond issuance process: city councils, neighborhood groups, rating agencies, issuing authorities, architects, boards of directors, hospital management, unions, bond insurers. It is the role of the investment banker to quarterback the process and manage all of these relationships, some of which are conflicting. I think that these skills would be critical in Library business, bond related and otherwise.

Abigail Franklin, Board of Library Trustees

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

Based on my frequent visits to all of the Berkeley Public Library branches, two key areas of concern come to mind. First, the physical plants, particularly of the South Branch and West Branch, need updating and renovation. Second is an issue that has improved significantly since the start of 2007: morale of the Library staff. There was a noticeable change several years ago with the attitude of many of the staff members who seemed to feel somewhat deflated. I think it is extremely important that they feel valued. The library staff are the face of the library to patrons, and I think that it is extremely important that they project a positive, upbeat attitude.

**REQUEST FOR LEAVE OF ABSENCE WITHOUT PAY  
REQUIRING BOARD OF LIBRARY TRUSTEE'S APPROVAL**

THIS FORM SHOULD BE COMPLETED WHEN REQUESTING LEAVE OF ABSENCE WITHOUT PAY FOR A SABBATICAL LEAVE, EDUCATIONAL LEAVE, OR LEAVE FOR PERSONAL REASONS. THE REQUEST FOR FAMILY CARE LEAVE FORM SHOULD BE COMPLETED WHEN REQUESTING MEDICAL LEAVE.

**PART A (to be completed by EMPLOYEE and submitted to immediate supervisor)**

Employee Name: ROYA ARASTEH Phone #: \_\_\_\_\_

Department/Division: Library / Art + Music Class Title: Library Specialist I

Request for leave of absence without pay from: 8/20/07 to 11/20/07

Original Request       Personal       Educational       Sabbatical

Request for Extension (Note: An extension of a leave of absence must be requested and approved one week ahead of scheduled return date.)

REASON FOR ABSENCE: I hereby request a leave of absence for the following reason:  
To take personal + health care for my mother as her primary caregiver  
during her illness. She has been diagnosed with metastatic breast  
cancer, complicated by disabling arthritis

**Conditions of Leave of Absence Without Pay:**  
 I understand that if approved, any leave without pay over two (2) pay periods will result in the discontinuation of City paid medical, dental, and life insurance, and will affect my seniority service date (unless for sabbatical leave in accordance with applicable MOU). Except for educational leave, leaves without pay are limited to one (1) year or less.

I understand that I will have voluntarily resigned if I accept other employment during my leave and that I will be subject to disciplinary action if I fail to return at the expiration of my leave. Information on continuation of insurance benefits may be obtained from the Auditor's office. Leaves without pay cannot be approved for employees who have accepted employment elsewhere

Employee Signature: Roya ArasteH Date: 7/15/07 (July 15, 2007)

**PART B (to be completed by EMPLOYEE'S SUPERVISOR AND DEPARTMENT)**

Will employee be replaced during absence?:  Yes       No

If replacement hire is necessary, please indicate method:  Temporarily promote existing staff       Use Temporary Agency

Hire from existing eligible list       We have consulted with the Library Administration regarding a replacement. Replacement will be available by (date) \_\_\_\_\_.

In consideration of the above, leave without pay is approved from: 8/20/07 to 11/20/07

Supervisor: [Signature] Date: 7/16/2007

Division Manager \_\_\_\_\_ Date \_\_\_\_\_ Secretary to Board of Library Trustees \_\_\_\_\_ Date \_\_\_\_\_

**\*If leave without pay is approved by BOLT, FORWARD TO PERSONNEL DEPARTMENT WITH EMPLOYEE TRANSACTION FORM.**

Upon completion, return form to originating department for distribution as follows:

cc: Personnel Department – (attach to Employee Transaction Form)



## BERKELEY PUBLIC LIBRARY

### CONSENT CALENDAR

August 1, 2007

**To:** Board of Library Trustees

**From:** Donna Corbeil, Director of Library Services

**Subject:** Closure of the West Branch for deferred maintenance for a period of approximately six to eight weeks beginning in September 2007

### RECOMMENDATION

Adopt a resolution to authorize the Director of Library Services to close the West Branch of the Berkeley Public Library for deferred maintenance beginning in September 2007 and lasting approximately six weeks.

### FISCAL IMPACT OF RECOMMENDATION

There are no additional fiscal impacts of the recommendation. Funds for the project have been allocated as part of the FY 2007 budget process. Staff will be redirected to other sites to perform their duties.

### BACKGROUND

The Board of Library Trustees adopted resolution R07-57 adopting the FY08 budget, which included accepting a donation from the Berkeley Public Library Foundation to purchase a new circulation desk. The carpet replacement project has been an identified capital improvement project for several years. The funding for the carpet replacement was budgeted as part of the Capital Improvements budget in FY07, which the Library was unable to encumber before the closing of the fiscal year. The request to carry forward funds for the carpet replacement into the current FY will occur at the September meeting.

### CURRENT SITUATION

The Library has placed the order for the circulation desk and will be placing the order for the carpet tiles by the end of July. It will take approximately 12 weeks for the arrival of the desk and 6 weeks for the carpet tiles. It will take at least a week to remove the shelving and materials and another week to replace them. The maintenance staff will be arranging for a contractor to paint the interior of the branch while the shelving and materials are out. Other deferred maintenance activities may occur if time and funding is



available, to take full advantage of completing work that might normally interfere with public service. Carpet installation will take another week. The entire project is estimated to take approximately six weeks, but could extend up to eight weeks and is dependent upon the coordination of the various contractors, delivery of the desk and replacement of the shelving and materials.

During the closure, staff will be redirected to other sites to assist those branches with the anticipated increase in their circulation due to the West Branch closure.

#### FUTURE ACTION

The Library will bring a request for carryover funds to the Board of Library Trustees at the September 19, 2007, meeting. The request will include the \$33,000 unencumbered money for the carpet replacement.

Attachments:

1. Resolution

**RESOLUTION NO.: R07-\_\_\_\_\_**

**AUTHORIZE THE DIRECTOR OF LIBRARY SERVICES TO CLOSE THE WEST BRANCH OF THE BERKELEY PUBLIC LIBRARY FOR DEFERRED MAINTENANCE BEGINNING IN SEPTEMBER 2007 FOR A PERIOD OF SIX TO EIGHT WEEKS**

WHEREAS, June 13, 2007, meeting of the Berkeley Public Library, the Trustees accepted a donation from the Berkeley Public Library Foundation to replace the circulation desk; and

WHEREAS, the Trustees adopted the Fiscal Year 2007 budget, which included Capital Improvement funds to replace the carpet at the West Branch; and

WHEREAS, the replacement of the carpeting requires that all shelving and library materials be removed from the building, which requires the building to be closed; and

WHEREAS, it is estimated that the deferred maintenance will take approximately six weeks to complete, including the removal and replacement of shelving and materials.

NOW THEREFORE, BE IT RESOLVED by the Board of Library Trustees of the City of Berkeley to authorize the Director of Library Services to close the West Branch of the Berkeley Public Library for deferred maintenance beginning in September 2007.



## **BERKELEY PUBLIC LIBRARY**

### **CONSENT CALENDAR**

August 1, 2007

TO: Board of Library Trustees

FROM: Francisca Goldsmith, Library Services Manager  
Jason Dickinson, General Services Manager

SUBJECT: Teen fine forgiveness during Teen Read Week (October 14 – 20, 2007)

### **RECOMMENDATION**

Adopt the resolution authorizing teen fine forgiveness, for an hour's worth of reading on site at the Library, during Teen Read Week (October 14-20, 2007).

### **FISCAL IMPACTS**

This year we propose forgiving only fines, rather than materials replacement costs, for a prospected total of less than \$1,000.

### **BACKGROUND**

Last year's fine forgiveness program allowed dozens of high school students to refresh their good relationship with the library. We would like to promote this year's national Teen Read Week (October 14-20), the theme of which is "LOL @ Your Library," by giving youth another opportunity to clean up their library account and register as teen patrons.

Clearing teen fines brings teens back to the library as productive members of our community. By getting teens reregistered as teen patrons (a library cardholder type), we position ourselves for better control over and more equitable sharing of such resources as computers placed in Teen areas throughout the system.

### **CURRENT SITUATION AND ITS EFFECTS**

Each year, teenaged library cardholders discover that their library cards are blocked against further use because they have accumulated fines of more than \$10. In many cases, these fines were incurred in their first years of grade school or by other family members. In order to support teens' sense of getting a clean slate, we would like to offer them the opportunity to "read away" their fines during Teen Read Week, with an



hour's worth of reading on site at the Library (1) bringing them into the library for an activity; (2) giving them the opportunity to clear their records; and (3) giving them and the Library the opportunity to register them as teen patrons.

#### FUTURE ACTION

By building up the body of "teen patron type" records, we move closer toward being able to control crowding issues around computers. We can install software that allows teens and only teens to register for use of computers in the library's designated Teen Areas.

#### CONTACT PERSON

Francisca Goldsmith, Library Services Manager  
Jason Dickinson, General Services Manager

510-981-6139  
510-981-6174

**RESOLUTION NO.: R07-\_\_\_**

**AUTHORIZING TEEN FINE FORGIVENESS DURING TEEN READ WEEK DURING  
OCTOBER 14-20, 2007**

WHEREAS, last year the library held a fine forgiveness program that allowed high school students to refresh their good relationship with the library; and

WHEREAS, the library would like to promote this year's national Teen Read Week during October 14-20, 2007 by giving youth another opportunity to clean up their library account and register as teen patrons; and

WHEREAS, in order to support getting a clean slate the library would like to offer them the opportunity to "read away" their fines with an hour's worth of reading on site at the Library.

NOW, THEREFORE, BE IT RESOLVED by the Board of Library Trustees of the City of Berkeley to authorize teen fine forgiveness, for an hour's worth of reading on site at the Library, during Teen Read Week (October 14-20, 2007).



## BERKELEY PUBLIC LIBRARY

### ACTION CALENDAR

August 1, 2007

**TO:** Board of Library Trustees

**FROM:** Donna Corbeil, Director of Library Services

**SUBJECT:** Presentation from Noll & Tam Architects on the South Branch Library's possible move to the Ed Roberts Campus, scenarios and cost estimates

### RECOMMENDATION

The Board will discuss the consultant's report, possible next steps and may give direction to staff.

### FISCAL IMPACT

This report will have no fiscal impact.

### BACKGROUND

The Berkeley firm of Noll & Tam Architects and Planners, was hired as a result of an RFP (Request for Proposal) process begun in April 2007. The project is being funded by a California Department of Housing and Community Development Grant, which city staff applied for on behalf of the Library to explore library services at the South Branch Library; this included an exploration of the possibility of locating a library in the Ed Roberts Campus (ERC). The presentation by the consultants this evening is the culmination of the scope of work detailed in the Library's contract with Noll & Tam Architects and Planners to develop cost estimates for various scenarios of occupancy in ERC.

### CURRENT SITUATION AND ITS EFFECTS

The Board is well aware that the branch libraries are in need of renovation. A February 5, 2004 memo to the Board from Building Projects Manager Elena Engel outlines the funding history and a recommended branch planning process (See Attachment 1).

More recently the Board approved the allocation of funds in the FY2007/2008 budget to conduct a branch facility plan. Within the next few weeks staff expects to release an RFP for architectural and planning services for a Library Facilities Master Plan (LFMP) that will focus on the branches. The LFMP will provide relevant information to allow Library Administration and the Board of Library Trustees to set priorities and subsequently develop an implementation scenario. The study will assess the physical ability of the branch libraries to serve the needs of the community and examine the potential of existing facilities to meet future user needs. It will not include the Central Library but will include all of the branch sites and facilities. Following the full proposal process of a call for qualified consultants, review of proposals, interviews, Board



approval of the selected firm and contract negotiations, the selected consultant is not expected to begin work until late September or early October 2007.

An opportunity to expand and relocate the services provided at the South Branch Library to a larger new location has been presented by the construction of the ERC, which will be located at the east side of the Ashby BART station parking lot. The ground breaking for this project is scheduled for 2008.

The Library Director has received a letter from Demitri Belser, President of the Ed Roberts Campus project, outlining options for structuring the Library's participation in the Campus. Included are parameters for ongoing and one-time expenses related to participation. Both parties acknowledge that additional negotiation requiring legal counsel would be required to develop a complete document capturing the details of the fiscal aspects and ongoing roles and responsibilities for both parties. The letter demonstrates the willingness of the Ed Roberts Campus developers to work with the Library and that more than one avenue of participation is available.

Possible next steps:

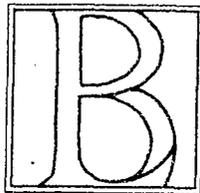
- While the Library will expedite the RFP for the LMFP project the consultant will not be able to begin prior to the September 19, 2007 BOLT meeting. At this time the Board may adopt a resolution authorizing the Director to enter into contract negotiations with the selected consultant in an amount expected to exceed her delegated spending authority.
- The Board may direct staff to begin the assessment of branch facilities with the South Branch Library so that this information will be available for deliberations. Include in the examination of future use the option of renovating the current building within the same footprint and a second option of expansion and renovation on the current site. Under both options the Tool Library will remain at that location.
- While the full fiscal implications of the recommendations of the LMFP are not known, staff could begin to explore funding options for both implementation of a branch building program and relocation of the South Branch to ERC. This exploration would be general in nature to assist the Board in future deliberations and would not indicate a commitment to moving branch operations.
- Staff has initiated a study of the library service needs of the southwest section of Berkeley and expects to have preliminary information in the fall. As part of this effort and to continue dialog with the community on the needs of the south and west sections of the city additional community meetings may be held. In addition, staff may attend neighborhood meetings to communicate about possible facility options and services.

### FUTURE ACTION

Include for discussion and possible action the relocation of the South Branch Library to ERC at a future Board meeting.

Attachments:

1. Branch Projects – February 5, 2004
2. Letter from Elaine Green dated June 14, 2007
3. E-Mail from Jeffrey G. Jensen dated June 23, 2007



## BERKELEY PUBLIC LIBRARY

Jackie Y. Griffin  
Director of Library Services

Date: February 5, 2004  
To: Board of Library Trustees  
From: Elena Engel, Building Projects Manager  
**RE: Branch Projects**

### **Funding History**

Starting about 1993, the Berkeley Public Library began to plan for the renovation and expansion of all of its facilities. By 1994-5 plans began to form to put a bond measure on the ballot. The Friends funded a survey of Berkeley voters that found a willingness to support a measure of up to \$50 million. The Library proposed to the City that a \$50 million bond be put on the ballot to fund the renovation of Central Library and all the branches--\$35 million for Central, and \$15 million for the four branches. The City decided to take the branches off the bond, substitute the renovation of City Hall, and cut back the amount for Central to \$30 million. The bond, Measure S, passed in November, 1996 with less than 100 votes to spare.

The next Library capital funding measure to be put to voters was Measure P, in 2000. The Library had hoped to put a bond measure on the ballot for all the branches once Central Library was finished. However, State Proposition 14, which provided money for Library renovation, required local matching funds. Since Central Library was still under construction and the Library Director and Deputy both were ailing, the decision was made to put a more modest bond measure forward. Measure P provided \$5 million, usable only as a local match to other funds. With no specific plans for the branches, little knowledge of the Prop 14 regulations (which were not yet published), and using 5-year-old cost estimates, the Library settled on the \$5 million figure, knowing that it would not provide enough matching money to fund all the branches. It passed with about 84% of the vote.

Now, in early 2004, the Library has made a Proposition 14 application for the West Branch that would utilize about \$3 million of the local match, if funded. State Senator Dede Alpert, who sits on the Bond Board and is Chair of the Appropriations Committee, has reintroduced a follow-up measure to Proposition 14. Senator Alpert had originally

introduced the measure in 2003, but it was put on hold due to the State's fiscal crisis. The 2003 language of the bill provided that those applying in the 3<sup>rd</sup> cycle of Proposition 14 would not have to reapply for funds with the new bond, but would be automatically considered for funding. It is not known if the 2004 bill will also contain such language. If indeed, a new bond measure passes the legislature and the voters, Berkeley will be in a good position to receive funding. Berkeley could also consider submitting another application for a second branch, without going to the voters again, provided there were sufficient local money for a match left in Measure S.

### **Branch Planning Process**

A certain amount of study and planning must be undertaken in order to prepare for future branch projects, whenever they may be funded. The planning process allows the Library to query the public on its wishes and needs for library service while it builds community support for rebuilding the branches and for other library goals. Planning should include a needs assessment, a plan of service, a building program and feasibility study, some basic studies on existing conditions, and a project cost estimate for each branch. The latter should be done close to the time of applying for funds or to submission of the local bond measure, in order to insure its accuracy. All the other stages can be done with greater lead time between completion and funding, and are described below.

The needs assessment requires library staff to reach out to the community and survey patrons and non-patrons alike in order to understand the needs of their service area. This phase of planning is one of making connections, listening and learning more about the community. It also allows the Library to inform people about services we already offer, provide new linkages and partnerships with the community, and build support for the Library and its mission. People who have been involved in the process and asked to give input generally end up supporting the library and the proposed project.

The Library takes the input from the statements of need by the community and fashions a plan of service. The plan of service states which services the library intends to provide in response to community need and according to professional library standards.

The type and amount of service contemplated translates to space needed to provide said services—space to house the collection, electronic resources, community meeting spaces and so forth. All needed spaces are outlined in the Building Program. Each space is described in terms of its function, contents, and amount of square footage. The Building Program is the “blueprint” which is given to the architect to follow in designing the building.

The total amount of space needed to fulfill the service needs, as described in the building program, must be able to be accommodated on the site. The feasibility study looks at each site (whether existing or new) and determines whether it is possible and

reasonable to accommodate the program there. If there are multiple sites or different ways of using the same site, the feasibility study compares them and makes a recommendation.

Studies of existing conditions are done, often in conjunction with the feasibility study, to determine the state of the facility, the level of damage or wear, the existence of hazardous materials, condition of soil, and the structural condition. Such studies help to determine whether it is cost effective to renovate or build new, and what the impact (to time and cost) the existence of various conditions may have on the project.

Finally, the cost estimate is done, based upon the amount and type of space called for in the Building Program, the difficulty in accommodating the program on the site, gleaned from the feasibility study, and (in the case of a renovation), the impact of the existing conditions.

The Needs Assessment and Plan of Service would be done by Library staff. If there is ample time before funding becomes available, the Building Program can also be done by Library staff. If time is short, a consultant would be hired. The feasibility study, studies of existing conditions and cost estimates will be done by professional consultants. If application is made for future State funds, the process becomes more complicated and must follow the rigorous requirements set forth in the bond language.

June 14, 2007

RECEIVED

JUN 15 2007

Berkeley Public Library

Director of Library Services Donna Corbeil and  
Board of Library Trustees  
2090 Kittredge Street  
Berkeley, CA 94704

**Please include this communication in the Agenda Packet.**

Dear Director Corbeil and Board of Library Trustees,

Alan Bern agreed that I work directly with Jamie Harris of Hatchuel Tabernik Associates (HTA) on phase II of the HTA study of the community. Given the incomplete nature of the first study, i.e. the lack of representation of this community's values within the survey, e.g. child safety, community connectedness, community input about options for use of the current site, we have started another survey.

So many people in the community that we have interviewed since the forum on Saturday, were not privy to HTA's survey of 2006, and have the same concerns that we've stated above. (see attached)

Several of us from the South Berkeley community are conducting a survey of our community, both at the South Branch Library and by going door to door in the area. This will be an ongoing process.

So far, many of the people we surveyed did not know about the potential move or about the earlier survey. Of the twenty people surveyed, two liked the idea of the move and eighteen were for the library staying in its' present location. We have not yet studied all of the various concerns, but in the interest of time, we want to send this sample to you now. We intend to gather 400 interviews to present and we will break the concerns down into percentages.

We are keeping records of people interviewed, the date, their position on the move, and their addresses or zip code when given.

Sincerely,



Elaine Green

p.s. None of us are opposed to high tech resources. That was never the concern. Our concern is with a fuller scope of how to incorporate.

1. Terry Moore –Concern about the move, change use of space to Children's
2. Niru Shresther Children's use. Safety
3. Lucille Bouvier I like coming here with my son. Very convenient for us.
4. Denise Tolenz
5. Erika Pollak Tuesday Baby program is great. Love it here.
6. Stevon Williams 2 copies of rare books or limited editions
7. Keturah Ashfield 94703 I am a school teacher and since my school does not have a library, I use this library a lot. I think this library should stay in this location because we need to preserve community connectedness! Children will not be as safe if the location is moved to the BART station.
8. Mary Cae Carland prefer this location
9. Gab Winn prefer this location, programs
10. Liplage good location here and programs.
11. Simon John BW good location, atmosphere, programs, community
12. Ariel I like it here!
13. Dao Nguyen Great location here
14. Kien Ky Important to our family and good for child to walk to.
15. Julia Reese It's close to where I live walking distance, don't wish to go far.
16. LaRowen Taoles 94702 My opinion on the situation is that it should stay at this location. I have grown up here for 23 years and can't remember it not being here. It is extremely convenient and is a huge part of the Berkeley Community.
17. Audrey Ichinose 6/12/07 94705 I love this library. It's so convenient, helpful. I come about 4 times a week to get books, DVDs, tools and to read the newspapers. We shouldn't move this wonderful, human-sized resource for the whole community.
18. Lisa Garcia Longfellow Middle School 94703 This library is good where it's at because I come here to get books. I don't have time to go to some other library this one is close to my house.
19. Susana Longfellow Middle School 94703 We should keep this library here because it is closer to my house and it's smaller so more communication and community.
20. Monique P. Porter BIS 94703 I think this library should stay here because this branch is closest to my house and I can't always get to Central.

**Corbeil, Donna**

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**From:** Jeffrey G Jensen  
**Sent:** Saturday, June 23, 2007 11:14 AM  
**To:** director@berkeleypubliclibrary.org  
**Subject:** Relocating South Berkeley Library to Ed Roberts Campus

Dear Ms. Donna Corbeil  
Director of Library Services  
Secretary to the Board of Library Trustees

I recently attended a community meeting on June 9, 2007, to discuss the relocation of the South Berkeley Library Branch to the future Ed Roberts Campus. Unfortunately, I had to leave early and was not able to provide you with comments.

In general, relocating the Library to the Ed Roberts Campus is a great opportunity to enhance the uses of the site and provide improved Library services to South Berkeley. At the meeting, several residents expressed concerns over relocating the facility because they believe the existing Library provides a sense of community and because they felt the proposed location would not be as safe due to its location near a major transportation hub and major roadway arterials. I believe that relocating the facility will not necessarily destroy the existing library community, but has the ability to enhance that community and offer more programs, services and books with a larger facility; thereby increasing the potential community use particularly by disabled patrons.

Regarding safety concerns, particularly for children, as a mixed use, multi-modal transportation facility, the BART station has a significant amount of eyes watching the station (patrons, BART riders, BART Police, etc.) and is an active use day and night. With the Ed Roberts Campus, the facility will be even more active with more eyes on the streets; thereby increasing overall safety including for children.

Regarding safety in accessing the site, public schools implement safe routes to schools for children and provide physical improvements to cross walks. In some cases, they construct bulb-outs, provide signage, and other amenities to facilitate safe access routes for children. If necessary, a safe routes to the Library could be devised by the Library in conjunction with the City Public Works Department and Traffic Department to alleviate safety concerns for children.

One major issue, with which I agree, is that the Library needs to more clearly identify who are the users of the library and how they arrive at the library; car, bus, bicycle or on foot. This has implications for the adjacent neighborhoods in terms of increased traffic and noise. The South Berkeley Community Assessment of Library Needs identified that the most frequently cited negatives across all demographics are the parking and traffic problems. It went on to say that as neither of those are directly related to a possible library move, they are not discussed in any of the detailed demographic analyses.

While it may be true that the parking and traffic issues were largely related to the approval of the Ed Roberts Campus itself, the types of uses that will ultimately be housed at the Campus have the potential to directly affect the adjacent neighborhoods based on their particular traffic patterns. Understanding how patrons arrive at the library is important to understand the implications for traffic and noise in adjacent neighborhoods.

In addition, Libraries are a tremendous draw for children and teenagers, and rightly so. Unfortunately,

6/26/2007

with higher concentrations of youth, there is often higher incidents of graffiti and litter in the surrounding neighborhoods. Understanding who are the patrons and how they arrive at the Library is important to understand whether this would even be a concern.

Again, relocating the library provides a tremendous opportunity for South Berkeley and North Oakland. Should the Library Trustees wish to do additional outreach to the adjacent neighborhoods, I would be happy to have you or the Trustee(s) attend and make a presentation at a future East Lorin Neighborhood Association Meeting.

Sincerely,

Jeffrey G. Jensen

Member of Shattuck Crime Prevention Council, Asbhy Bart Task Force and East Lorin Neighborhood Association.

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Fussy? Opinionated? Impossible to please? Perfect. [Join Yahoo!'s user panel](#) and lay it on us.

**RESOLUTION NO. R07-\_\_\_**

**RECOMMENDATION TO THE CITY COUNCIL OF THE CITY OF BERKELEY  
REGARDING THE PREFERRED CANDIDATE TO FILL THE UPCOMING VACANCY  
ON OCTOBER 1, 2007 ON THE BOARD OF LIBRARY TRUSTEES**

WHEREAS, Trustee Laura Anderson's second term will expire on October 1, 2007; and

WHEREAS, during the May 9, 2007 regular meeting of the Board of Library Trustees, the Board instructed staff to begin solicitation for applications to fill the upcoming vacancy and issue public announcements; and

WHEREAS, the Board of Library Trustees held an open house on June 19, 2007 to promote the vacancy and to answer questions from interested parties; and

WHEREAS, the City Clerk's Office of the City of Berkeley received seven (7) applications from interested parties; and

WHEREAS, the Board of Library Trustees interviewed four of the applicants during the special meeting on July 18, 2007 and the remaining three applicants at the special meeting on August 1, 2007.

NOW, THEREFORE, BE IT RESOLVED that the Board of Library Trustees of the City of Berkeley recommends to the City Council of the City of Berkeley that the preferred candidate, \_\_\_\_\_, be appointed to the Board of Library Trustees beginning October 1, 2007.

## **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

### ACTION CALENDAR

August 1, 2007

**To:** Board of Library Trustees

**From:** Beverli A. Marshall, Library Finance Manager

**Subject: PURCHASING POLICY & PURCHASING MANUAL (ADMINISTRATIVE REGULATION 3.4)**

#### RECOMMENDATION

Adopt a resolution to adopt Administrative Regulation 3.4, Purchasing Policy and Purchasing Manual, for the Berkeley Public Library and delegate the procedures and implementation to the Director of Library Services subject to the Board of Library Trustees' periodic review.

#### BACKGROUND

The Board of Library Trustees continues to adopt administrative policies and regulations to assist the Director of Library Services in governing Library operations. The Purchasing Policy was presented to the Board at the September 26, 2006, October 18, 2006, and July 18, 2007 meetings. Based on recommendations by Trustees, changes have been made to the City's policy.

#### CURRENT SITUATION

The Library is progressing towards greater uniformity with the City, especially in the areas of personnel and fiscal oversight. It is in the Library's best interest to adopt similar Administrative Regulations covering personnel, payroll, financial and purchasing as the administrative regulations for the Berkeley Public Library. The City Attorney's office has already reviewed the City's Administrative Regulations; therefore, no additional legal review is necessary if the Board of Library Trustees adopts the same policies between the Library and City policies.

Adopting policies and implementing procedures will ensure that the Director of Library Services and staff have adequate direction and guidance, thereby avoiding potential inconsistencies between Library and City policies and practices.

The City of Berkeley has created a manual for processing all types of contracts (personal services, construction, leases, grants, revenue, etc.). The manual, referred to as Contracts Online, provides guidance on when, how and the process for submitting



contracts through the City. The manual is not adopted as part of the Purchasing Manual because it deals with all contract types, both expenditures and revenue. Revenue contracts are not considered purchases. The City Attorney's office has approved contract boilerplates for City-wide use to expedite the contract process. The City Attorney's office does not regularly develop, review or provide oversight of scopes of services. However, the Contracts Administrator, as part of the purchasing process, does assist departments with the development of scopes of services, as needed. The Library Finance Manager works closely with the Contracts Administrator and the General Services Manager to make sure that the Library is consistent with City contract requirements.

We recommend that the Board, which has sole responsibility for adopting policies, adopt the policy portion of Administrative Regulation 3.4 and delegate the procedures and implementation to the Director of Library Services.

#### FISCAL IMPACT

There is no anticipated fiscal impact in the adoption and implementation of this policy.

#### FUTURE ACTION

The Library will continue to review the other Administrative Regulations and make recommendations to the Board of Library Trustees.

#### Attachments:

1. Resolution
2. Berkeley Public Library Administrative Regulation 3.4, *Purchasing Policy and Purchasing Manual*
3. Purchasing Manual

**RESOLUTION NO.: R07-\_\_\_\_\_**

**ADOPT ADMINISTRATIVE REGULATION 3.4, PURCHASING POLICY AND PURCHASING MANUAL, FOR THE BERKELEY PUBLIC LIBRARY AND DELEGATE THE PROCEDURES AND IMPLEMENTATION TO THE DIRECTOR OF LIBRARY SERVICES SUBJECT TO THE BOARD OF LIBRARY TRUSTEES' PERIODIC REVIEW**

WHEREAS, the Berkeley Public Library adopted ten (10) administrative policies and regulations at the October 18, 2006 Board of Library Trustees meeting; and

WHEREAS, the Berkeley Public Library is not automatically obligated to adhere to the City of Berkeley's Administrative Regulations; and

WHEREAS, it is in the Berkeley Public Library's best interest to have formally adopted policies and regulations governing the personnel, financial and purchasing processes of Library operations.

NOW THEREFORE, BE IT RESOLVED by the Board of Library Trustees of the City of Berkeley to adopt Administrative Regulation 3.4, Purchasing Policy and Purchasing Manual, for the Berkeley Public Library and delegate the procedures and implementation to the Director of Library Services subject to the Board of Library Trustees' periodic review.

**BERKELEY PUBLIC LIBRARY  
ADMINISTRATIVE REGULATIONS**

|                      |            |
|----------------------|------------|
| <b>A.R. Number:</b>  | <b>3.4</b> |
| ORIGINAL DATE:       | 8/2/07     |
| BOLT Resolution #:   |            |
| Implementation Date: | 9/1/07     |
| Revised Date:        |            |
| Page:                | 1 of 3     |

**SUBJECT: Purchasing Policy & Purchasing Manual**

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**I. PURPOSE**

The purpose of this administrative regulation is to ensure that the Berkeley Public Library receives the most favorable price, quality and/or service available for all purchases whenever feasible and in accordance with the adopted budget. Furthermore, the complete administrative regulation provides appropriate employees with procedures to participate in the procurement process. The purpose is also to manage funds appropriately in accordance with legal responsibilities for the use of Library funds.

This administrative regulation serves as the introduction to procedures for the Library's Purchasing Policy. The Purchasing Manual (see attached) provides greater detail on the procedures to be used to implement this policy.

**II. POLICY**

It is the policy of the Berkeley Public Library that all Library purchases, with only specified and approved exceptions, shall be made through a competitive process. Regardless of the value of the purchase, more than one documented quotation, bid or proposal is strongly encouraged. The Board of Library Trustees periodically sets or adjusts cost levels of purchases for Board review and approval and the parameters for the formally documented competitive processes.

Responsibility for Library purchases rests with designated positions for implementation of this policy:

1. The Library Administration Division (Administration) is the centralized office through which all purchases of goods and services are reviewed and processed. Each division will originate requests to pursue formal bidding procedures.
2. Divisions are responsible for requesting the type and quality of product or service required. Sole and single source contracts should be avoided, but may be utilized under a separate process and approval, as provided in the Purchasing Manual. The FUNDS\$ system maintains lists of vendors cross-referenced to commodities and services.
3. Administration is ultimately responsible for determining the means of purchase and the appropriate vendor. All purchases made will be of a quality consistent with the ultimate use intended and will be based on best value to the Library, not necessarily on the lowest obtainable price based on the recommendation from subject experts.
4. Only the Director of Library Services has the authority, as delegated to her/him by the Board of Library Trustees, to enter into a contract/agreement/grant with a vendor.
5. **The Library will seek outside expertise (Director of Library Services will communicate to the Board the expertise needed) in developing contracts and scopes**

of service or to manage contracts when the Library and/or the City does not have staff with the appropriate skills or knowledge to do so.

6. **All contracts shall be drawn under the supervision of the City Attorney. All contracts must be in writing, executed in the name of the City of Berkeley by an officer or officers authorized to sign the same, and must be countersigned by the Auditor, who shall number and register the same in a book kept for that purpose. Contracts over \$25,000 may be reviewed by City Attorney's Office.**
7. **If requested by the Board, the Director of library Services will forward the scope of services, deliverables and schedule as an information item during the RFP or specification process.**

### III. DEFINITIONS

- a. Procurement: Procurement refers to the process of managing activities associated with an organization's need to obtain the goods and services required for its operation. To ensure that the correct amount of the product or service is received at the appropriate time, specific steps are taken in the procurement process, including: value assurance; determining which commodities or services are best; choosing the right suppliers and vendors; negotiating the best prices; and awarding contracts. For Library Administration to conduct the procurement process responsibly, its functions include spend analysis, sourcing, supplier implementation, transaction management, category management, and supplier performance management.
- b. Purchasing: The processing of a purchase order. The key steps in the process are: divisions submit requests; Library Administration find the items (sourcing) and submits a requisition in the FUNDS\$ system; The City's General Services Division issues a purchase order (PO) and send it to the vendor. Upon fulfillment of the order, the Library is invoiced and the vendor is paid.
- c. Purchase Requisition: A purchase requisition is a document that instructs General Services to spend a designated and approved amount from the Library budget account for needed goods or services.
- d. Purchase Order: A purchase order is used for the purchase of goods or services. The PO represents a contractual agreement that is enforceable under law. To have an enforceable contract, there must be agreement of the parties, which consists of an offer by one party, acceptance of that offer by the other party and mutual consideration.
- e. Blue Backed Contract: A blue-backed contract represents a contractual agreement that is enforceable under law. To have an enforceable contract, there must be agreement of the parties, which consists of an offer by one party, acceptance of that offer by the other party and mutual consideration.

### IV. APPROVAL LIMITS

Approval by the Board of Library Trustees is required for purchases of services over \$25,000 and supplies over \$50,000, as established by Resolution R07-10. Purchases are to be for no more than one year, with a three-year maximum for contract renewals.



**A.R. NUMBER: 3.4**

|                     |                                  |       |
|---------------------|----------------------------------|-------|
| <b>Reviewed by:</b> | _____                            | _____ |
|                     | Director of Library Services     | Date  |
| <b>Approved by:</b> | _____                            | _____ |
|                     | Chair, Board of Library Trustees | Date  |

# BERKELEY PUBLIC LIBRARY

## PURCHASING MANUAL

- I. General Procedures, Responsibilities and Requirements
  - A. General Purchasing Policy
  - B. Responsibility for City Purchases
  - C. Sole / Single Source Procurement
  - D. Emergency Procedures
  - E. Departmental Communications with Vendors
  - F. Employee Ethical Standards
  - G. Restrictions on Use of Public Funds
  - H. Requirements on Contracting with Certain Entities
  - I. Restrictions on Procurements
  - J. Preferences on Procurements
  - K. Administrative Regulations
  - L. Evidence of Insurance
  - M. Service Providers not City Employees
- II. Purchasing Requirements by Price
  - a. Purchases Not Exceeding \$50.00
  - b. Purchases Not Exceeding \$1,000
  - c. Purchases from \$1,001 to \$5,000
  - d. Purchases from \$5,001 to \$25,000 (Services Only)
  - e. Purchases from \$5,001 to \$25,000 (Goods Only)
  - f. All Purchases Exceeding \$25,000
- III. Purchasing Procedures
  - a. Introduction
  - b. Responsibilities of the General Services Division
  - c. Responsibilities of Operating Departments
  - d. Purchasing Requisitions
  - e. Receipt and Invoice Processing
  - f. Liquidation of remaining funds on a PO
  - g. Purchases – Requiring Special Handling
  - h. Competitive Formal Bid Evaluations
  - i. Contracts – Blue Backed
  - j. Protest of Award
- IV. Glossary of Terms
- V. Frequently Asked Questions (FAQs)

# BERKELEY PUBLIC LIBRARY

## Purchasing Manual

### Section I – General Policy, Responsibilities and Requirements

#### A. General Purchasing Policy

All Library purchases, unless they qualify for petty cash exceptions or sole/single source contracts must be made through a competitive process. Regardless of the value of the purchase, more than one quotation, bid, or proposal is encouraged. The Board of Library Trustees establishes the limits for Director of Library Services authority to approve contracts, the level of expenditure requiring Board approval, and parameters for the documented competitive processes. See Section II for current competitive thresholds and Board approval requirements. The goal is for the Library to receive the most favorable price, quality, service, and/or value available.

#### B. Responsibility for Library Purchases

The Library maintains a centralized Administrative Services Division (Administration) through which all purchases of goods and services are reviewed and processed. Administration originates Purchase Requisitions (PR) or specification requests to pursue formal bidding procedures. The PRs and specification requests are sent to the City's General Services Division (General Services) of the Finance Department, where they are reviewed to ensure adequate information is provided, best practices are followed and PRs are developed, as appropriate, into Purchase Orders (PO). See Library Purchasing Procedures for instructions and information for developing PRs; and detailed instructions for developing RFP and IFBs.

Library divisions are responsible for requesting the type and quality of product or service required. The requisitioned products or services should be described as completely as possible, without regard to manufacture (except when applicable), to ensure that as many vendors as possible may respond to the Library's needs. A manufacturer's part number may be cited by the requisitioner to assist Administration in sourcing the correct product. Sole/single source contracts should be avoided. The FUNDS\$ system maintains lists of vendors, cross-referenced to commodities and services.

The Director of Library Services is ultimately responsible for determining the means of purchase and the appropriate vendor, based on input by the Library Finance Manager. All purchases specifically for supplies, equipment or materials are to be awarded to the lowest responsible bidder, but must be of a quality consistent with the ultimate use intended. The Director of Library Services may reject any and all bids. If all bids are so rejected, or if no bids are received, the Library may re-advertise for new bids, or authorize the Library Finance Manager to negotiate in the open market.

Administration may require up to one week to process a routine PR under \$25,000 and issue the PO. The time required to process the PR is directly related to the complexity of the item and whether the end user documents the quotes. Exceptions to the one-week lead-time will be at the discretion of the Director of Library Services.

Only the Board of Library Trustees has authority to enter into a contract/agreement with a vendor unless specifically delegated to the Director of Library Services. All contracts, agreements and purchase orders are subject to the limits outlined in Section II.

### C. Sole/Single Source Procurement

Whenever possible, multiple quotes for goods and services must be documented. Sole/single source procurement, or non-competitive solicitation, may only be used, following informal or formal solicitation, when (a) only one viable source is found for the needed product or service; (b) competition is found to be inadequate; or (c) there is an emergency, and it is impractical for the Library to seek competitive bids. In all other circumstances, the appropriate competitive solicitation procedures must be followed.

The Library Finance Manager must obtain approval (from the Director of Library Services, or his/her designee) prior to beginning the process whenever sole/single source procurement will be used. Whenever possible, divisions should avoid requesting items that can only be obtained from a sole/single source. In all cases, Administration must have a memo on file for the rationale for the sole/single source procurement.

### D. Emergency Procedures

Special procedures must be followed to obtain goods or services in the event of any emergency. The Director of Library Services will determine whether a situation constitutes an emergency. If so, the Library Finance Manager will be responsible for preparing the Consent or Action Report to submit to the Board of Library Trustees at the next available opportunity. In all cases, Administration shall be given a copy of the Board Report on the reasons for the emergency procurement, which will be filed with the PO.

### E. Departmental Communication with Vendors

Whenever a division desires information regarding the use, description or availability of a specific product or type of product, a written request should be addressed to Administration. Such information should include price quotations, catalogs, samples and/or demonstrations. Whenever vendor catalogs are requested or received by Administration, the interested divisions will be sent the information or given notice of their availability for inspection. All catalogs used by Administration are available for general Library use at the Administration office.

Administration should be informed before divisions contact any suppliers or their representatives with regard to pricing, product availability or technical information. In addition, Administration must be informed before the contact is made. ***No commitment to purchase a product or service offered may be made by anyone other than the Director of Library Services or her/his designee – except when following emergency procedures.*** No particular supplier will receive preference for the order under discussion. It should be made clear to all vendors contacted by departments that competitive bidding will be required. The end user must retain copies of all correspondence with outside vendors or contractors in case of audit.

Every employee of the Library must keep himself/herself free of any obligation to vendors by refusing to accept entertainment or gifts offered by, or on behalf of, suppliers currently or potentially serving Berkeley. See Employee Ethical Standards for details about Library employee-vendor contact.

### F. Employee Ethical Standards

City Charter Section 72 prohibits certain behavior detrimental to the fair, impartial and cost effective procurement of goods and services.

*Any officer of the City, or of any department thereof, who shall aid or assist a bidder in securing a contract to furnish labor, material or supplies at a higher price than that proposed by any other bidder, or who shall favor one bidder over another by giving or withholding information, or who shall willfully mislead any bidder in*

*regard to the character of the material or supplies called for, or who shall knowingly accept materials or supplies of a quality inferior to those called for by the contract, or who shall knowingly certify to a greater amount of labor performed than has been actually performed, or to the receipt of a greater amount or different kind of material or supplies than has been actually received, shall be deemed guilty of malfeasance and shall be removed from office.*

Inappropriate behavior can be grounds for immediate termination of an employee. It is every employee's responsibility to act in an ethical manner.

### **G. Restrictions on use of Public Funds**

The Library does not allow the use of public funds for any items for personal consumption or use, including but not limited to the following:

1. Employee coffee, tea, hot chocolate or related items, such as cups, creamer, sugar, etc. Only Administration, as the official Library host center, is permitted to purchase these items on a regular basis and charge a Library account. Any type of food/candy for department/division staff.
2. Catered or other food (such as donuts, sandwiches, pizza, etc.) for employee celebrations, including and not limited to birthdays, going-away parties, etc. All Staff meetings are excluded from this restriction.
3. Bottled water at the Central Library. Bottled water may be purchased at outlying locations with the approval of the Director of Library Services, provided there is a finding that the tap water does not meet acceptable standards.
4. Pens, paper, or other office supplies NOT associated with work performed specifically for the Library.
5. Any items that are *not needed* to perform duties specifically for the Library.

In accordance with Administrative Regulation 3.17, if the item is not needed to perform work for the Library, it should not be purchased with public funds.

### **H. Requirements on Contracting with Certain Entities.**

Prior to contracting for services or commodities, the following restrictions must be observed. See specific Berkeley Municipal Code and Ordinance sources and citations in Section VI.

1. **Oppressive States Business Policy:** Resolutions 60,382-N.S., and 59,853-N.S. – 59,857-N.S. (1999) prohibit City contracts or purchases with companies that do business, or produce commodities, in the listed areas. As of June 1, 2002, the affected areas are the Tibet autonomous region and Provinces of Adu, Kham, and U-Tsang. All contracts entered into by the Library must stipulate that the contractor is subject to this policy.
2. **Nuclear Free Policy:** Ordinance 5,784-N.S. (1986) prohibits contracting with any person or business that engages in “work for nuclear weapons” – defined as “work the purpose of which is the development, testing, production, maintenance, or storage of nuclear weapons or the components of nuclear weapons; or any secret or classified research or evaluation of nuclear weapons; or any operation, management, or administration of such work.”
3. **Living Wage Policy:** Ordinance 6,548 N.S. (2000) requires specified employers to pay a “living wage” and benefits to qualifying employees, as follows: for-profit contractors that receive more than \$25,000 in City funding in a year, or non-profits receiving more

than \$100,000; employers in the Marina Zone that have 6 or more employees and generate \$350,000 or more in annual gross receipts; and financial aid recipients receiving more than \$100,000 in a 12-month period.

Compliance required by employers with employees who spend 25% or more of their compensated time on the Library for-profit contract or in the Marina Zone. For non-profit contractors, compliance is required by employees who spend 50% or more of their compensated time on the contract.

Living wage rates are adjusted annually and posted on the City of Berkeley website at: <http://cobweb/manager/livingwageinfo.html>. Additional requirements are 22 days per year of sick leave, vacation, personal or holiday time (12 of the 22 days must be compensated time).

4. **Equal Benefits:** Ordinance 6,623-N.S. (2001) requires that public funds be expended in a manner to prohibit discrimination in the provision of employee benefits by City contractors between employees with spouses and employees with domestic partners, and/or between domestic partners and spouses of such employees. This policy applies to for-profit entities where the contract exceeds \$25,000; non-profit entities where the contract exceeds \$100,000; and entities that generate \$350,000 or more in annual gross receipts and, by written agreement, have exclusive use or occupancy of City property for a term exceeding 29 days in any calendar year.
5. **Non-Discrimination:** Ordinance 5,876-N.S. (1988) prohibits City contractors from discriminating against any employee or applicant for employment on any grounds specified in any State, Federal, or municipal law; and to require that any existing discrimination be remedied by appropriate methods including establishment of an approved affirmative action program that is consistent with State and Federal law.
6. **Disclosure of Historical Commerce in Slavery:** Ordinance 6,855-N.S. (2005) mandates that any contractor providing insurance or financial services (including any bank in which the Library deposits public funds) to the Library must disclose in writing whether they, directly or through its parent entities, subsidiaries or predecessors in interest, engaged in commerce in slavery, including: bought or sold slaves, used slaves as collateral, provided loans to purchase slaves, insured such transactions or the slaves, or provided any other services to aid in such transactions.

## I. Restrictions on Procurements

The City restricts purchases of the following commodities under the Environmentally Preferable Preference Policy (see **specific Ordinance and Resolution sources and citations in Section G**):

1. **CFC-Processed Food Packaging:** Ordinance 5,867-N.S. (1988) prohibits both the purchase of all CFC-processed food packaging, and the use of such packaging at any Library-sponsored event.
2. **Non-Polystyrene Foam Food Packaging:** Ordinance 5,888-N.S. (1990) prohibits the purchase of all polystyrene foam food packaging.
3. **Tropical Hardwood:** Resolution 58,291-N.S. (1995) prohibits the purchase or use of tropical hardwoods and products. RFP/IFB responses containing such products are deemed non-responsive.
4. **Redwood Products:** Resolution 58,704-N.S. (1996) prohibits the purchase of virgin redwood products, and allows the purchase of certified sustainable harvested redwood.

5. **Arsenic, Pentachlorophenol, and Creosote Treated Wood:** Resolution 61,724-N.S. (2002) prohibits the purchase of all wood treated with arsenic, pentachlorophenol, or creosote.

## J. Preferences on Procurements

Library procurement has preferences for the following (see **specific Ordinance and Resolution sources and citations in Section VII**):

1. **Local Business Preference Program:** Resolution 51,813-N.S. (1983) sets forth the City's local business preference program, in which departments must include local Berkeley businesses when seeking vendors for purchases of less than \$25,000. The purpose of this program is to provide local businesses with the opportunity to sell goods and non-professional services to the City, and stimulate the local economy in general. It establishes a 5% differential for local purchases that do not exceed \$25,000. This program is not applicable to public facility improvement (construction), professional service contracts, or any purchase over \$25,000.
2. **Recycled Products:** Resolution 55,286-N.S. (1990) established a preference to use recycled products. The City will cooperate to the greatest extent feasible with neighboring City and County governments in an effort to develop a comprehensive, consistent and effective procurement effort intended to stimulate the market for recycled products, reusable products, and products designed to be recycled.
3. **Recycled Paper:** Resolution 55,327-N.S. (1990) established a preference to use 100% recycled paper, and to utilize white paper whenever possible.
4. **Certified Sustainable Wood and Wood Products:** Resolution 59,595-N.S. (1998) established a preference for the City to purchase certified sustainable wood and wood products; to stimulate a market for certified sustainable wood and wood products; and to encourage members of the logging industry to have their practices certified.
5. **Eliminate Anthropogenic Sources of Dioxin Pollution:** Resolution 60,196-N.S. (1999) established a purchasing practice that promotes the use of less toxic, non-chlorinated, sustainable alternative products and processes, such as chlorine free paper and PVC free plastics.
6. **Environmental Preferable Purchasing Policy:** Resolution 62,693-N.S. (2004) established an environmental purchasing policy charging the City with protecting the public health and welfare of its residents and workers, as well as the health of the environment, including: minimizing health risks to City staff and residents; minimizing the City's contribution to global climate change; improving air quality; protecting the quality of ground and surface water; and minimizing the City's consumption of resources.

## K. Administrative Regulations

All Administrative Regulations (AR) must be followed for procurement of goods and services. The following ARs specifically apply to all procurements: AR 3.17 Fraud, Abuse, and Misuse of Library Resources; AR 3.3 Petty Cash and Change Accounts; AR 3.14 FN-024 Voucher Processing.

## L. Evidence of Insurance

When determined to be required by the legal counsel, and before commencing any work, a vendor contracting with the Library must furnish evidence of general liability, workers compensation, and property damage insurance, with liability limits approved by the legal counsel. Insurance is

required in most cases where the vendor is performing work on Library property. When insurance is required, the policy must name “City of Berkeley, its Officers, Agents, Employees, and Volunteers” as additional insureds.

### **M. Service Providers not Library Employees**

In order for the Library to comply with Federal, State, and local rules and regulations concerning employment, contracts for services must not create an employer–employee relationship between the Library and the service provider: all service providers must be independent contractors. An independent contractor is a service provider who controls where, when, and how he/she works. If the Library controls where, when, and how services are provided, the service provider may be considered an employee of the Library, and the Library would be responsible for compliance with all Federal, State, and local rules and regulations concerning an employment relationship. Therefore, in order to avoid the possible application of employment rules and regulations to service contracts in contracting for services, the Library should generally determine only what the product of the services will be, and when specific product components must be ready. The independent contractor controls where, when, and how he/she works. All service contracts must contain mandatory language establishing that the contractor is an independent contractor and not an employee of the Library. If there is any question about determination in this section, Human Resources should be consulted.

## II – Purchasing Requirements by Price<sup>1</sup>

### A. Purchases Not Exceeding \$50.00

Items with a total value (per order) of \$50.00 or less may be procured using petty cash procedures. Generally, minor office supply needs and transportation reimbursements may be initiated and paid using this provision. This is not to be used for reoccurring type purchases. See Administrative Regulation 3.3 Petty Cash and Change Funds.

### B. Purchases Not Exceeding \$1,000

The purchase of goods or services costing more than \$50, but less than \$1,000 must be initiated and processed by Administration. Administration staff, using the Requisition tool on the FUNDS\$ system, must enter a PR for items required. Documented quotes for goods and services are not required but may be requested by Administration. Local Berkeley vendors should be contacted for informal quotes and must be discounted by five percent when comparing the bid with a bid from a non-local vendor per the requirements of the Local Business Preference policy. This information must be documented on the on-line Purchase Requisition in the FUNDS\$ system.

### C. Purchases from \$1,001 to \$5,000

The purchase of goods or services costing more than \$1,000 but not exceeding \$5,000 must be initiated and processed by Administration using the Requisition tool on the FUNDS\$ system. Administration must enter a PR for items required. If for a service which could cause the Library liability, a blue-backed contract may be required. Local Berkeley vendors must be contacted for informal quotes and must be discounted by five percent when comparing the bid with a bid from a non-local vendor per the requirements of the Local Business Preference policy. Quotes must be documented on the on-line PR in the FUNDS\$ system.

### D. Purchases from \$5,001 to \$25,000 (Services Only)

The purchase of a service costing more than \$5,000 must be a blue-backed contract. The City Auditor's office will notify General Services when a PO can be initiated and processed for a related contract. Administration will enter a PR on the FUNDS\$ system. Three quotes must be documented on the on-line PR in the FUNDS\$ system. The quotes may be generated through telephone conversations or provided on a fax, but must be specifically referenced on the requisition by vendor, contact person, date, and cost. Local Berkeley vendors must be contacted for informal quotes and must be discounted by five percent when comparing the bid with a bid from a non-local vendor for non-professional services per the requirements of the Local Business Preference policy. Quotes must be documented on the on-line PR in the FUNDS\$ system.

### E. Purchases from \$5,001 to \$25,000 (Goods Only)

The purchase of a goods costing more than \$5,000 but not exceeding \$25,000 must be initiated and processed by Administration using the PR tool on the FUNDS\$ system. Administration must enter a PR for items required. Three quotes are required and must be documented on the on-line FUNDS\$ PR. The quotes may be generated through telephone conversations or provided on a fax, but must be specifically referenced on the PR by vendor, contact person, date, and cost. Local Berkeley vendors must be contacted for informal quotes and must be discounted by five percent when comparing the bid with a bid from a non-local vendor per the requirements of the Local Business Preference policy. Quotes must be documented on the on-line PR in the FUNDS\$ system.

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<sup>1</sup> The value of a purchase is determined by adding the base amount of the purchase and any addition amount that will be paid on the purchase agreement. If together these totals exceed any threshold, then the policies and procedures for the determined amount shall be followed. Sales tax and shipping charges ARE included in this total.

## **F. Purchases of Goods and Services (over \$25,000)<sup>2</sup>**

Purchases over \$25,000 require a formal Request for Proposal (“RFP”)/Invitation for Bid (“IFB”) process. Allow at least 60 days for this process to be completed.

Breaching the following thresholds requires approval by the Board before the RFP/IFB can be released to vendors for bid:

- Services (\$25,000)
- Goods, Materials, and Equipment (\$50,000)

Berkeley law (Ordinance 6,875-N.S.) requires Board of Library Trustees approval of all purchases exceeding the above limits. No waivers are available except by the Board or emergency as defined by Section I.D.

The Division Manager that requires a good or service over \$25,000 must first contact Administration using the designated form to request a Specification Number, which will be forward to the General Services Division. The Finance Manager identifies funding within the Library’s budget. Once the Specification Number is assigned, the Division Manager, with guidance from the Finance Manager, develops the RFP or IFB and forwards it to General Services for review.

Once completed and ready for release, General Services will post the RFP/IFB on the City of Berkeley web site and on the bulletin board in front of City Council Chambers at 2134 Martin Luther King Way and coordinates its distribution to identified vendors. Administration will verify whether the budget code shows the money is available before the item will be released for vendors to bid. If advertisement in another medium is required, the Finance Manger will place the advertisement and give that information to the General Services Division to be documented in the file. General Services is designated as the only office authorized to receive all vendor responses to RFP/IFB released by the City. Opening of returned proposals will occur only on Tuesdays and Thursday at 2 pm at 2180 Milvia St., 3rd floor, Finance Department. General Services will notify the Finance Manager when bids are ready to be picked up after they are documented on a bid abstract.

It is up to the Finance Manager, with direction from the Director of Library Services, to determine the successful vendor proposal and to direct Administration to enter a Requisition on the FUNDS\$ system and/or develop a blue-backed contract.

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<sup>2</sup> The informal and formal competitive component can be satisfied by piggybacking on competitive bids of other government agencies or buying groups. Market research will satisfy this requirement when the good or service is deemed to be single / sole source.

### III – Library Purchasing Procedures

#### A. Introduction

This section of the manual describes common Library Purchasing procedures. All employees who initiate or approve the procurement of goods and services for the Library must be familiar with these procedures.

#### B. Responsibilities of the General Services Division

It is the responsibility of General Services to process PRs into POs. Buyers process PRs into POs using the FUNDS\$ Purchasing/Inventory system. The PO is then sent to the vendor to obtain the needed goods or service. If the order is under \$25,000, PRs will be processed from 1 to 5 days after approval, depending on the complexity of the order. All bids exceeding \$25,000 must go through the formal bid process. See Section II for Bid and Board of Library Trustees requirements. If a blue-backed contract is required, General Services is required to wait for Auditor's Office approval before preparing a PO. General Services is responsible to ensure all directed requirements and Administrative Regulations are followed during the procurement process. Buyers are responsible for following all requirements and are ultimately responsible for the procurements they process.

#### C. Responsibilities of the Library

It is the responsibility of the Library to determine which goods and services are required for the proper operation of their Department. Administration inputs a PR into the FUNDS\$ system after verifying funds are available in the appropriate budget code. Provide a clear, concise and complete description or specification to General Services on the PR. Administration must approve PRs, and ensure funds are being used correctly. The approver of a PR should not be a relative or near relative as outlined in AR 2.12 of the person who entered the PR. There needs to be an appropriate segregation of duties. Library staff has a fiduciary duty to spend the Public's money in a way that is consistent with the Charter, Resolutions, Ordinances, and Administrative Regulations. Library staff needs to remember that all purchases made with Library funds are discoverable under the California Public Records Act.

#### D. Purchasing Requisitions

The procurement of all goods should be initiated through the FUNDS\$ on-line PR preparation and submittal process. Administration must submit and approve the PR.

The procurement of low risk services (e.g. a performer singing at a festival) is to be determined by the Finance Manager. If the service is under \$5,000, it can be initiated through the on-line PR preparation and submittal process. Administration must submit and approve the PR.

The procurement of a service over \$5,000 is to be completed through the blue-backed contract process. A PR for services on a blue-backed contract is a payment mechanism.

The path of procurement for a combination of goods and services is determined by whether the preponderance of what is being provided by the vendor is a goods or a service.

When initiating an on-line requisition, provide a specific description of what is needed. A manufacturer and a manufacturer part number when available should be provided on the PR. This allows General Services to ensure the end user gets exact the product they need. While General Services may make suggestions for alternate products with the same specifications to the Library, it is the Library's determination of the final product that is selected. General Service's staff is available to help in this process or provide additional ideas for finding a needed

commodity, service, or potential vendors. As the price of the good or service rises, the requirements for the procurement become more restrictive and time consuming.

Applicable freight, shipping, and handling charges should be included on the PR. In general, freight and shipping costs are not taxable (although handling charges are taxable). Consult Administration for questions on taxes and shipping. In general, most purchases of goods are subject to sales tax (currently at 8.75%). However, some purchases are not taxable.

All items requisitioned should be required to meet the current operating needs of the department.

It is helpful to have the following information before beginning a requisition.

1. Description of the good or service needed;
2. Quantity needed;
3. Reason for the purchase;
4. Location where the item should be delivered;
5. Reasonable delivery date;
6. Correct budget code; funds must be currently available for each item on the requisition. If these requirements are not met, the Purchase Requisition cannot be processed.
7. Commodity and sub commodity code for the item; (Look up available in FUNDS)
8. Quotes from vendors who can provide the required goods or service;
9. Preferred vendor; may be changed by General Services if the Buyer deems the price is not fair and reasonable.

#### **E. Approval of Purchase Requisitions**

All Requisitions must be approved by the Director of Library Services, or her/his designee, before processing by Administration. The approving personnel cannot be the same person as the requisition's originator. Nor can the approver be a near relative as outlined in A.R. 2.12. For step-by-step instructions see the PR Entry and Requisition Approval Procedures in Section VIII.

#### **F. Pre-encumbrance/Encumbrance**

Immediately following the approval of a requisition, funds are pre-encumbered against the budget code for the amount of the PR. The amount of the pre-encumbrance does not include tax. Pre-encumbered funds render the budgeted funds unavailable for additional purchases. The pre-encumbered funds remain pre-encumbered until the PR is canceled, or the Buyer prepares the purchase order. If the PR is canceled the funds are released back into the budget code from which they were pre-encumbered. When the Buyer prepares the PO, the pre-encumbrance is liquidated, and the funds are then encumbered. The amount of the encumbrance does include tax. See the Outstanding Pre-Encumbrance Report Procedure to track encumbered amounts.

#### **G. Budget Codes**

The correct budget code must be used on PRs. If you are purchasing office supplies element object 55-11 should be used. There is a look up feature in FUNDS (F4) to identify the correct budget code. Fixed Assets must use budget codes with element object in the 70-40 series. Fixed assets are items which have an individual total cost of 1000.00 or more (this total including tax and shipping) and have a life of greater than one year. There is an exception for fixed assets individual costs if items must be used together and each component is less than \$1000.00 but the total cost for the units will be over \$1000.00. If you have any question about what element object to use please contact General Services.

## H. Receipt and Invoice Processing

All invoices are to be mailed to the Berkeley Public Library, Administration Unit, 2090 Kittredge Street, Berkeley, CA, 94704. If an invoice is for a blue-backed contract, the invoice should be sent to the address above referencing the name of the project manager. Following delivery of the requisitioned good or service, the originating department/division must formally “receive” it using the FUNDS\$ system. See the Receiving Procedures. When the division receives a final invoice from the vendor mark the invoice “FINAL INVOICE” in red pen and Accounts Payable will electronically close the PO.

## I. Liquidation of Remaining Funds on a PO

To liquidate any remaining funds on a PO a “Change Order Request” form must be submitted to General Services. To avoid the need to submit a “Change Order Request”, final invoices should be marked “Final Invoice” in red ink and AP will liquidate any encumbered amount after payment of that invoice.

## J. Purchases Requiring Special Handling

Certain types of requests for goods and services either are not made through the PR procedure at all or are made through a modified PR procedure.

1. **Petty Cash Procedures.** Items with a total value (per order) of \$50.00 or less may be procured using petty cash procedures. Generally, minor office supply needs and transportation reimbursements may be initiated and paid using this provision. An item that is purchased on a regular basis should not be procured using this procedure. See Administrative Regulation 3.3, “Petty Cash Revolving Accounts”
2. **Blanket Orders (BPO).** BPOs for goods are used to establish an overall spending limit for goods that will be needed in small amounts through the fiscal year. BPOs are established for one year. A standard PR process is required, and Section II Purchasing limits apply to the entire blanket order (i.e., blankets for more than the Director of Library Services’ expenditure authority must go to the Board of Library Trustees). It is the responsibility of Administration to ensure authorized releases on BPOs are kept current throughout the fiscal year. Additional PRs are required to add monies to BPOs and the BPO number should be noted on the new PR. If the BPO is going to exceed the Director of Library Services’ authority, the Board of Library Trustees must approve an increase. The quote process is not required for BPOs, prices are as billed by the vendor. Discounts are documented by General Services. BPOs where specific prices have been negotiated will remain stable through the term of the BPO. No individual order should exceed \$1000.00 and Fixed Assets should not be ordered on a BPO, as the element object is not correct on a BPO.
3. **Emergencies.** In extreme circumstances, a “Field PO” may be issued by the Purchasing Division with approval of the Director of Library Services. This situation requires the establishment of an “actual emergency and of urgent necessity for the preservation of life, health or property” (City Charter Section 67.4). Emergency purchases may not exceed the Director of Library Services’ authority limits as set by the Board of Library Trustees. Whenever possible, Administration will continue to seek as many quotes or bids as would otherwise be required if the emergency did not exist. A purchase order will be generated using the FUNDS\$ system, purchasing staff will notify the selected vendor of the PO number and provide delivery address for the emergency item(s).

**K. Warehouse Items.** Certain public works and electrical items are regularly maintained and warehoused by the Library. The standard requisition format on the FUNDS\$ system is used

**L. Single/Sole Source Procurements.** Any procurement that for reasons established by a project manager and approved by the Director of Library Services is considered Sole/Single source will be processed without a competitive bid process. When feasible General Services will conduct market research to ensure the prices proposed are fair and reasonable.

**M. Formal RFP or IFB.** Purchases expected to exceed \$25,000 must follow a strict path to ensure a valid, fair and impartial selection process. Allow at least 60 days for this process to be completed and a vendor selected. Before initiating the standard PR process, Administration will send a request for a specification number (on a “Formal Bid Solicitation and RFP/IFB to issued within 30 Days” form via email to the General Services Manager, with a copy to the General Services Office Specialist III. The funds must be available in the budget code identified or no number will be issued. If General Services staff have no questions, a Specification Number will be provided to Administration via email. An information item will be submitted at the next Board of Library Trustees meeting to alert the Board of the RFP or IFB. The bid should not be opened until after the Board of Library Trustees has been made aware of the RFP or IFB. The Project Manager will develop the elements of the RFP or IFB. The following information is required before beginning this process:

1. A thorough description of the goods or services required.
2. The approximate bid or proposal opening date.
3. The intended use of the goods or services.
4. The estimated cost of the goods or services.
5. The budget code (to ensure that funds are available).
6. The Project Manager’s contact information (for questions or consultation)

When the purchase is sufficiently described and contract elements are defined, the full RFP/IFB may then be developed using an approved boilerplate and then forwarded to the Finance Manager for review. Once the review is completed by the Finance Manager, the RFP/IFB is submitted to the Director of Library Services for approval.

Once approved by the Director of Library Services, the completed RFP/IFB is forwarded to the General Services Manager for review (if necessary, the City Attorney and City Auditor may be consulted at this time), it will be released to begin the bid process. General Services staff releases the RFP/IFB to designated vendors, posts the RFP/IFB on the City website and posts it in designated area(s) and arranges a room to physically open the sealed bids or proposals, and invites designated Library employees (as needed). This process is to ensure that all vendors who wish to bid have the opportunity to bid in a fair and open environment. As with all detailed procurements, General Service’s staff is available for consultation in identifying potential vendors.

Any and all questions posed to the Project Manager need to be submitted in writing. The Project Manager then gathers all the questions and answers and submits the information to General Services. General Services then posts the Q&A to their website as an addendum to the IFB/RFP. This ensures all vendors receive the exact same information at the same time and no vendor is given an advantage over another.

After receiving vendors’ proposals, General Services will open the sealed bids or proposals submitted by vendors. Bids are only opened on Tuesdays and Thursday at 2:00 pm at 2180 Milvia St, 3<sup>rd</sup> Floor Finance Department/General Services Division. All bids must be received

prior to 2:00 pm or they will be rejected. There is no exception to this time, and the time is based on the clock in the General Services Division. General Services will fill out a bid abstract at the bid opening. This form documents the vendors who responded in a timely manner to the RFP/IFB. IFB openings are open to the public. RFP openings are not open to the public.

General Services turns over all the copies of the RFP/IFB to the Library Finance Manager and retains the originals until needed for the contract. When the Library Finance Manager picks up the copies in General Service a receipt is signed for the file. If a contract is required for this type of procurement, information to complete this process is provided on “Contracts Online”.

## **N. Competitive Formal Bid Evaluation**

The criteria for selection of a vendor are dependent on the type of solicitation issued. An IFB is awarded to the lowest responsive/responsible bidder. RFP criteria selection needs to be outlined in the RFP. Proposals are evaluated on a selection criteria established in the RFP. A selection committee makes the evaluation based on the criteria set forth in the RFP. Evaluations can include product demonstrations, a question and answer conference, and reference verification. All evaluation committees member should score vendor proposals independently. Then committee members rank vendors according to all evaluation criteria as outlined in the RFP. It is very important that all vendors receive all the same information. No vendor can be given an advantage in submitting bids to the Library. All vendors must be treated fairly and without prejudice.

## **O. Contracts – Blue Backed**

Blue backed contracts are required for services. Unless a pre-approved boilerplate is used, all contracts must be provided to legal counsel for review and approval. All contracts must go through the City Auditor, Director of Library Services and City Clerk. Exceptions are outlined in Section III.D (Low dollar, low risk types of services.). Instructions for initiating contracts are on the iCoBWEB under “Contracts on Line.” The Contracts Online Manual outlines the different types of contracts and summarizes compliance procedures. Contracts are formal written legal agreements between two or more parties, which **must** be written in accordance with established procedures. These procedures should be followed for all contracts, whether the contractor is selected through the formal bid process, the RFP process or informal solicitation. Purchases of goods or supplies are made through purchase orders.

The most frequently used standard contract is the Personal Services expenditure contract. "Personal services" refers to both "direct services" and "professional services." "Direct services" means services, other than professional services, which cannot be provided through the Civil Service system, such as maintenance, gardening, linen and security services. "Professional services" means services which are of an advisory or artistic nature, require advanced knowledge and personal expertise in a field of science or learning or originality and creativity in a recognized field or art, and require consistent exercise of personal discretion and independent judgment, including, but not limited to, accounting, legal, architectural, or engineering services, economic, market and systems analysis, program evaluation, operations research, development of unique computer programs, training, medical service, and legal advice or representation.

## **P. Protest of Award**

Anyone may protest a decision to award a bid to the Board of Library Trustees prior to Board approval of the Library’s decision. The protesting party must first submit a letter to the Finance Manager describing the basis of the protest. The Finance Manager then reviews the basis of the protest, sends a copy to the low bidder for comments/rebuttal, reviews it with legal counsel and

General Services, usually holds an informal hearing with the protester and all interested bidders, and then makes a determination on the validity of the protest. The matter is brought before the Board as part of the award process along with a recommendation for disposition of the protest.

## Section IV - Glossary of Terms

**Bonds:** In a construction context, bonds are security to assure performance of the contract obligations. Three parties are involved in a bond: the principal, the surety, and the obligee.

Bid Bond: A bond guaranteeing that if a selected bidder refuses to enter into a contract and the City must award the contract to another bidder, the bonding company will pay the City the difference between the bid prices, up to the amount of the bond. When seeking certain types of work on projects, the City may require that a designated amount of money (usually 10% of the total cost) be posted in the form of a bond or cash equivalent in order to participate.

Performance Bond: A bond where the surety provides security that the principal will perform all of its contract obligations in a timely and workmanlike manner. Usually, a performance bond is only for the benefit of the obligee/owner of the construction project. If the principal defaults, the obligee/owner can require the surety to complete the project or to pay for the costs of completion. Subcontractors do not have the right to seek payment from the performance bond surety if the principal defaults. The bond is cancelled upon completion of the project.

Payment Bond: A bond where the surety provides security that all persons supplying labor and material to the project will be paid. Subcontractors and suppliers are the "beneficiaries" of a payment bond. They do not require the bond nor are they a party to it. If the principal defaults, beneficiary subcontractors and suppliers usually have the right to sue the surety directly for payment.

**Budget Code:** Code used to identify types of items or services expensed. Correctly using this tool ensures expenditures are recorded properly for use by the Budget Office.

**Budget Modification:** Movement of money from one budget code to another budget code to ensure money is recorded to correct budget line.

**Commodity:** An item of trade, also a "good."

**Encumbered Roll-over:** Funds encumbered for contracts or one-time purchase orders that bridge a fiscal year may be used in the following fiscal year without affecting a department's budget.

**FUND\$:** A financial database used by the City for accounting purposes. The Contract Management System (CMS) is linked to this database system.

**IFB (Invitation for Bid):** An advertisement for offers under sealed bidding procedures where price is the primary basis for award selection. However, the low bidder is subject to a determination that it is responsive and responsible. A bid opening is held at a specific date and time and may be witnessed by interested parties.

**Liquidated Damages:** A predetermined amount of money that may be assessed by the City in the event a vendor fails to perform one or more elements of an obligation to the City.

**Purchase Order:** A commitment of funds for goods or services. The successful creation of a City purchase order tells the vendor that the City will pay for a commodity or service when delivered to the City.

Blanket: An entry designating an amount (subject to quoting requirements based on total price) for the purchase of a range of goods or service over a given time period — commonly two years. In a blanket purchase order, the vendor is obligated to sell something to the City at a set price for a set time.

One-time: A purchase of goods or services needed to fulfill the requirements of a Department which is completed without milestone payments.

Lease: A PO cut for a lease of equipment will be continued over the life of the lease even if the lease crosses fiscal years.

Blue Backed Contract: A PO is a payment mechanism for a Blue Backed Contract. This PO will have in the freight field the CMS contract number assigned by the Auditor's Office. No action can be initiated on this PO without authorization from the Auditor's Office.

**RFI (Request for Information):** An advertisement to obtain price, delivery, other market information, or capabilities for planning purposes when the City does not presently intend to issue a further solicitation. RFI responses are opened at a specific place and time. Generally, this method is used to pre-qualify vendors prior to bidding or to seek vendors that would be interested in a project. This is almost always used as step one in a two-step process. The second step would be the bid or RFP.

**RFP (Request for Proposal):** An advertisement for a specific good or for service. Responses are compared (and may be negotiated) to determine whether the vendor is able to provide the City with the service required at the best price. Experience, qualification, and the proposed solution to the advertised issue may be more important than price. RFP responses are opened at a specific place and time, but are not made available to the public until after the Board of Library Trustees has awarded the bid.

**RFQ (Request for Qualifications):** An advertisement for information related to a company's or person's qualifications (e.g., architects and engineers). Like an RFI, responses to the advertisement are opened on a specific date at a specific time. The document only asks for a company or person's qualifications (for example, architects or engineers). Prices are not usually requested. This process is used to select someone based strictly on experience and qualifications. Rates are negotiated with the firm of first choice. For projects over \$25,000 a formal advertisement is made and interview panel makes the selection. After the initial interview, selected firms may be asked to interview and make a presentation. For informal projects (under \$25,000), firms are solicited from an established list and the Director of Library Services makes the selection.

**Requisition:** A formal written request for goods and service.

**Single Source:** Single source is when there is only a single vendor who can provide the product or service (i.e., authorized distributor defined by a specific geographic location). A single source

can also be a vendor who can provide the good or service in a situation where “time is of the essence” and to delay the purchase would cost the City of Berkeley substantially more money. Or competition is found to be inadequate after informal or formal solicitation, or in the case of an emergency situation.

**Sole Source:** Sole source may be used when there is only one source for the needed product.

**Vendor:** A company, entity, or agency selling goods or services to the City.

**Waiver:** Forms that document relinquishment of rights and/or dispensation from a rule. Several types of waivers are available for exceptions to local regulations.

## Section V – Frequently Asked Questions (FAQs)

- Q: How do I know if the items on my Purchase Requisition (PR) have been purchased?
- A: *You can look in the FUND\$ system under Purchase Requisition inquiry. In that screen will be able to tell if the PR has been actioned.*
- Q: Why was a Purchase Requisition returned to me with a note the budget code was incorrect.
- A: *General Service looks at the budget code to help to ensure the correct codes are used. Using the correct codes helps the budget office determine what types of items budget money is being used to buy*
- Q: A Purchase Requisition was sent back to me with a note about “Incorrect Budget Code”.
- A: *General Services monitors the budget code departments use to purchase items and services. We require you use the correct code for the type of purchase you are making. Please refer to the Chart of Accounts for specific information. A budget modification maybe required to move money into the correct account*
- Q: What is a Fixed Asset?
- A: *Fixed Assets must use budget codes with element object in the 70-40 series. Fixed assets are items, which have an individual total cost of 1000.00 or more (this total including tax and shipping.) There is an exception for fixed assets individual costs if items must be used together and each component is less than \$1000.00 but the total cost for the units will be over \$1000.00 i.e. Herman Miller Office Furniture. Each panel is less than \$1000.00 but to create a cubical 5 panels are required and the cost of 5 panels is above \$1000.00.*
- Q: Why do the requisitioners need to put in the commodity codes on the Purchase Requisition?
- A: *The FUND\$ system does not allow a Purchase Order to be generated without these codes in place. If the requisitioner does not enter them into the Purchase Requisition (PR,) then the Buyer processing the PR must try to determine what the correct commodity code is.*
- Q: Do Berkeley businesses receive any type of preference
- A: *Under \$25,000 Berkeley businesses receive a 5% preference for goods and non-professional services.*
- Q: Is it faster to request a sole/single source procurement?
- A: *Actually, it usually takes longer for the General Services Division to justify sole/single source procurements. Competition normally takes less time because the General Services Division is not required to do research.*
- Q: Where are the boilerplates for IFBs (Invitations for Bid) and RFP (Request for Proposal)
- A: *These boilerplates are located on the intranet. General Services asks you to retrieve the boilerplate from the intranet each time you need to release a bid because of changes that might be made to the boilerplate based on changes or requirements within Berkeley.*
- Q: My supervisor cannot see the Purchase Requisition in their queue, but it was entered in the system?
- A: *Go back and hit the enter key through each screen. Sometimes a PR can become "stuck" in*

*the system. If this does not work, check to make sure there are sufficient funds in the budget code identified, and the approver has authority to the budget code.*

Q: Who should I call if I have a question about a purchase?

A: *You should call Administration. We are always available to answer any questions you might have.*

Q: Can a Division Manager sign a vendor's agreement?

A: *No, the Director of Library Services is the only person with the authority to enter into an agreement with a vendor. Legal counsel and General Services need to be consulted before signing any type of agreement with a vendor. Vendors many times have terms and conditions that are not acceptable to the City of Berkeley.*

Q: I have a friend who is interested in performing work for the City, and will give us a good price. Can I just have them perform the work?

A: *No. All work should be awarded via a competitive process. There should never be any hint of impropriety. We are charged with spending the public's money appropriately.*



## BERKELEY PUBLIC LIBRARY

### ACTION CALENDAR

August 1, 2007

**TO:** Board of Library Trustees

**FROM:** Donna Corbeil, Director of Library Services

**SUBJECT:** *2006-2007 Alameda County Civil Grand Jury Final Report* and approval of response letter

### RECOMMENDATION

Adopt the resolution authorizing the draft letter to the Alameda Grand Jury (Attachment 1.a) in response to the *2006-2007 Alameda County Civil Grand Jury Final Report*.

### BACKGROUND

On June 26, 2007, the Board of Library Trustees received the *2006-2007 Alameda County Civil Grand Jury Final Report*. A complaint had been made to the Grand Jury relating to the Library's 2004 contract with Checkpoint Systems, Inc. The Grand Jury's Report concluded with a recommendation that the Library adopt the City of Berkeley's administrative policies and procedures regarding public contracts, in order to assure the public that funds are being managed properly.

### FISCAL IMPACT

There is no immediate fiscal impact from this discussion or approval of the response.

### CURRENT SITUATION AND ITS EFFECTS

In the natural course of the Library's ongoing operations, it enters into contracts for purchases of books, supplies, computer hardware and software, and various service agreements. The Board has discussed the policies and procedures that would be appropriate for procurement contracts and at its June 13, 2007 meeting suggested the Library develop a formal policy addressing contracts and procurement procedures. In its Report, the Grand Jury recommended that the Board of Library Trustees adopt the City of Berkeley's existing policies and procedures for entering into and managing procurement contracts.

A response to the Grand Jury is due within 90 days of the report's June 26, 2007 release date, which is September 26, 2007. Because the Board will not be meeting in August, it is advisable that the Board not delay a reply until its September meeting.



### FUTURE ACTION

Based on the recommendations in the Grand Jury Report, no future action is expected.

#### Attachments:

1. Resolution
  - a. Draft response letter from the Board to the Alameda Grand Jury
2. *Berkeley Public Library* chapter in 2006-2007 Alameda County Civil Grand Jury Final Report

RESOLUTION NO.: R07-\_\_\_\_

**AUTHORIZATION OF THE LETTER TO THE ALAMEDA GRAND JURY IN RESPONSE TO  
THE 2006-2007 ALAMEDA COUNTY GRAND JURY FINAL REPORT**

WHEREAS, on June 26, 2007 the Board of Library Trustees received the *2006-2007 Alameda County Civil Grand Jury Final Report*, and

WHEREAS, one of the items in the *Final Report* focused on the Library's 2004 contract with Checkpoint Systems, Inc.; and

WHEREAS, the report recommended the Library adopt the City of Berkeley's contract policies and procedures; and

WHEREAS, a response to the Grand Jury is due within 90 days of the report's June 26, 2007 release date, which is September 26, 2007.

NOW, THEREFORE, BE IT RESOLVED that the Board of Library Trustees of the City of Berkeley authorizes the draft letter to the Alameda Grand Jury (attached).

{Date}

The Honorable George C. Hernandez, Jr.  
Alameda County Superior Court  
1225 Fallon Street, Department One  
Oakland, CA 94612

Dear Judge Hernandez:

The Berkeley Public Library's Board of Library Trustees has received and thoroughly reviewed the *2007 Alameda County Civil Grand Jury Final Report*, dated June 26, 2007. The Board hereby states that it agrees with the Report's *Recommendation 07-04* that "the Board of Library Trustees (BOLT) adopt the City of Berkeley's current policies and procedures for entering into and managing procurement contracts." The Board voted to adopt at its August 1, 2007 meeting, City of Berkeley Administrative Regulation 3.4 Purchasing Policy and Purchasing Manual, as the Library's policy governing purchasing and procurement processes, effective immediately. The Library will utilize the City's *Contracts Online* manual as a guideline for all procurement contracts.

However, we wish to clarify some issues addressed in the Report which may not have been fully or effectively communicated to the Grand Jury during its investigation. The Library did have managers overseeing and managing the implementation of the contract with Checkpoint Systems, Inc. from start to finish. The Special Projects Manager was designated by the Director of Library Services as project manager overseeing the automated checkout system project from its inception in March 2004 until her departure from the Library in September 2005. After her departure, she continued to work with Library staff as a consultant and participated in the conference calls addressing the contract's management. In addition, the Circulation Services Manager was responsible for the operational aspects of the system and was project manager from September 2005 until its completion in June 2006.

Although the Report is correct in noting the Library's independence from the City of Berkeley in its decision-making powers, and that the Library is generally not subject to the City's policies and procedures, during the past year the Board has formally adopted numerous City Administrative Regulations into the Library's policies. The Board continues to evaluate City practices and procedures with a view to adopting relevant policies as specific policies of the Board.

Very truly yours,

The Board of Library Trustees

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Susan G. Kupfer, Chairperson

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Therese Powell, Vice-Chair

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Darryl Moore

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Laura Anderson

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Ying Lee

cc: Yvonne Gonzalez Rogers, Foreperson, Alameda County Grand Jury

## **BERKELEY PUBLIC LIBRARY**

The Grand Jury received a complaint related to an outside vendor contract with the Berkeley Public Library. The vendor, Checkpoint Systems, Inc. (Checkpoint) was to provide products and services including software, hardware and training in the use of an automated checkout system. While the library is generally satisfied with the installation of the new Checkpoint system, its procurement and management of the Checkpoint contract raises concerns about the library's lack of policies and procedures. For this reason, the Grand Jury reports on the library's experience with the Checkpoint contract.

The Grand Jury reviewed volumes of documents, and interviewed the Chairperson of the Board of Library Trustees (BOLT) and key library and City of Berkeley personnel. A five-member volunteer board governs the Berkeley Public Library. Pursuant to the Berkeley City Charter, the library is fully independent from the City of Berkeley in its decision-making powers. Section 30 of the City Charter reads:

*Five Library Trustees shall be appointed and may be removed by a vote of five members [of the City Council]. The Board of Library Trustees shall have power to manage the library and to appoint, discipline and dismiss all officers and employees of the library.*

The Berkeley Municipal Code provides that BOLT has the power to purchase necessary books, journals, publications and other supplies and personal property. The City Manager, who oversees all other boards and commissions, has no oversight authority over the operations of the library. Further, the library is not subject to the policies and procedures promulgated by the City of Berkeley, including controls on the manner in which expenditures over \$25,000 can be made.

Library operations are funded primarily by a voter-approved parcel tax. Each year, the City Council determines the rate of the parcel tax and the library receives additional funds from various grants, the Library Foundation, and private donors.

## **CONTRACT HISTORY**

In January 2004, the library issued a Request for Proposal (RFP) for an automated checkout system using radio frequency identification devices (RFID). It received five responses. On April 14, 2004, BOLT voted to authorize the Berkeley Public Library to enter into a contract with Checkpoint in the amount of \$643,000. The library chose Checkpoint in part because it had installed more library automated systems than any other company. Of the \$643,000, \$500,000 was financed through a bond, and \$143,000 came from existing fiscal year 2004 library budget monies. BOLT approved the vendor and financing terms unanimously. The library then entered into a contract with Checkpoint on June 24, 2004, which required payment of the entire \$643,000 within 30 days. This was the largest vendor contract in the library's history.

The contract provided that "Checkpoint Systems, Inc. [would] deliver, install and make operational the intelligent library system (RFID technology) at the Berkeley Public Library." The term of the contract was to begin on July 1, 2004 and end on December 31, 2005. The contract also provided that it could be extended by written notice and that it had a one-year warranty on all parts and labor. According to the terms of the contract, Checkpoint was to have delivered, installed, and made operational this system and to have completed training by December 31, 2005.

During the term of the contract, the library did not hire or assign a person to oversee and manage the implementation of this contract nor did it request assistance from the City of Berkeley that has resources to manage and oversee a contract of this size and nature. Additionally, the library's financial manager was

assigned to work at the City of Berkeley's housing authority and therefore was unavailable to manage the contract. As a consequence, documentation and management of the project was woefully inadequate.

As of the writing of this report, the library was using the automated checkout system which was generally working. The new executive director is working with members of her staff and with Checkpoint to improve the system.

The Grand Jury restates that it is concerned about the library's lack of policies and procedures for procurement and management of large contracts. It bears repeating that the City of Berkeley has sufficient resources, policies, procedures and expertise in place to manage a contract of this magnitude. The library is not obligated nor has it historically asked for assistance from the City of Berkeley because it seems to value the independence granted to it by the Berkeley City Charter.

In this case, the library may have been lucky that significant contract disputes with Checkpoint did not develop. Use of proven policies and procedures exist to prevent contract compliance issues. Had the library managed this contract properly, it would have obtained assistance on (i) negotiating the terms of the contract, including the timing of payments, (ii) day-to-day management (particularly in a technology context), (iii) scheduling of delivery of services, equipment and training, (iv) contract compliance, and (v) adequate documentation, to name a few.

The Board of Library Trustees must realize that adopting proven procedures available through the City of Berkeley in the use of public funds gives the public the assurance that those funds are being managed properly. Its current laissez-faire approach to managing such large contracts is not in the public's best interest.

**RECOMMENDATIONS**

*RECOMMENDATION 07-04:*

The Board of Library Trustees (BOLT) adopt the City of Berkeley's current policies and procedures for entering into and managing procurement contracts.

**RESPONSES REQUIRED**

*BOLT (Board of Library Trustees)*

*Recommendation 07-04*

SEIU 1021 Report for BOLT Meeting August 1, 2007

In recognition and appreciation of the constructive working relationship that has been established between SEIU 1021 and current library management, including the Board of Library Trustees, unionized library workers would like to make the following comments:

In choosing the next Library Trustee, SEIU 1021 encourages the BOLT to consider

1. The candidates' past experience and expressed support for good working relationship with unions,
2. The candidates' knowledge of and respect for union contracts, and
3. The candidates' understanding of the important contribution library workers make in so many ways to create a high quality community service organization.

As we have seen in the past few years, the city charter places a high degree of responsibility upon library trustees to act on personnel matters when needed. SEIU is looking forward to a continued good relationship with BOLT, and urges BOLT to consider the next candidate's perspective and experience in such matters.

In considering the proposal to relocate the South Berkeley Branch library to the Ed Roberts Campus, SEIU 1021 urges the Library Board to examine the need for additional staffing to make this project successful. The public has a right to expect a well run library organization, and intrinsic to this goal, is to have adequate numbers of staff, both supervisory and rank-and-file.

Respectfully submitted,  
Andrea Segall, SEIU Legacy 535 Vice President



## BERKELEY PUBLIC LIBRARY

### INFORMATION CALENDAR

August 1, 2007

**TO:** Board of Library Trustees

**FROM:** Ying Lee, Trustee  
Terry Powell, Trustee

**SUBJECT:** Status report from the ERC / Southwest Berkeley Library Needs Discussion Group on July 2007 activities

#### BACKGROUND

At their October 18, 2006, meeting the Board of Library Trustees appointed members Ying Lee and Terry Powell to continue to study the library needs of South Berkeley and the issues of the possibility of Berkeley Public Library's participation in the Ed Roberts Campus. Alan Bern, Berkeley Public Library's Community Relations Librarian, and Christopher Adams, Vice President of the Board of Directors of the Berkeley Public Library Foundation, are also in this discussion group. Director of Library Services Donna Corbeil has joined the group as well.

Although no decision has been made regarding actions to meet the library needs of the South Berkeley Community, we are continuing in the information-gathering stage in order to narrow our foci.

#### SOUTH BERKELEY COMMUNITY'S LIBRARY NEEDS AND ERC DISCUSSION GROUP GOALS

- (1) Further investigate library needs of the South and Southwest Berkeley communities, with specific outreach to leaders and active members.
- (2) Continue to investigate the Ed Roberts Campus possibility for South Branch.
- (3) Develop additional information on a bookmobile, primarily for Southwest Berkeley, given the interest of the Berkeley Public Library Foundation and the possibility of a collaboration with the City of Emeryville and its School District and, perhaps, others.

#### TOUR

Working with Carmen Martinez, Director of the Oakland Public Library, Donna set up a tour of their Cesar E. Chavez Branch for the ERC/Southwest Berkeley Discussion Group and the ERC/Southwest Berkeley Staff Committee. Giving the tour: Carmen Martinez, Director of Oakland Library and Jane Lopez, Chavez Branch Manager Attending the tour: Ying Lee, Donna Corbeil, Jeri Ewart, Linda Perkins, Roxanne Figueroa, Chris Adams (report below):

#### Facility:

The Chavez Branch is located on the second floor of the Fruitvale BART transit village, a mixed-use development with ground floor retail, other second floor community services (senior center,



childcare), and housing above. While signs direct pedestrians from the BART exit through or around the complex to the library entry at the corner of 12<sup>th</sup> Street and 33<sup>rd</sup> Avenue, Donna and I managed to miss it because of lack of pedestrian-height signage at the entry. Stairs or an elevator lead directly from the street-level lobby up to the library. The stairs are utilitarian, fire exit-type stairs -- not appealing. The elevator serves only the library, but, as there is only one, if it is under repair, seniors and parents with strollers can have trouble getting in.

The library is large -- approximately 15,000 square feet -- arranged in a kind of boomerang plan, with windows on both sides, looking out to adjacent streets and in to a landscaped courtyard, accessible to users with checked-out books. The ample (maybe too large) circulation desk at the apex of the boomerang faces the elevator and stairs and offers a good view to most of the space although Jane Lopez reported that the structural columns impede some sight lines. Clerical space and the Branch Manager's office are behind the circulation desk. There is a generous teen area, with its own computer stations, a large children's area with raised stage-like steps and a special carpet, and a stacks area dedicated to Latino books in Spanish and Chicano books in English. (This branch focuses on Latino books for the Oakland system.) At one end of the boomerang is a meeting room, and off it an after school room, which seemed to be used for extra storage. At the other end of the boomerang are public restrooms, a staff room, with its own restrooms, and a work room. Carmen and Jane said the plan, with meeting room so far from restrooms, was not ideal but what worked out in the space available.

#### History:

Carmen related that the move took 10 years and involved a lot of political issues which she did not detail. The branch was formerly located in a 5,000 square foot rental space about a mile east in a building owned by the Latino Unity Association (not sure of name). The director of the Association and the district city council member were heavily involved in the move. Initially the library was offered only 5,000 square feet, but Carmen insisted on, and succeeded in getting, more. The library paid \$4 million for a 20-year lease and, in addition, agreed to a monthly maintenance fee for utilities and some (unclear exactly how much) janitorial service. This fee has gone up from \$900/month to \$1,100 month. There have been some problems with maintenance of common areas, such as the stairway, which serves other tenants as well, and some problems with air-conditioning incompatibilities with other tenant needs. The move was opposed by some users and residents who lived near the old branch; however, the new location has made it easier to serve some nearby neighborhoods. There is a large Latino community in this part of Oakland and also a growing Vietnamese community, both interested in language materials in their native languages. BART commuters have also become new patrons. Initially after the move the circulation did not increase, as is typical of new branches in Carmen's experience, but circulation has now come up to expectations.

Carmen noted that the building developers imposed an architect for the T.I.s (tenant improvements), who proved unsatisfactory. The library then hired its own architect to design the space.

#### NEXT STEPS

- Participate in the July 24<sup>th</sup> Community Meeting
- Continue to explore possibility of borrowing funds for ERC.
- Follow up with Foundation when appropriate: theirs was a vote of support, but not a pledge until BOLT decides next moves.
- Emeryville Exploration Group (Susan Kupfer, Laura Anderson, Donna Corbeil, and Alan Bern) will meet with Josh Simon, School Director of the Emeryville Unified School District to discuss the possibilities of future collaborations, in terms of library services, between the two cities. Ja-Lih Lee, Supervising Librarian, Children's Services, Oakland Public Library (OPL)



has been invited to participate since OPL presently has a contract that offers public library service to Emeryville residents.

#### BERKELEY PUBLIC LIBRARY'S STAFF COMMITTEE

- Following the South Berkeley Community's Library Needs and ERC Discussion Group recognition of the benefits of having a Staff Committee to carry forward the investigation of possibilities for fulfilling the library needs of the south and southwest Berkeley communities, a Berkeley Public Library Staff Committee has been formed and has continued to meet regularly.
- Members are:
  - Jeri Ewart, South Branch, Co-Chair
  - Marge Sussman, West Branch, Co-Chair
  - Alicia Abramson, IT
  - Bob Baty, Maintenance
  - Alan Bern, Community Relations
  - Donna Corbeil, Director of Library Services
  - Vi Dyas, Teen Services, Central and South Branch
  - Erica Glenn, Central Children's Library
  - Linda Sakamoto-Jahnke, Literacy, West Branch
  - Jane Scantlebury, Acting Supervising Librarian, Art & Music
  - Alisa Somera, Administration
- The Staff Committee will work with the South Berkeley Community's Library Needs and ERC Discussion Group and Emeryville Exploration Group.
- Alan Bern, Community Relations Librarian, reserved space at LifeLong Medical, 3260 Sacramento Street (at Alcatraz), on Tuesday, July 24, 2007 at 7:00 pm for a *Community Meeting* to get information from residents of Southwest Berkeley about library needs in that part of Berkeley. This was a kickoff meeting for the southwest Berkeley library needs assessment study being conducted by staff and HTA, exploring the needs of those living, working and playing in the south west geographical area of the city.

#### [SEE MEETING NOTES BELOW]

- The ERC/Southwest Berkeley Staff Committee has taken the lead in outreach and promotion for this Community Meeting by visiting, phoning, and emailing those involved in the first community assessment completed by HTA and other community and leaders and representatives of neighborhood groups in Southwest Berkeley. Erica Glenn has gotten flyers out to Frances Albrier Center, the South Berkeley YMCA, and nearby organizations. Doug Smith and Alan Bern will deliver flyers to San Pablo Park users on Sunday, July 22. Alan Bern has gotten press releases and flyers to branches, press, and individuals in the Discussion Group and Staff Committee for distribution, as well as to the City of Berkeley Neighborhood Services liaison, Angela Gallegos-Castillo, and to community members for their neighborhood meetings.
- The Staff Committee will continue to:
  1. Serve as the Advisory and Library Working group to HTA in their Community Assessment of Library Needs for Southwest Berkeley.



2. Give feedback to Noll & Tam Architects re: current and possible space delineations, programs, and services. The date for the Noll & Tam presentation is the July 25, 2007, BOLT meeting
3. Help plan and promote July 24<sup>th</sup> Community Forum on Southwest Berkeley library needs.



**Community Meeting Notes**  
July 24, 2007

AGENDA

1. Introductions of library staff members Jeri Ewart, Alan Bern, Jane Scantlebury, Marge Sussman, Board of Library Trustee Vice Chair Terry Powell, Executive Director of the Berkeley Public Library Foundation Roxanne Figueroa and Councilmember Max Anderson; brief summary of focus of Community Meeting by Director of Library Services, Donna Corbeil – gathering of information for the upcoming Community Assessment of Library Needs for Southwest Berkeley by Berkeley company, Hatchuel Tabernik and Associates (HTA).
2. Discussion Questions
  - What do you like most about the Berkeley Public Library?
    - Accessible
    - Small branches, all over town
    - Meeting rooms
    - Comprehensive institution – offers web, physical buildings
    - Collection – new books available
    - Reference staff – answers so many questions
    - Democratic institution
    - Friendly, knowledgeable staff
    - Treat everyone with respect
    - Children's programs
    - Tool, audio books, Friends' books
    - South Branch location unique, small, around for long time
    - Close, safe community feeling at South
  - What doesn't work for you?
    - Open South Branch meeting room
    - South too crowded, very difficult to maneuver for people in wheelchairs, large people
    - What is the future of library, how does this relate to size of branches?
    - Not enough computers at South
    - Unused space around South Branch building
    - Tool Lending Library needs more space
    - YAP/Recreation Center important to youth in South – Central to their schools
    - Safe place for kids - in range of kids from Willard, Malcolm X, Longfellow
    - City Council should work towards making South Berkeley better
  - Is there something you wish was in your neighborhood that's not there now? Libraries as computer access?
    - Computers getting cheaper but not network costs
    - Tool Lending Library could be moved
    - Satellites – rooms in other agencies; e.g., library here (LifeLong Medical Over 60 Clinic at Alcatraz & Sacramento)



- South Branch will be South Branch wherever it is
- New materials must replace old – not enough space
- Wish there were programs of music, film, authors
- South Branch Library is centerpiece of community
- Wish resources be better integrated; e.g., YAP more connection to BPL.
- Films, music at YAP Friday and Saturday night
- Use all available space at South Branch
- Lot north of South Branch – is it available?
- South Branch for kids and teens, adults to ERC
- Computers!
- ERC opportunity to expand services; use current building too.
- Three architectural plans for South Branch where it is now
- Website have library news on it, easier to find
- Use other means to let people who are not on computers know about library news and meetings
- Have fact sheet at meetings
- People need to know why Berkeley Public Library is considering moving South
  - Who should we talk to as part of our study?

Individuals, church, organizations (Southwest Berkeley) -- notecards were collected with referrals and comments

HTA stands for Hatchuel Tabernik & Associates

MAP of SOUTHWEST BERKELEY area: Be more inclusive, extend east & north



**Community Meeting Note Cards**

July 24, 2007

.....  
Consider this a design challenge to UC Berkeley Urban Design School for potential solutions.  
.....

I would think there are several neighborhood groups which could be interviewed:

- 1. R.O.C. Neighborhood Association
- 2. Le Contc Neighborhood Association
- 3. nearby school's PTAs

.....  
Save our Library, we are residents in South Berkeley and neighbors who want to keep the South Branch at its current location. We are concerned about our children's safety and maintaining our neighborhood library. We believe that the current space can be better used:

- 1. Open up the conference room
- 2. Widen the restroom doors in conference room to make wheelchair accessible.
- 3. Renovate the library by extending the wall five feet
- 4. Use the Main Branch for storage or pitch the roof for additional storage
- 5. Add a second floor

These are a couple of "opportunities" for improvements that have not been considered.

We want a fair share of services for our neighborhood and the Tool Lending Library. We demand that the South Branch (become) remain a youth library and Tool Lending Library.  
.....

The new location (Ashby Bart) would create a wonderful community triangle in the "Ashby Area." Right now the City has referred to this new area as the Ashby Arts District. A library in the center of this location would bring many more people into this section of Berkeley, which needs more positive community members and activities for the youth.  
.....

Talk to San Pablo Park Neighborhood Association, Frances Albrier Recreation Center, Longfellow school people, and Rosa Parks school people.

Southwest Berkeley has no banks, grocery stores, or library.

Did you try to get Southwest Berkeley people here?  
.....

Questions:

- 1. Why is there a proposed site?
- 2. Why is renovation of the current building feasible or not?
- 3. Speak to expansion of tool library
- 4. What will occur with the previous assessment?



.....

Please speak with Young Adult Project, Berkeley's Department of Parks and Recreation – head of recreation, Scott Ferris.

Question: How often do youth use the library?

.....

I would like to see:

Three or more architectural designs for the Russell and M.L. King, Jr. Way South Branch

Look into space for children at San Pablo Park for a library. Talk with someone there.

.....

Survey all Tool Library patrons for their ideas.

.....

Who to talk with:

Student surveys at:

Longfellow, Malcolm X, Willard Jr. High

Survey folks at:

- South Berkeley Branch and immediate residential areas
- Across the street at the park
- YAP participants

Consider:

- Reconfiguring the space at the current South Branch location (use the space more effectively)
- Keep south Branch specifically for youth and youth programs like: tutoring center, film and music nights, visiting youth authors, art workshops, small community garden, mentoring programs, computer access, cooking classes
- Adult and/or tool lending library to Ed Roberts Campus
- Remodel South Branch to include usable kitchen



## **BERKELEY PUBLIC LIBRARY**

### **INFORMATION CALENDAR**

August 1, 2007

**TO:** Board of Library Trustees

**FROM:** Douglas Smith, Deputy Director of Library Services

**SUBJECT:** Report on Library activities in conjunction with National Library Card Sign-up Month

### **BACKGROUND**

September is Library Card Sign-up Month in the United States--a time when the American Library Association and libraries across the country remind parents that a library card is the most important school supply of all. This year, Library Card Sign-up Month is being celebrated with the Public Library Association's advocacy campaign: "The Smartest Card. Get it. Use it. @ your library." In conjunction with this annual campaign, Library staff are planning various initiatives and activities to encourage new patrons to sign up for Berkeley Public Library cards.

### **FISCAL IMPACT**

There is no fiscal impact from this report

### **CURRENT SITUATION AND ITS EFFECTS**

Currently, the Library's supply of library cards and barcodes is low enough to warrant resupply. To coincide with the ALA's Library Card Sign-up Month, Library managers are surveying all staff for ideas of potential new library card designs. Staff would like to be able to offer new patrons the option of selecting from a number of card styles, as has been done at other public libraries such as Glendale. Options could include designs geared specifically toward the tastes of children, teens, and adults. An outside graphic designer will assist in designing sample cards, from which four or five will be chosen by staff and managers as the card designs to be made available to new patrons.

Additionally, Library staff plan to implement Innovative Interface's online library card application feature, through which patrons may complete their card applications electronically and receive new cards far more quickly than the traditional method of filling out paper application forms and waiting in line. With this September implementation, new computer terminals devoted specifically to filling out electronic card applications will be installed at the Central Library Circulation Desk, and possibly other locations around the library system.

Finally, Library Card Sign-up Month will conclude with Library staff again participating in the annual "How Berkeley Can You Be?" parade on Sunday, September 30, in which oversized mock-ups of the new card designs will be carried with cheerful flourish and pomp, while card application forms and other Library literature are distributed.

### **FUTURE ACTION**

No future action is required.

## *Board of Library Trustees Tracking Chart*

| <i>ID</i> | <i>Date</i> | <i>Requested By</i> | <i>Person Assigned</i>     | <i>Deadline</i> | <i>Status</i>                         | <i>Item</i>   |
|-----------|-------------|---------------------|----------------------------|-----------------|---------------------------------------|---|
| 1         | 11/9/2005   | Trustees            | Donna Corbeil              | 1/18/2006       | Compilation completed; analysis begun | Analysis of Library Board Charter   |
| 7         | 11/9/2005   | Trustees            | AR Committee               | 1/18/2006       | In process                            | Administrative Regulations for Library  |
| 9         | 11/9/2005   | Trustees            | Alicia Abramson            | 3/15/2006       |                                       | Establish agenda calendar for Board items   |
| 14        | 12/21/2005  | Trustee Powell      | Donna Corbeil              | 1/18/2006       | In process - sent to City Attorney    | City Attorney's analysis of ALA resolution on workplace speech                    |
| 37        | 3/15/2006   | Trustee Lee         | Donna Corbeil              | 7/21/2006       | In process                            | Status of Quilt Show  |
| 42        | 4/19/2006   | Trustee Lee         | Donna Corbeil              | 5/17/2006       | In process                            | Would like to see profile of benefits offered by other cities                     |
| 43        | 4/19/2006   | Trustee Powell      | Alicia Abramson            |                 |                                       | Wishlist for staffing and equipment   |
| 45        | 5/10/2006   | Trustee Moore       | Management                 |                 |                                       | Would like to hear regular reports from each library department at BOLT meetings. |
| 49        | 5/17/2006   | Trustee Moore       | Beverli Marshall           | 7/19/2006       |                                       | Form committee to look at the impacts of the FY07 budget adoptions.               |
| 52        | 6/21/2006   | Trustee Powell      |                            |                 |                                       | Report or outline on how Board budget policies are to be implemented.             |
| 62        | 7/19/2006   | Trustee Moore       | Trustees and Donna Corbeil | 10/18/2006      |                                       | Role of the Board   |

| <i>ID</i> | <i>Date</i> | <i>Requested By</i>     | <i>Person Assigned</i>          | <i>Deadline</i> | <i>Status</i> | <i>Item</i>   |
|-----------|-------------|-------------------------|---------------------------------|-----------------|---------------|---|
| 70        | 9/26/2006   | Trustee Powell          | Donna Corbeil                   |                 |               | List of deferred maintenance items.   |
| 72        | 10/18/2006  | Trustee Powell          | Trustees Powell and Lee         |                 | Ongoing       | Further explore needs of South Berkeley community and investigate potential Ed Roberts Campus option.                                 |
| 73        | 10/18/2006  | Trustees Powell and Lee | Donna Corbeil/Alan Bern         | 12/6/2006       |               | Report on possible interest in bookmobile by City of Emeryville, and esimated costs of bookmobile.                                    |
| 75        | 10/18/2006  | Trustee Kupfer          | Donna Corbeil/Beverli Marshall  |                 |               | Determine if some part-time positions can be combined into full-time positions.   |
| 76        | 12/6/2006   | Trustee Powell          | Beverli Marshall                |                 |               | Quarterly reports on extra intermittent hours   |
| 78        | 1/17/2007   | Trustee Powell          | Trustees, Donna Corbeil         |                 |               | Identify opportunities for Trustees to participate in professional organizations, e.g. ALTA.  |
| 81        | 3/21/2007   | Trustee Kupfer          | Donna Corbeil/Noll & Tam        | 7/25/2007       |               | ERC move options and cost estimates   |
| 82        | 3/21/2007   | Board of Trustees       | Beverli Marshall/Trustee Powell |                 |               | Draft letter to City Manager requesting an element object to track personnel expenditures.  |
| 83        | 4/18/2007   | Board of Trustees       | Donna Corbeil                   |                 |               | Post to website the terms of each Trustee showing when they were appointed, if they are eligible for reappointment, and when it ends. |
| 85        | 4/18/2007   | Board of Trustees       | Donna Corbeil                   |                 |               | Self-Check/Checkpoint RFID Task Force report of findings  |
| 86        | 4/18/2007   | Trustee Moore           | Donna Corbeil/Trustee Kupfer    |                 |               | Request legal opinoin on public comment period from City Attorney   |
| 87        | 5/9/2007    | Board of Trustees       | Donna Corbeil                   |                 |               | Report on the possibility of expanding hours.   |

| <i>ID</i> | <i>Date</i> | <i>Requested By</i> | <i>Person Assigned</i> | <i>Deadline</i> | <i>Status</i> | <i>Item</i>                                       |
|-----------|-------------|---------------------|------------------------|-----------------|---------------|---|
| 89        | 6/13/2007   | Trustee Powell      | Donna Corbeil          |                 |               | Fact sheet regarding the possible move to ERC     |
| 90        | 6/13/2007   | Trustee Kupfer      | Donna Corbeil          | 10/10/2007      |               | Draft Library Work Plan brought back to the Board |
| 91        | 6/13/2007   | Trustee Moore       | Donna Corbeil          | 7/18/2007       |               | Purchasing policy                                 |
| 92        | 6/13/2007   | Trustee Powell      | Donna Corbeil          |                 |               | Privacy policy report                             |