



**BERKELEY PUBLIC LIBRARY
BOARD OF LIBRARY TRUSTEES**

REGULAR MEETING
Wednesday 01/06/21

AGENDA
6:30 PM

This Meeting Will Be
Conducted Exclusively
Through Videoconference And
Teleconference

Commission Members:

John Selawsky, President; Amy Roth, Vice President; Diane Davenport, Sophie Hahn, Judy Hunt

PUBLIC ADVISORY:

This Meeting Will Be Conducted Exclusively Through Videoconference And Teleconference

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the January 6, 2021 meeting of the Board of Library Trustees will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/86042306505>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.

*To join by phone: Dial [1-669-900-9128](tel:1-669-900-9128) and enter Meeting ID: [860-4230-6505](tel:860-4230-6505). If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair. NOTE: Your phone number will appear on the screen.*

To submit an e-mail comment during the meeting to be read aloud during public comment, email BOLT@cityofberkeley.info with the Subject Line in this format: "PUBLIC COMMENT ITEM ##." Please observe a 150 word limit. Time limits on public comments will apply. Written comments will be entered into the public record.

Please be mindful that the teleconference will be recorded as any Board of Library Trustees meeting is recorded, and all other rules of procedure and decorum will apply for Board of Library Trustees meetings conducted by teleconference or videoconference.

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to [Eve Franklin, Administrative Secretary, \(510\) 981-6102](#). The Board of Library Trustees may take action related to any subject listed on the agenda.

I. PRELIMINARY MATTERS

A. Roll Call

B. Public Comment on Non-agenda Matters

Speakers are allowed 3 minutes each for up to 10 speakers; if more than 10 individuals have filled out and submitted cards to speak, the time for all speakers will be reduced to 2 minutes per person and if more than 20 individuals have submitted speaker's cards, the time per person will be reduced to one minute each, for a maximum of one hour of public comment.

C. Comments from Library Unions

For regular meetings of the BOLT, representatives from the three unions representing Library employees may address BOLT, with a total time limit of 15 minutes. If all three (3) unions have representatives present and wish to speak, each union shall receive 5 minutes to address BOLT. If only two (2) unions have representatives present and wishing to speak, each union shall receive 7.5 minutes to address BOLT, for a total of 15 minutes. If only one (1) union has representatives present and wishing to speak, that union shall receive 15 minutes to address BOLT. The Secretary shall, at the start of the Comment from Library Union item, ask union representatives who wish to speak to identify themselves and which union they represent. The Secretary shall then determine the appropriate allocation of speaking time according to the rules stated herein.

- i. SEIU, LOCAL 1021 (Maintenance and Clerical Units)
- ii. SEIU, LOCAL 1021 (Community Services and PTRLA Units)
- iii. Public Employees Union, LOCAL 1

D. Comments from Board of Library Trustees

II. CONSENT CALENDAR

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

A. Minutes of December 2, 2020

From: Tess Mayer, Director of Library Services

Recommendation: Adopt the resolution to approve the minutes of the December 2, 2020 Regular Meeting of the Board of Library Trustees.

B. Contract Amendment: No. 089614-1 (8852) Stuart's Clear Choice Cleaning Service, Inc.

From: Brian Gavin, Senior Building Maintenance Supervisor

Recommendation: Adopt the resolution authorizing the Director of Library Services to execute an amendment to Contract No. 089614-1 (Fund\$ No. 8852) with Stuart's Clear Choice Cleaning Service, Inc. to increase the contracted not-to-exceed amount to \$100,000 for cleaning of solar panels, clerestory windows, skylights and other exterior windows, as well as the power washing of external entry areas.

C. Contract Amendment Recommendation to City Council: No. 32000124, D.L. Falk

From: Tess Mayer, Director of Library Services

Recommendation: To recommend that the City Council adopt a Resolution authorizing the City Manager to amend Contract No. 32000124 with D.L. Falk Construction, Inc. to complete interior renovations work at the Central Library, increasing the current contract not-to-exceed amount of \$3,056,900.00 by \$120,000 for a revised total amount not-to-exceed \$3,176,900..

D. Contract Amendment: No. 3210004, Bug ID, Inc.

From: Tess Mayer, Director of Library Services

Recommendation: Adopt a resolution authorizing the acting Director of Library Services to amend Contract 32100004 with Bug ID, Inc. to provide for an incremental increase of \$5,000 for installation wiring services for the Central Library Improvement Project, thereby increasing the Contract's allowable not-to-exceed amount to \$112,000.00.

E. Contract No. 9563 Amendment: Noll & Tam Architects and Planners

From: Tess Mayer, Director of Library Services

Recommendation: Adopt the resolution to approve authorizing the Director of Library Services to amend Contract No. 9563 with Noll & Tam Architects and Planners to provide for an increase of \$48,000 to the expenditure authority, thereby increasing the Contract's allowable not-to-exceed amount to \$613,416.00.

III. ACTION CALENDAR

A. Library Tax Fund Reserve Policy

From: Tess Mayer, Director of Library Services

Recommendation: Adopt the resolution to formally accept and adopt for the Berkeley Public Library the Library Tax Fund Reserve Policy. The purpose is to establish a Library Tax Fund Reserve Policy encompassing a minimal Library Tax Fund reserve level to support library operations, and define the use, funding, and replenishment guidelines of the reserve.

IV. INFORMATION REPORTS

All items for discussion only and no final action.

A. Monthly Library Directors Report – Tess Mayer, Director of Library Services

V. ITEMS FOR FUTURE AGENDAS

These items are not scheduled for discussion or action at this meeting. The Board of Library Trustees may schedule these items to the agenda of a future meeting.

A. Discussion of items to be added to future agendas

VI. ADJOURNMENT

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Tess Mayer, 510-981-6195, tmayer@cityofberkeley.info.

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

Any writings or documents provided to a majority of the commission regarding any item on this agenda will be made available for public inspection at the Berkeley Public Library Administration Office located at 2090 Kittredge Street - 3rd Floor Admin Wing, Berkeley, CA 94704.

COMMUNICATION ACCESS INFORMATION:



This meeting is being held in a wheelchair-accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

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I hereby certify that the agenda for this regular/special meeting of the Berkeley City Commission on Commissions was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 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 December 30, 2020.

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Tess Mayer, Director of Library Services  
Serving as Secretary to the Board of Library Trustees

**Communications:** none.





## MINUTES

### Berkeley Public Library - Board of Library Trustees Regular Meeting Wednesday, December 2, 2020 6:30 PM

This meeting was conducted exclusively through videoconference and teleconference.

#### Board of Library Trustees:

|                          |                 |
|--------------------------|-----------------|
| John Selawsky, President | Diane Davenport |
| Amy Roth, Vice President | Sophie Hahn     |
|                          | Judy Hunt       |

## I. PRELIMINARY MATTERS

A copy of the agenda packet can be found at <http://www.berkeleypubliclibrary.org/about/board-library-trustees>

### 1. Call to order: 6:32 pm.

Present: Trustees Davenport, Hahn, Hunt, Roth and Selawsky.

Absent: Trustee Judy Hunt.

Also Present: Tess Mayer, Director of Library Services; Elliot Warren, Deputy Director of Library Services; Dennis Dang, Administrative and Fiscal Services Manager; Jay Dickinson, Circulation Manager; Danielle McMillian, Associate Human Resources Analyst; Eve Franklin, Administrative Secretary.

### 2. Public Comments: 0 speakers.

### 3. Comments from Library Unions:

- A. SEIU, LOCAL 1021 (Maintenance and Clerical Units) – 0 speakers
- B. SEIU, LOCAL 1021 (Community Services and PTRLA Units) – 0 speakers
- C. Public Employees Union, LOCAL 1 – 0 speakers

### 4. Comments from Board of Library Trustees

- A. **Trustee Hahn** – Thank staff and new director for continuing to power through during COVID.
- B. **Trustee Selawsky** – Thank you to COB staff. Thank you to City of Berkeley residents who are taking it seriously and following safety protocols.

## II. CONSENT CALENDAR

**Action:** M/S/C Trustee Davenport / Trustee Roth to adopt resolution #R20-62 to approve the consent calendar.

**Vote:** Ayes: Trustees Davenport, Hahn, Roth and Selawsky. Noes: None. Absent: Trustee Hunt. Abstentions: None.

### A. Approve Minutes of the November 18, 2020 Regular Meeting

**From:** Director of Library Services

**Recommendation:** Adopt a resolution to approve the minutes of the November 18, 2020 Regular Meeting of the Board of Library Trustees as presented.

**Financial Implications:** None

**Contact:** Tess Mayer, Director of Library Services

**Action:** Adopted resolution #R20-63.

## III. ACTION CALENDAR

### A. Review and Possible Action on Budget Priorities for the FY 2022 & FY 2023 Biennial Budget Cycle

**From:** Director of Library Services

**Recommendation:** Adopt the resolution to approve budget priorities for the Library for the FY 2022 and FY 2023 biennial budget cycle.

**Financial Implications:** see report

**Contact:** Tess Mayer, Director of Library Services

**Action:** M/S/C Trustee Davenport / Trustee Roth to adopt resolution #R20-64 to approve budget priorities for the Library for the FY 2022 and FY 2023 biennial budget cycle with the inclusion of Community Recovery, Strategic Planning and Staff Training.

**Vote:** Ayes: Trustees Davenport, Hahn, Roth and Selawsky. Noes: None. Absent: Trustee Hunt. Abstentions: None.

**B. Discussion and Nominations for the Selection of Board President and Vice-President**

**From:** Director of Library Services

**Recommendation:** Adopt the resolution to approve budget priorities for the Library for the FY 2022 and FY 2023 biennial budget cycle.

**Financial Implications:** see report

**Contact:** Tess Mayer, Director of Library Services

**Action:** M/S/C Trustee Hahn / Trustee Davenport to adopt resolution #R20-65 to elect Trustee Selawsky as President commencing on December 3, 2020, until the first meeting of the board in November 2021, and until a successor is elected, unless their term as a member of the Board of Trustees expires sooner.

**Vote:** Ayes: Trustees Davenport, Hahn, Roth and Selawsky. Noes: None. Trustee Hunt: None. Abstentions: None.

**Action:** M/S/C Trustee Selawsky / Trustee Davenport to adopt resolution #R20-66 to elect Trustee Roth as Vice President commencing on December 3, 2020, until the first meeting of the board in November 2021, and until a successor is elected, unless their term as a member of the Board of Trustees expires sooner.

**Vote:** Ayes: Trustees Davenport, Hahn, Roth and Selawsky. Noes: None. Trustee Hunt: None. Abstentions: None.

**IV. INFORMATION CALENDAR**

**A. Central Library Improvements Project Update**

**From:** Deputy Director of Library Services

**Contact:** Elliot Warren, Deputy Director of Library Services

**Action:** Received

**B. Presentation on Berkeley Business Bootcamp (BBB)**

**From:** Supervising Librarian, Central Adult Services

**Contact:** Perlita Payne, Supervising Librarian, Central Adult Services

**Action:** Received

**C. Monthly Library Director's Report**

**From:** Director of Library Services

**Contact:** Tess Mayer, Director of Library Services

**Action:** Received

**V. AGENDA BUILDING**

- Closed Session for January
- Future meeting - Policy for spending and replenishing reserve fund

**VI. ADJOURNMENT**

Adjourned at 8:19 PM.

This is to certify that the foregoing is a true and correct copy of the minutes of the regular meeting of December 2, 2020 as approved by the Board of Library Trustees

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Tess Mayer, Director of Library Services, acting as secretary to BOLT

Attachments:

1. Presentation - Central Library Improvements Project Update
2. Presentation on Berkeley Business Bootcamp (BBB)

DRAFT





# CENTRAL LIBRARY IMPROVEMENTS PROJECT

December 2, 2020 Board of Library Trustees



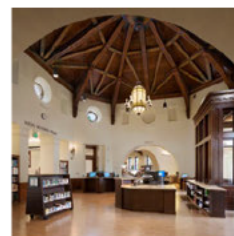
## 2002 Transformation of Central Library

- Bancroft Wing
  - Dedicated staff space
  - Accessible entrance
  - Community meeting room
  - Art & Music floor
  - Dedicated space for public computers
  - New Book area
- Increased shelving capacity in stacks
- New service points
- Electronic Classroom



## Branch Improvements as Model

- Neighborhood Branch Improvements Project success
  - Easy to use self-service options
  - Dedicated Teen spaces
  - Programming spaces
  - Improved bathroom access
  - More seating
  - Ease of access to staff
- Incorporates lessons from branch project
  - Increases shelving capacity
  - Accentuates historical details while also transforming newer areas
- Maintains features important in a Central Library
  - Collection depth
  - Greater degree of technology access
- Solves challenges arising from 2002 project and changes to how libraries are used
  - Meeting Room access
  - Laptop and electricity access
  - Access to staff help



## Planning and Funding

- Designed by Noll & Tam
  - Staff teams
    - User/patron Experience (UX)
    - Observations of patron use of the Library, including the Commons lounge
    - Staff team worked closely with designers to determine final furnishing and equipment selections
  - Teen teams
- Funding
  - Library tax
    - Construction—original contract with DL Falk for \$3,056,900
    - Design ~\$560,000 w/Noll & Tam
  - Foundation: \$~650,000
    - Furnishings
    - Sound system
    - Teen room signs
    - Other equipment, including laptop lending and wayfaring
    - Glass that divide teen room

## 1<sup>st</sup> Floor Lounge: phase one of project, completed Mid-2018

- Diverse seating options
- More seats
- Identify what works
- Improve access to electricity for device charging
- Improve access to laptops
- Test of flexible programming space concept



## Updated Central Library



## Features of Entry Area

- Easier access to staff support
- Additional seating options
- Replaces flooring
- Removes barriers for entry
- New drinking fountains
- Additional holds shelving



## First Floor Developments



## Teen Area



## Features of Teen Area

- Fluidity and flexibility : sound, lighting, shelving, furnishings, divided space
- Seating (lounge, study, group meeting, window niches)
- Combined wall and mobile shelving for collections
- Can be divided into two spaces or kept open for large events
- State of the art sound system
- Gaming screen
- Flexible staff seating
- Doors/Signs

## Teen Room Construction in Progress





## Mystery Room



## Features of Mystery Room

- Improved lighting
- New flooring
- Flexible space- sound system and seating for events
- Newspaper shelving
- Doors
- Highlights historical qualities



## Second Floor updates

- Ease of access to staff
- Improved lighting
- Increased shelving
- Redesigned computer area
- New bathrooms



## Second Floor in Progress





## What Changes in Library Use are Anticipated?

- Increased use of library by teens
- Easier access to public programming
- Increased access to community meeting room
- Increased use of laptops
- Reduced use of desktop computers
- Greater seating comfort
- Dedicated, discrete spaces for fiction/biography
- More seating near stacks
- Greater use of seats in historic lobby



## Current Status and Next Steps

- Phasing plan changed on request of vendor:
- Furniture not yet received
- Punching out of project
- Preparing to open
- Staff team for Central relaunch



# Berkeley Business Bootcamp (BBB)

A BERKELEY PUBLIC LIBRARY & BERKELEY CHAMBER OF COMMERCE  
COLLABORATION



## How It Started

COVID-19 and the City of Berkeley.

Library staff met with OED.

## The Initial Plan

Create collaboration between OED, local businesses, Score.org, and UC Berkeley.

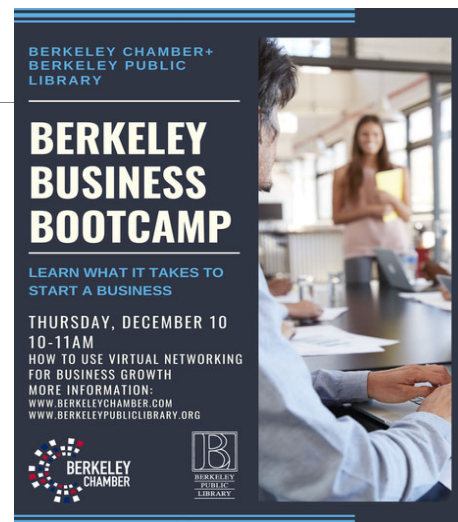
Offer a series of webinars focused on small business support and recovery.

Create online portal for a resource list and online trainings.

## What It Became

OED introduced BPL to the Berkeley Chamber of Commerce.

BPL and Chamber create a series of talks just for small businesses—The Berkeley Business Bootcamp (BBB).



## Two Sessions Later

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First session was on October 22<sup>nd</sup> with 21 participants.

Second session was on November 12<sup>th</sup> with 30 participants.

Topics include: creating a business plan, marketing and online sales, virtual networking, and HR best practices.

## Conclusion

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BBB supports the City of Berkeley Strategic Plan goals of creating a “resilient, safe, connected, and prepared City” and providing “excellent, timely, easily-accessible service and information to the community.”

It also meets the Library’s 3 long-term programming goals: (1) “Berkeley Public Library is seen as a community hub – a place of community connection,” (2) “Berkeley Public Library is seen as a gateway/ access point for community resources,” and (3) “Berkeley Public Library is seen as a partner for individual & community growth & exploration.”

## Current Programs for Adults

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- One-on-One Tech Help through Zoom
- Popping the Science Bubble
- ESL Conversation Club
- Covered CA Enrollment
- Art Talks by De Young Museum docents
- Resume workshops
- Personal Finance workshops
- Cooking Matters at Home Cooking Classes
- And many more!



**CONSENT CALENDAR**

January 6, 2021

**TO:** Board of Library Trustees

**FROM:** Brian Gavin, Senior Building Maintenance Supervisor

**SUBJECT:** Contract Amendment: No. 089614-1 (8852) Stuart's Clear Choice Cleaning Service, Inc.

**RECOMMENDATION**

Adopt the resolution authorizing the Director of Library Services to execute an amendment to Contract No. 089614-1 (Fund\$ No. 8852) with Stuart's Clear Choice Cleaning Service, Inc. to increase the contracted not-to-exceed amount to \$100,000 for cleaning of solar panels, clerestory windows, skylights and other exterior windows, as well as the power washing of external entry areas.

**FISCAL IMPACTS OF RECOMMENDATION**

The total cost of the Contract's amended allowable not-to-exceed amount would be valued at \$100,000, and represents an increase of \$25,000 over the Contract's current value of \$75,000.

This expenditure is included in the Library Tax Fund (101) FY 2021 Budget and will be expensed through budget code **101-22-242-272-0000-000-463-624110**. Funds for fiscal years FY 2022 and 2023 will be appropriated in the upcoming Biennial Budget.

**BACKGROUND**

The existing contract with Stuart's Clear Choice Cleaning Service, Inc., begun on December 12, 2011, was last amended on July 1, 2018 and is scheduled to expire on December 31, 2020. Prior to the existing contract, the Library contracted with Stuart's Clear Choice Cleaning Service, Inc. on Contract No. 8530 for a short term contract that extended from January 3, 2011 through February 11, 2011 with the sole purpose to prepare the Central Library for that year's Berkeley Public Library Foundation Authors Dinner.

Under existing contract terms, Stuart's Clear Choice has provided regularly scheduled and on-call cleaning services at the five Library locations.

**CURRENT SITUATION AND ITS EFFECTS**

Since execution of the existing contract with Stuart's Clear Choice the Library has engaged this vendor to provide scheduled and on-call services for cleaning of solar panels, clerestory windows, skylights and other exterior windows, as well as the power washing of external entry areas at all Library facilities. The contract agreement was last amended on July 1, 2018 to increase the not-to-exceed value and to extend the termination date to December 31, 2020. The Contract was extended by letter authorization on December 8, 2020 to terminate on December 31, 2022.

Prior to this request to amend, the Library's Senior Building Maintenance Supervisor contacted other local cleaning services to solicit vendor interest and to ensure that pricing remain competitive and current. Vendor interest was extremely limited due to existing market conditions imposed upon vendors by the Covid-19 pandemic in which vendors were operating with reduced staffing and resources and were

generally unable or reluctant to accept new customers without an assurance of being provided guaranteed minimum service levels.

The City and Library considers the services contracted with Stuart's Clear Choice as high risk due to necessary equipment, building heights and hazardous conditions for roof and window access, and the location of the rooftop solar panels.

The Library considers maintaining the cleanliness of Library facilities and the efficiency of the solar panels as important public indicators reflecting (in part) the overall importance that the board and staff assign to their mission of delivering high quality public library services.

**RATIONALE FOR RECOMMENDATION**

Cleaning services as provided by Stuart's Clear Choice enhance and improve the attractiveness of the five Library facilities and are consistent with the board established FY20/FY21 and FY22/FY23 budget priority to "Provide state-of the-art, well maintained infrastructure, amenities, and facilities."

**ALTERNATIVE ACTIONS CONSIDERED**

Allow contract to expire.

**Attachments**

1. Resolution



## **BOARD OF LIBRARY TRUSTEES**

### **RESOLUTION NO: R21-069**

#### **CONTRACT AMENDMENT: NO. 089614-1 STUART'S CLEAR CHOICE CLEANING SERVICE, INC.**

WHEREAS, the Library and Stuart's Clear Choice Cleaning Service, Inc., entered into Contract No. 089614-1 (Fund\$ 8852 ) on December 12, 2011 and has been amended and is scheduled to expire on December 31, 2022; and

WHEREAS, to date Stuart's Clear Choice Cleaning Service, Inc. has successfully fulfilled contracted services to provide scheduled and on-call cleaning of solar panels, clerestory windows, skylights and other exterior windows, as well as power washing of external entry areas at all Library locations.

NOW THEREFORE, BE IT RESOLVED that the Board of Library Trustees of the City of Berkeley hereby authorizes the Director of Library Services to execute an amendment to Contract No. 089614-1 with Stuart's Clear Choice Cleaning Service, Inc. to increase the contracted not-to-exceed amount to \$100,000 for scheduled and on-call services.

ADOPTED by the Board of Library Trustees of the City of Berkeley at a regular meeting held on January 6, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

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John Selawsky, President

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Tess Mayer, Director of Library Services  
Serving as Secretary to the Board of Library Trustees





**CONSENT CALENDAR**

January 6, 2021

To: Board of Library Trustees  
From: Tess Mayer, Director of Library Services  
Subject: Contract Amendment Recommendation to City Council: No. 32000124, D.L. Falk

**RECOMMENDATION**

To recommend that the City Council adopt a Resolution authorizing the City Manager to amend Contract No. 32000124 with D.L. Falk Construction, Inc. to complete interior renovations work at the Central Library, increasing the current contract not-to-exceed amount of \$3,056,900.00 by \$100,000 for a revised total amount not-to-exceed \$3,156,900.

**FISCAL IMPACTS OF RECOMMENDATION**

Funding is available in the FY 2021 budget in the Library Tax Fund (101-22-241-263-0000-000-463-662110-CAP - FA - BUILDINGS).

Original Contract (not-to-exceed).....\$3,056,900.00  
This Amendment.....\$100,000.00  
**Amended Contract Amount (not-to-exceed)      \$3,156,900.00**

| Project                                               | Original<br>Contract NTE<br>(Jan-2020) | This<br>Amendment<br>(Jan-2021) | Amended<br>Contract NTE | Fund             | Budget Code                                              |
|-------------------------------------------------------|----------------------------------------|---------------------------------|-------------------------|------------------|----------------------------------------------------------|
| Central Library<br>Interior<br>Renovations<br>Project | \$3,056,900.00                         | \$100,000.00                    | \$3,156,900.00          | Library Tax Fund | 101-22-241-263-<br>0000-000-463-<br>662110<br><br>LB1424 |

The additional funding is requested to provide for remaining contractor submitted change orders to complete interior renovations work at the Central Library as scoped under the existing contract with D.L. Falk Construction, Inc. Once construction is completed, the Central Library will be enhanced with a dedicated Teen Room, improved lighting and flooring throughout the first and second floors, addition of gender neutral restrooms, an updated computer area, reconfigured service desks, and spaces for quiet study and flexible public programming use.

Contract No. 32000124 with D.L. Falk is funded by the Library Tax Fund pursuant to the control and management authority granted to the Board of Library Trustees (Berkeley Municipal Code Section 3.04.50), and is project managed by the Public Works Department.

**CURRENT SITUATION AND ITS EFFECTS**

The Central Library of the Berkeley Public Library, located at 2090 Kittredge Street requires significant maintenance work and upgrades to meet current public service demands. The Central Library Interior

Renovations Project focuses work on improvements to the publicly accessible areas of the first and second floors including interior construction of a dedicated teen area on the first floor; the addition of gender-neutral restrooms on the second floor; upgraded shelving, lighting, and flooring; installation of a flexible quiet study/public programming area; and furniture/fixture upgrades. In addition, accessibility and other physical amenity features to the existing second floor restrooms will be upgraded.

With the Project nearing completion of construction, D.L. Falk, Public Works, and the Library have identified the following facility upgrades requiring additional funds to improve the operation and day-to-day functionality of the redesigned spaces.

- Book theft security system: System stability requires two sources of power
- Power & data change: Installation of second level power boxes
- Phasing Removal/Schedule Acceleration: Revision to schedule
- Mirrors in existing restrooms: Replacement upgrade due to degradation and corrosion
- Electrical Issues: Core drilling at various installation points
- 3-Form Type 1J Material: Install additional panel
- Mystery Room Light Fixtures: Additional lighting feature per code

The recommended amendment for \$100,000.00 will cover the facility improvements noted above and address miscellaneous unforeseen closeout items that occur on building facility upgrade projects of this size and complexity.

The described services support the fiscal years 2020 and 2021 Biennial Budget Priority established by the Board of Library Trustees (BOLT Resolution No.: R18-059, dated December 12, 2018) as follows:

- Provide excellent, timely, easily-accessible services and information to the community.

## **BACKGROUND**

In 2002, the Central Library underwent a renovation that enlarged its footprint with a new wing; expanded public service areas on two floors; provided for dedicated service areas for children's services and art and music materials; added a Community Meeting Room, and enabled other service elements such as the Friends of the Library bookstore, self-service holds, and improved display of newly purchased materials.

In 2008, consistent with service priorities identified in the Library's 2008-2011 Strategic Plan among of which included *"Providing a welcoming, safe, comfortable environment: Berkeley residents enjoy libraries with welcoming, safe, functional and comfortable environments."* the Library began exploring physical plant improvements to the Central Library and the four branch libraries. Community outreach surveys and research consistently noted the lack of a dedicated space for teens at the Central Library as a hurdle for the Library to broaden services and deepen contacts with teens. This service deficiency was further highlighted in a 2009 report from the space consultancy firm, Page & Morris, LLC which cited a lack of seating in the teen area and the need for acoustical barriers to enable teens to engage with each other when using the Central Library.

### ***2011-2013, The Branch Libraries Renovation Projects – Measure FF***

Concurrently, during 2008, following progress reports, community input, and board discussions related to a study initiated in October 2007 to produce a Branch Library Facility Master Plan (BLFMP) the board adopted Resolution No.: R08-62 on June 10, 2008, recommending the Berkeley City Council place a Library bond on the November 2008 ballot. The following month, on July 9, 2008, the board approved Resolution No.: R08-73, accepting the final BLFMP report produced by the consultant Noll & Tam Architects. Subsequently, the Berkeley City Council on July 22, 2008, voted unanimously to place a Library bond measure (Measure FF) on the ballot. Measure FF passed with a vote of 67.99% in favor and 32.01% against. The degree of visible

support and success of Measure FF spurred the Library to move ahead to upgrade all four branch library facilities with the intent to address the Central Library upon conclusion of the branch projects.

*2014-Present, The Central Library Interior Renovations Project*

At completion in 2013 of the Measure FF branch libraries project the Library pivoted to addressing physical plant improvements at the Central Library. In 2014, the full-service architectural and design firm Noll & Tam Architects was engaged as the project architect. Focus groups, and staff and community meetings were held to determine and assess community and service needs. Construction documents were completed and advertised for bids on Monday, July 1, 2019; and at bid opening on July 30, 2019, D.L. Falk Construction emerged as the lowest responsive and responsible bidder. Project construction began in early 2020.

ENVIRONMENTAL SUSTAINABILITY

Reconfigured spaces allowing for full enclosure at will of specific areas are expected to increase the efficiency and productive use of the facility. Equipment such as lighting and low-flow restroom fixtures will incorporate the latest environmental sustainability features.

RATIONALE FOR RECOMMENDATION

The requested facility upgrades are designed to improve and enhance general public accessibility across all segments of the community, and expand the range of available public library services on offer at the Central Library.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Tess Mayer, Director of Library Services, Library Administration, 510-981-6195

Attachments

1. Resolution



**BOARD OF LIBRARY TRUSTEES**  
**RESOLUTION NO: R21-070**

**CONTRACT AMENDMENT RECOMMENDATION TO CITY COUNCIL: NO. 32000124, D.L. FALK**

WHEREAS, the project consists of renovations to the first and second floors of the Berkeley Public Library's Central Library, located at 2090 Kittredge Street; and

WHEREAS, The City has neither the labor nor the equipment necessary to undertake this renovations project; and

WHEREAS, an invitation for bids (Plans and Specifications No. 19-11312-C) was duly advertised, and D.L. Falk Construction, Inc. was determined to be the lowest responsive and responsible bidder; and

WHEREAS, Resolution No. 69,130-N.S. authorized the City Manager to execute a contract and any amendments, extensions or change orders, until completion of the project in accordance with the approved plans and specifications with D.L. Falk Construction, Inc. for the Central Library Interior Renovations Project at 2090 Kittredge Street, in an amount not to exceed \$3,056,900.00; and

WHEREAS, due to requested building facility upgrades and other unforeseen construction close-out work an additional increase of \$100,000.00 is necessary to fund the improvements; and

WHEREAS, sufficient funding is appropriated in the Library's biennial FY 2021 budget in the Library Tax Fund; and

NOW THEREFORE, BE IT RESOLVED by the Board of Library Trustees of the Berkeley Public Library to recommend to the City Council to approve the City Manager as authorized to execute an amendment to Contract No. 32000124 with D.L. Falk Construction, Inc. for interior renovation upgrades and other construction close-out work at the Berkeley Public Library – Central Library, increasing the current contract not-to-exceed amount of \$3,056,900.00 by \$100,000.00 for a total contract amount not-to-exceed \$3,156,900.00.

ADOPTED by the Board of Library Trustees of the City of Berkeley at a regular meeting held on January 6, 2021, by the following vote:

AYES: .  
NOES: .  
ABSENT: .  
ABSTENTIONS: .

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John Selawsky, President

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Tess Mayer, Director of Library Services  
Serving as Secretary to the Board of Library Trustees







**CONSENT CALENDAR**

January 6, 2021

**TO:** Board of Library Trustees

**FROM:** Tess Mayer, Director of Library Services

**SUBJECT:** Contract Amendment: No. 3210004, Bug ID, Inc.

**RECOMMENDATION**

Adopt a resolution authorizing the acting Director of Library Services to amend Contract 32100004 with Bug ID, Inc. to provide for an incremental increase of \$5,000 for installation wiring services for the Central Library Improvement Project, thereby increasing the Contract's allowable not-to-exceed amount to \$112,000.00.

**FISCAL IMPACT**

The total cost of the Contract's amended allowable not-to-exceed amount would be valued at \$112,000.00, and represents an increase of \$5,000 over the original Contract's value of \$107,000.00.

This expenditure is included in the BPL Foundation Fund (105) FY 2020 Budget and will be expensed through budget code **105-22-241-261-0000-000-463-642990 14LB24** (Central Library Improvement Project). The Foundation Fund is a gift-supported fund with proceeds sourced from the Berkeley Public Library Foundation's fundraising efforts in support of the Berkeley Public Library.

Library Tax Fund (101) monies will not be expended for this Contract.

**BACKGROUND**

To date, the Foundation has pledged approximately \$645,000 for the entirety of furnishings and equipment for the Central Library Improvement Project.

The Central Library Improvement Project is a program focused on interior physical plant maintenance and improvement to the Central Library to support and enhance the on-site patron experience. The Central Library was last substantially upgraded in 2002 when it reopened after major expansion and retrofit work funded by Measure S, a 1996 voter approved bond measure. In FY 2014, the Library initiated steps to conceptualize and define an overall improvement program, whereupon Noll and Tam Architects and Planners were engaged for programmatic architectural and design services.

The Berkeley Public Library Foundation has demonstrated a consistent and enduring commitment of support for the Library, particularly in raising capital funds to fund facility improvements. The Foundation acted as a key participant in the success of the Measure FF Branch Libraries Improvement Project contributing \$1,689,916 to furnish and equip all four branch libraries. And in 2002, the Foundation raised \$4.1 million in capital campaign funds for the purchase of furniture, fixtures, and equipment for the then newly renovated and expanded historical Central Library.

Based upon the programmatic goals of the Library for the Central Library Improvements Project the Foundation has directed the Library to purchase sound equipment as part of its commitment to providing

facility and equipment support; i.e., the first floor Teen Room and the second floor Mystery Room. Installation of an integrated sound system will be used by Library staff to support and facilitate public programming.

Noll and Tam worked closely with a team of Central Library staff that included members of the Central Circulation, Central Adult, Central Support, and Collections units to identify a range of likely programming uses by which a framework was defined for the system's design and selection of equipment.

#### CURRENT SITUATION AND ITS EFFECTS

The Central Library Improvement Project is in the midst of construction.

An integrated sound system and equipment for the Teen Room and the Mystery Room will support the Library's programmatic goals hosting author readings, music programs, community panels, poetry readings, and other similar programs. It will also allow the Central Support Unit to incorporate the playing of recorded music into its daily services for teens in the new teen room. Additional wiring work is necessary to complete the installation.

The value of the Contract for Bug ID, Inc. exceeds the Director's spending limit of \$100,000 for the purchase of goods permitted to the Director of Library Services (as stated in the Library's Purchasing Manual). As a result, the Contract requires board approval.

#### RATIONALE FOR RECOMMENDATION

The Berkeley Public Library Foundation is funding the entirety of this aspect of the Central Library Improvements Project and directed the Library to purchase and install a fully equipped sound system integrated into the design of the project. Bug ID, Inc., a San Francisco-based audio video design firm with clients ranging from non-profits to museums to governmental agencies, was selected to provide services pursuant to the Scope of Services specified in Contract 32100004. Bug ID previously was the equipment supplier, designer and installer of the audio system at the fully renovated Downtown Berkeley BART Plaza that opened in October 2018. The company was identified due to its experience working collaboratively to create accessible and effective audio solutions for public environments. Services to be provided by Bug ID include system design, staff training for general use, and instructions for adjusting the system based on the type of Library program to be presented.

#### ALTERNATIVE ACTIONS CONSIDERED

No alternative actions were considered due to instructions received from the Berkeley Public Library Foundation. The Foundation is providing full funding support for the contracted goods and services.

Attachments:

1. Resolution

## BOARD OF LIBRARY TRUSTEES

### RESOLUTION NO: R21-071

#### CONTRACT AMENDMENT: NO. 3210004, BUG ID, INC.

WHEREAS, the Berkeley Public Library Foundation has committed to providing funding for equipment and furnishings associated with the Central Library Improvement Project, a project to enable staff to shape services around community needs and support improved experiences at the Central Library; and

WHEREAS, the Berkeley Public Library Foundation is leading a fundraising drive designed to enable the Library to achieve the above mentioned goals, and in doing so has committed to date approximately \$645,000; and

WHEREAS, the Central Library Improvement Project commenced construction in February 2020 with the first phase to include a fully equipped sound system integrated into both the design of a dedicated teen space on the first floor, and a new flexible programming, seating, and shelving area on the second floor; and

WHEREAS, a team of Library staff collaborated with the architectural and design firm Noll & Tam to identify public programming needs that will offer expanded and enhanced public programming opportunities; and

WHEREAS, the Berkeley Public Library Foundation committed to fully funding the design and installation of the sound system included in this phase of the Central Library Improvement Project; and

WHEREAS, the Library received direction from the Berkeley Public Library Foundation to purchase sound equipment and associated installation services from Bug ID, Inc., a San Francisco-based audio video design firm; and

WHEREAS, on July 1, 2020, the Board by Resolution No.: R20-037 approved Contract No. 32100004 and any amendments with Bug ID, Inc. to provide the audio design and installation services for the Central Library Area Improvements project in an amount not-to-exceed \$107,000; and,

WHEREAS, additional wiring work to complete the installation has been identified; and

NOW THEREFORE, BE IT RESOLVED by the Board of Library Trustees of the City of Berkeley to adopt the resolution to authorize the Director of Library Services to amend Contract No. 32100004 with Bug ID, Inc. to provide for an increase of \$5,000.00 to the expenditure authority, thereby, increasing the Contract's allowable not-to-exceed amount to \$112,000.00 for audio design and installation services.

ADOPTED by the Board of Library Trustees of the City of Berkeley at a regular meeting held on January 6, 2021 by the following vote:

AYES: .  
NOES: .  
ABSENT: .  
ABSTENTIONS: .

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John Selawsky, Board President

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Tess Mayer, Director of Library Services  
Serving as Secretary of the Board of Library Trustees





**CONSENT CALENDAR**  
January 6, 2021

**TO:** Board of Library Trustees  
**FROM:** Tess Mayer, Director of Library Services  
**SUBJECT:** Contract Amendment No. 099497-1 (9563) Noll & Tam Architects and Planners

**RECOMMENDATION**

Adopt the resolution authorizing the Director of Library Services to execute an amendment to Contract No. 099497-1 (Fund\$ No.9563) with Noll & Tam Architects and Planners to increase the contracted not-to-exceed amount to \$613,416.00 for unforeseen project close-out work and additional meetings.

**FISCAL IMPACTS OF RECOMMENDATION**

The total cost of the Contract's amended allowable not-to-exceed amount would be valued at \$613,416, and represents an increase of \$48,000 over the Contract's current value of \$565,416.

This expenditure will be included in the Library Tax Fund (101) FY 2021 Budget through an adjustment to the Budget and will be expensed through budget code **101-22-241-261-0000-000-463-612310 14LB24**.

**BACKGROUND**

The existing contract with Noll & Tam Architects & Planners, effected February 13, 2014, was last amended on December 12, 2018 and is scheduled to expire on February 28, 2021. Noll & Tam Architects and Planners is providing programmatic, architectural and design services for the Central Library Interior Renovations Project.

On February 12, 2014, the Board of Library Trustees adopted BOLT Resolution No.: R14-014, authorizing execution of a contract with Noll & Tam Architects and Planners for programmatic, and architectural and design services for the Central Library Interior Renovations Project. Upon completion of the contract's exploratory phase that included an analysis of interior spaces and a conceptual design phase a first amendment was executed to the contract on December 14, 2014 adding schematic and design development to the scope of services. A second amendment was executed on April 8, 2016 to incorporate development of construction documents, bidding and negotiation, and construction administration. And on January 17, 2019, the contract was amended to extend the work scope due to advancement of the Project incorporating components affecting construction and administration; and furniture, fixtures and equipment selection and specification.

**CURRENT SITUATION AND ITS EFFECTS**

In early 2020, the construction phase of the Central Library Interior Renovations Project was initiated. Regular meetings were required to be held between D.L. Falk Construction, Inc., the Library, the Public Works Department, and representatives of Noll & Tam in their supporting role as construction administrators. Due to various factors, including the Covid-19 pandemic, the Project's construction work phasing was considerably revised requiring involvement on the part of Noll & Tam. Moreover, the Noll &

Tam contract specified the number of meetings at twelve; however, due to the extended length and complexity of the Project, Noll & Tam staff are expected to have attended a significantly higher number of total meetings – approximately 48 – than had been written into the original contract.

An amendment is needed for the architectural and design firm to perform final project tasks, including responding to RFIs and assisting with close-out of the Project's punch-out list.

Staff recommends an additional \$48,000 be added to the Contract not-to-exceed amount to accommodate this required work.

**RATIONALE FOR RECOMMENDATION**

The requested funding for facility upgrades is designed to improve and enhance general public accessibility across all segments of the community, and expand the range of available public library services on offer at the Central Library.

**ALTERNATIVE ACTIONS CONSIDERED**

None.

**Attachments**

1. Resolution

## **BOARD OF LIBRARY TRUSTEES**

### **RESOLUTION NO: 21-072**

#### **CONTRACT AMENDMENT NO. 099497-1 (9563) NOLL & TAM ARCHITECTS AND PLANNERS**

WHEREAS, the firm of Noll & Tam Architects and Planners was selected in a competitive City of Berkeley RFP solicitation (#14-10812) to provide programmatic, architectural, and design services for public area improvements at the Central Library; and,

WHEREAS, on February 12, 2014, the Board of Library Trustees by Resolution No.: R14-014 adopted authorizing execution of a contract and any amendments with Noll & Tam Architects and Planners to provide for programmatic, and architectural and design services for the Central Library Interior Renovations Project in an amount not-to-exceed \$80,000; and,

WHEREAS, on July 23, 2014 the Board of Library Trustees by Resolution No.: R14-043 approved an additional \$61,875, inclusive of a 10% contingency to execute project ASAs, for architectural schematic and design development services for a total not-to-exceed amount of \$141,875; and,

WHEREAS, on October 15, 2015, the Board of Library Trustees by Resolution No.: R15-135 authorized an amendment to Contract No. 099497-1 (9563) increasing the Contract's allowable not-to-exceed amount to \$355,416, and to extend the term of the Contract to December 29, 2017; and

WHEREAS, on September 17, 2018, the Board of Library Trustees by adoption of Resolution No.: 18-038 authorized an amendment to Contract No. 099497-1 (9563) increasing the Contract's allowable not-to-exceed amount to \$565,416, to extend the term of the Contract to December 31, 2020, and modifying the scope of the Contract to incorporate development of construction documents, bidding and negotiation, and construction administration; and

WHEREAS, on December 3, 2019, by letter authorization the Director of Library Services extended the term of Contract No. 099497-1 (9563) to February 28, 2021; and

WHEREAS, due to the extended length and complexity of the Project, Noll & Tam staff are expected to have attended a significantly higher number of total meetings than had been written into the contract and are performing final project tasks, including responding to RFIs and assisting with close-out of the Project's punch-out list; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Library Trustees of the City of Berkeley adopt the resolution to amend Contract No. 099497-1 (9563) with Noll & Tam Architects and Planners to provide for an increase of \$48,000.00 to the expenditure authority, thereby, increasing the Contract's allowable not-to-exceed amount to \$613,416.00 for unforeseen project close-out work and additional meetings.

ADOPTED by the Board of Library Trustees of the City of Berkeley at a regular meeting held on January 6, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

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John Selawsky, Board President

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Tess Mayer, Director of Library Services  
Serving as Secretary to the Board of Library Trustees







**ACTION CALENDAR**

January 6, 2021

To: Board of Library Trustees  
From: Dennis Dang, Administrative and Fiscal Services Manager  
Subject: Library Tax Fund Reserve Policy

**RECOMMENDATION**

Adopt the resolution to formally accept and adopt for the Berkeley Public Library the Library Tax Fund Reserve Policy. The purpose is to establish a Library Tax Fund Reserve Policy encompassing a minimal Library Tax Fund reserve level to support library operations, and define the use, funding, and replenishment guidelines of the reserve.

**FISCAL IMPACTS OF RECOMMENDATION**

The target level for total Library Tax Fund reserves shall be set at a flat amount within a range of 6.0% to 10% of adopted library tax revenues, with an intended average of 8.0% of Library Tax Fund adopted expenditures over an extended period of time; and shall be reviewed and incorporated into the Library Tax Fund adopted budget at the adoption of the Library's biennial budget. The range and or the intended average may be reset by a majority vote of the Board of Library Trustees.

**SUMMARY**

A fund reserve, or "rainy day fund," ensures an agency's ability to maintain vital services to the community during times of economic uncertainty and distress, subsequently either mitigating or possibly eliminating a significant reduction in services and or circumvent the need to seek an increase to fees or tax receipts during periods of temporary economic shortfalls. The recommended target level for Library Tax Fund reserves is significantly lower than that of the City of Berkeley. The Library system does not provide critical infrastructure, and thus the requirement for emergency funds differs but is still relevant. For local publicly funded services across the nation, the need to maintain an appropriately-sized fund reserve gained heightened prominence in the aftermath of the Great Recession and the municipal bankruptcies that followed, and is further highlighted by the ongoing Covid-19 public health crisis.

There are several revenue sources that support Library operations. By far, the largest revenue source is the library tax, a (parcel based) property tax special assessment based on building square footage and use code. These library tax receipts are allocated to the Library Tax Fund and in FY 2020 constituted slightly more than 98% of total revenue. Other miscellaneous revenue was derived from grants and awards, monetary gifts and contributions, and fines and fees. Because of these dedicated sources of funding the Library does not receive funding support from the City of Berkeley's General Fund and is not an eligible participant to the General Fund Reserves.

The Berkeley Public Library is committed to achieving long-term fiscal stability consistent with the FY 2022-2023 Budget Priority adopted by the Board of Library Trustees on December 2, 2020 by Resolution No.: R20-064 prescribing the Library, "*Maintain the stability of the operating budget and plan for future operational needs – including establishing/maintaining a balanced budget.*" In acknowledgement and to meet the directive of this priority the Library accepts as its public duty to mitigate the negative impacts of extraordinary risks such as, but not limited to, earthquakes, fires, floods, public health emergencies,

pandemics, and economic volatility. As such, the Library currently sets aside \$1.5M in library tax receipts as funding reserves to mitigate current and future fiscal risk or loss. However, the Library does not have an adopted reserves policy.

#### CURRENT SITUATION

This report responds to the City Auditor's recommendations that appeared in the August 27, 2020 Audit Report entitled "Berkeley Public Library Uses Tax Funds by the Book, But More Internal Controls Needed." Staff recommends that the Library develop and implement a reserves policy that clearly defines use of the Library Tax Fund reserve so as to inform and guide the Board of Library Trustees (Board) in the dispensation of their authority for use of the funding reserves.

Currently, the Berkeley Public Library targets a reserves level of approximately 8 percent of projected library tax revenues. It is intended that as the Library's budget is typically constructed to match revenues to expenditures that reserves at this level will fund Library operations for about 30 days:  $30 \text{ days} / 365 \text{ days} = .08$ . Once the reserve funding target is determined and evaluated for fit in regards to projected Library Tax Fund expenditures it is then incorporated into the adopted Biennial Budget as a flat amount until otherwise directed by the Board of Library Trustees. Nonetheless, as stated in the audit report (p. 8), "the Library does not have a policy specifying how and when the reserve can be used, or how it should be replenished after use." Consequently, in specific reference to the reserve the audit report recommends, and of which staff concurs:

To guide the Board of Library Trustees in authorizing use of the reserve, we recommend the Library develop and implement a reserve policy. We recommend that the policy:

- Define situations in which use of the reserve may be considered;
- Include a plan for how the reserve will be funded or replenished if used;
- Specify the exact purpose and timeline for any use of reserve funds, with some flexibility as needed; and
- Specify the allowable amount to withdraw per incident and/or fiscal year.

#### BACKGROUND

The audit encompassed the Library's use of Library Tax Fund non-personnel expenditures in fiscal year 2018 (July 1, 2017 – June 30, 2018). Transactions were reviewed for alignment with the will of the Library Relief Act of 1980, and assessed the Library's internal controls for risk of fraud, waste, or misuse. Interviews were conducted with Library management, staff, and the Board of Library Trustees; and reviews were performed on how the Library evaluates its activities. Furthermore, audit staff researched local and nation-wide public library practices and trends to better understand how Berkeley Public Library compared to other libraries. The report though limited to fiscal year 2018 did contain some information about fiscal year 2020 and later due to the City's response to the COVID-19 pandemic beginning shortly before the report was originally scheduled to be released; therefore, some findings and recommendations were updated to reflect current circumstances.

Activities transacted within the Library Tax Fund, including the provision of \$1.5M as reserves, were determined to be consistent with the Library Relief Act of 1980 and amendment in 1988. By establishing and adopting a reserves policy the Library concurs with the audit report's conclusion that doing so would strengthen internal controls allowing for better and measurable alignment and accountability of the deployment and use of fiscal resources to adhere to the intent of the Library Relief Act of 1980. Currently the Library does not have an established Board adopted reserves policy. Therefore, since fiscal 2013, when the Library first set aside a reserves provision in the adopted Library Tax Fund budget, the use of the reserves has been constrained solely by the Library's commitment not to spend from the reserves unless explicitly authorized by the Board. At that time a reserves policy, or a separate Board action, was deemed

not required if the reserve amount was included in the adopted budget request. In 2016, as the City was updating its reserve policy, the Library specified as a Budget Priority for fiscal years 2018 and 2019 consideration to, "Increase and adapt the Library Tax Fund (301) reserve set-aside to model the City General Fund Reserve Policy." At the adoption of the FY 2018 and FY 2019 Biennial Budget the Board set the reserves amount at a fixed \$1.5M amount articulating the Library's need and use of reserve funds as being fundamentally different from that of the City.

#### RATIONALE FOR RECOMMENDATION

An attribute of a financially stable organization is whether appropriate reserves are in place to position the organization to withstand significant economic downturns, manage consequences of outside agency actions that may result in revenue reductions, and address unexpected emergencies such as natural disasters, public health crisis, or catastrophic events caused by human activity. The Library's effort to put in place such a reserves policy serves as the policy framework to deploy needed resources to meet the Library's financial obligations and address unexpected future events in a fiscally prudent manner.

The policy presented seeks to serve as a guide to the Board of Library Trustees with determining an appropriate and prudent amount to set aside as reserves, addressing what and how to set aside an appropriate amount to cover a given set of unanticipated events while imparting a sense of sustainability and continuity for the organization and the community – i.e, what is the Library's reasonable risk tolerance level.

Determining an appropriate and prudent amount for the Library Tax Fund Reserves will necessitate judgement and consideration of factors such as:

- Cash flow of library tax revenue;
- Library's exposure to natural and other disasters;
- Library's exposure to economic conditions; and
- Library's vulnerability to State actions

Taxpayers expect their taxes to provide important public services, not to create savings accounts. Consequently, this Policy seeks to provide the Board and Library the flexibility to respond to the uniqueness of the emergency being addressed while also preventing volatility in the funding level of reserves.

#### ENVIRONMENTAL SUSTAINABILITY

Actions as authorized by adoption of the resolution will be implemented in a manner that is consistent with the City's environmental sustainability goals and requirements.

#### ALTERNATIVE ACTIONS

None.

Attachments:

1. Resolution
2. Proposed Library Tax Refund Reserve Policy



**BOARD OF LIBRARY TRUSTEES**  
**RESOLUTION NO: R21-073**

**ESTABLISHING THE BOARD OF LIBRARY TRUSTEE'S POLICIES FOR LIBRARY TAX FUND RESERVES**

WHEREAS, Library Tax Fund Reserves ensure the Library's ability to maintain vital public library services to the community during times of economic uncertainty and distress; and

WHEREAS, the Library is committed to achieving long-term fiscal stability as well as mitigating the negative impacts of extraordinary risk such as earthquakes, fires, floods, and public health emergencies; and

WHEREAS, the City Auditor in the Audit Report, "Berkeley Public Library Uses Tax Funds by the Book, But More Internal Controls Needed" released August 27, 2020, recommends that the Library develop and implement a reserve policy adopted by the Board of Library Trustees; and

WHEREAS, the Library Tax Fund Reserve Policy is in alignment with and consistent to the City of Berkeley General Fund Reserve Policy; and

NOW THEREFORE, BE IT RESOLVED that the Board of Library Trustees of the City of Berkeley hereby adopts the attached exhibit titled Library Tax Fund Reserve Policy. (Attachment 2)

ADOPTED by the Board of Library Trustees of the City of Berkeley at a regular meeting held on January 6, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

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John Selawsky, President

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Tess Mayer, Director of Library Services  
Serving as Secretary to the Board of Library Trust



**BERKELEY PUBLIC LIBRARY  
POLICIES**

|                    |            |
|--------------------|------------|
| ORIGINAL DATE:     | 01/06/2021 |
| BOLT Resolution #: | ###        |
| REVISED DATE:      |            |
| PAGE:              | 1 of 3     |

**SUBJECT: Library Tax Fund Reserve Policy**
**I. POLICY**

The Library Tax Fund is the Berkeley Public Library's primary operating fund. It is the sole operating fund for receipt of library tax revenue collected by the Alameda County Treasurer-Tax Collector. The library tax, approved by voters in the City of Berkeley in 1980 with passage of Measure E, the Library Relief Act, and a follow-up amendment in 1988, is a (parcel based) property tax special assessment based on building square footage and use code pursuant to Ordinance No. 5262-N.S. which states, "the tax imposed under this Ordinance is solely for the purpose of raising income and revenue which is necessary to assure the provision of the usual and current expenses of operating the City of Berkeley Library Services".

The Berkeley Public Library is committed to achieving long-term fiscal stability as well as mitigating the negative impacts of extraordinary risks such as, but not limited to, earthquakes, fires, floods, public health emergencies, pandemics, and economic volatility. A key attribute of a financially stable organization is appropriate reserves. Strong reserves position an organization to weather significant economic downturns more effectively, manage the consequences of outside agency actions that may result in revenue reductions, and address unexpected emergencies, such as natural disasters and catastrophic events. Establishing an adequate Library Tax Fund reserves policy allows the Library to mitigate current and future financial risks resulting from economic instability or catastrophic loss.

The Library's Library Tax Fund Reserve Policy documents the Library's approach to establishing and maintaining strong reserves and is designed to identify Library operations and functions for which reserves should be established and maintained; establish target reserve levels and the methodology for calculating reserve levels; provide a methodology for meeting reserve targets; and establish criteria for the use of reserves and the process to replenish reserves.

**Functions of Reserves**

The Berkeley Public Library will establish and maintain adequate financial reserves in order to prepare for the impact economic cycles, public health emergencies, and physical disasters may have upon library services to the public and assure annual fluctuation in revenue does not impede the Library's ability to meet expenditure obligations. When revenue fails to meet the normal operating requirements of standard public library services, or the need for disbursements temporarily exceeds receipts, reserves upon a majority vote of the Board of Library Trustees may be used in accordance with the standards set forth herein, as determined by a Review of Risk (best practices) that will be conducted every two years at the commencement of each biennial budget cycle to assess if the reserves level should be increased or lowered (to no less than the minimum level).

The reserves will mitigate loss of service delivery and financial risks associated with unexpected revenue shortfalls during a single fiscal year or a prolonged recessionary period. The purpose of this reserve is to provide fiscal stability and not serve as a funding source for new programs or projects.

In times of economic downturn, if revenues are insufficient to meet the normal operating requirements of standard public library services, funds contained in the Reserves may be used if authorized by a majority vote of the Board of Library Trustees, based on the following principles:

1. Staffing levels in standard public library services shall be temporarily maintained, in order to avoid or reduce the necessity for immediate lay-offs: only in extreme conditions will reserves be used to support operational positions for longer than two years;

2. A hiring freeze must be implemented for designated positions as appropriate to maintain standard public library services to the public;
3. All other reasonable and available expenditure reduction measures have been taken by the Director of Library Services and the Board of Library Trustees before using one-time funding to support operational positions;
4. User fees and service charges will be fully utilized for those services for which they were collected;
5. The level of the Reserves shall be restored in a timely manner as economic recovery occurs, consistent with the maintenance of standard public library services;
6. "Standard public library services", "appropriate levels" of such services, and "extreme conditions" shall be recognized from time to time by the Board of Library Trustees upon the recommendation of the Director of Library Services.

Additionally, reserves will be maintained for the purpose of sustaining Library Tax Fund operations in the case of a public emergency such as a natural disaster or other unforeseen catastrophic event. The reserve will be used to respond to extreme, onetime events, such as earthquakes, fires, floods, civil unrest, terrorist attacks and pandemics. In such instances, expenditures are necessary to ensure the safety of the City's residents and Library property.

#### **Funding and Functions that are NOT Part of the Library Tax Fund Reserves**

Not included in the Library Tax Fund reserves are funds that are set aside for a specific purpose. This would include restricted, committed, and assigned funds.

- The restricted fund balance category includes amounts that can be spent only for the specific purposes stipulated by constitution, external resource providers, or through enabling legislation.
- The committed fund balance classification includes amounts that can be used only for the specific purposes determined by a formal action by the Board of Library Trustees.
- Amounts in the assigned fund balance classification are intended to be used by the government for specific purposes but do not meet the criteria to be classified as restricted or committed.

In addition, the Library Tax Fund reserves will not be used for ongoing or new programs or services.

#### **Target Reserve Levels**

The Library will maintain a minimum of Library Tax Fund reserve level of 6.0% to 10% percent of adopted revenues for that biennial budget cycle. The target level for total Library Tax Fund reserves shall be set at a flat amount within a range of 6.0% to 10% of adopted library tax revenues, with an intended average of 8.0% of Library Tax Fund adopted expenditures over an extended period of time; and shall be reviewed and incorporated into the Library Tax Fund adopted budget at the adoption of the Library's biennial budget. The range and or the intended average may be reset by a majority vote of the Board of Library Trustees.

#### **Methodology to Meet Reserve Levels**

The Library Tax Fund Reserves are distinctly separate from the Library Tax Fund Balance. The Reserve and the amount determined to be Excess Equity is deemed to be Library Tax Fund Unassigned Fund Balance. Unassigned fund balance is the residual classification for the Library's general operating fund and includes all spendable amounts not contained in the other classifications.

Excess Equity should be reported separately from the Library Tax Fund Reserves; however, Excess Equity could be used to support funding the Library Tax Fund Reserves and assist the Library in meeting its target level.

Attaining the recommended target reserve level is important to the long-term financial health and stability of the Library. However, it must be recognized that attaining the target reserve level may at times not occur; and that it may be necessary to fund unexpected or increased operating and capital costs, while



simultaneously building the Library Tax Fund Reserves. The funding of Library Tax Fund Reserves is not intended to supersede other fiscal policies that the Board of Library Trustees adopts with the biennial budgets. As such, if necessary the Reserve Policy suggests funding reserves with 50% of annual Excess Equity (revenue above expenditures), after the carryover process has concluded, to be transferred annually to the Reserves. The remaining 50% of annual Excess Equity will be earmarked within the Library Tax Fund budget as expenditure appropriations and or Fund Balance, or can be appropriated by a majority vote of the Board of Library Trustees for actions pursuant to Section 3.40.060 of the City Charter.

**Replenishment of the Library Tax Fund Reserves**

The Director of Library Services shall recommend a replenishment schedule for all monies proposed for appropriation from the Library Tax Fund Reserves. The replenishment schedule shall be adopted with the appropriation to withdrawal of reserve funds. Repayment shall begin no more than 5 years from the date of withdrawal and be completed within 10 years from the date of withdrawal. While staff envisions that, in most cases, repayment will start as soon as possible, the repayment guidelines are meant to reflect a commitment to maintain sufficient reserves, while also recognizing that a use of reserves may occur during an economic downturn and it may be necessary to postpone repayment while the economy improves.

**Reviewed by:**\_\_\_\_\_  
Director of Library Services\_\_\_\_\_  
Date**Approved by:**\_\_\_\_\_  
Chair, Board of Library Trustees\_\_\_\_\_  
Date





**INFORMATION REPORTS**

Wednesday, January 6, 2021

To: Board of Library Trustees  
From: Tess Mayer, Director of Library Services  
Subject: Director's Report

**Berkeley Public Library designated as a Library Journal 5 Star Library**

For the first time, Berkeley Public Library has received the highest rating awarded to public libraries in the United States by the *Library Journal*: five stars.

Each year, the *Library Journal* (LJ) a major trade publication for the library field, index spotlights the “best of the best” public libraries in the United States. This year LJ reviewed more than 5,600 public libraries. San Francisco Public Library is the only other library system in California to receive a five-star rating in 2020.

In addition to the five stars designation, Berkeley Public Library ranked second amongst its five star cohort in number of book volumes in the collection.

2020 LJ ratings come from fiscal year 2018 data reported in the Institute of Museum and Library Services Public Library Survey. Criteria in the assessment include physical circulation, circulation of electronic materials, successful retrievals of electronic information, library visits, program attendance, public internet computer use, and Wi-Fi sessions.

Tess Mayer, Director of Library Services, acknowledges the very hard work and dedication on the part of Berkeley Public Library staff that has contributed to this ranking. She credits Elliot Warren, Deputy Director, who served as Acting Director of Library Services in 2018, with guiding library services in such a positive and responsive direction.

Patrons expressed their support for the Library on BPL's Facebook page after learning of the 5 Star designation: “Bravo! So well deserved. Thank you for all you do for the community.” “Congratulations!! So well-deserved. Thanks for all you've done to engage with patrons during the pandemic.”

**City of Berkeley under Regional Emergency Stay Home Order**

Alameda County's Covid-19 risk level classification, per the State of California's *Blueprint for a Safer Economy*, remains at “Widespread” (Tier 1). On December 16, the state announced that the availability of intensive care unit (ICU) beds fell below 15 percent in the Bay Area Region. This means that the Stay at Home restrictions adopted by Alameda County and seven other Bay Area jurisdictions earlier in December remain in effect for a minimum of three weeks. After the minimum three weeks (January 7, 2021), the State's order could be lifted once the region's projected ICU capacity meets or exceeds 15 percent, subject to City of Berkeley Public health assessment and directives. Essential government services and retail services (at a more limited capacity) are authorized to operate during the current order, and the Library's Outdoor Pickup services remain available to the public.

**New Winter Hours for Outdoor Pickup**

Beginning on Monday, December 21, 2020, Berkeley Public Library changed operating hours: Outdoor Pickup at all locations now ends at 6pm daily. The Library made this decision as part of ongoing efforts to center patron and staff safety amidst the recent Covid-19 surge in the Bay Area.

Through a series of conversations with Library Joint Labor Management and Library supervisory teams, it was determined that some minor scheduling changes would allow for a reduction in the amount of in-person, indoor contact that staff has with other staff. The purpose of this change is to create more flexibility in staff scheduling and response to varying staffing levels, and a slight reduction of operating hours facilitates this. After analyzing recent circulation data, the evening window emerged as the lowest usage time throughout the system. Shared priorities in implementing scheduling changes include safety and flexibility in working with all staff individually to accommodate needs.

Winter hours will remain in effect until at least January 31, 2021, with the potential for an extension. Any extension of these hours will be announced by email and the Library's website.

Patrons who are unable to come to Outdoor Pickup by 6pm on weekdays or on Saturdays are invited to participate in the Library's books by mail service.

### **Central Library Improvement Project**

The Central Library Improvement Project construction has largely been completed. With furniture having been delivered the week of December 21, the final effect is exciting and impressive. Noll & Tam Architects completed their final site walk on December 29, with just a few minor items for completion remaining at the time of this writing. There are a number of lower level issues and missing items associated with the furniture. The fire alarm subpanel installation still needs to take place. The vendor Bibliotheca still needs to complete installation of the security system, although the supporting electrical has been installed. The team is looking into enhancing the lighting in the public restrooms, as well as installing covers on light switches in various locations throughout the building.

### **Public Programming**

In response to high demand for the **NorCal Bats!** virtual program first offered on December 21, staff was able to adjust the format of the program to a webinar to accommodate greater participation. This virtual program was an informative presentation about bats who live in the Bay Area, and was also available as a recorded program through January 6, allowing for even more flexibility in participation.

One patron shared to a staff member that she is very grateful that this program is happening because she "loves bats and to let you all know that this has brightened her weekend considerably." Another patron posted a wonderful photo of their child watching the program with the caption: "Thank you @berkeleypubliclibrary for educating my little [bat] lover!" This program was sponsored by the Friends of the Berkeley Public Library.

In a similar vein, other recent programs have been very well attended and staff credit this to their promotion in the Library's newsletter. Virtual events featuring a magician, an art talk, and finance content all saw a significant increase in registration and attendance when promoted in the newsletter.

### **CONTACT PERSON**

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